

## The Ban and Church Discipline in Holy Communion God's Pedagogy in Action

### 1 What Is (Church) Discipline? The Small Catechism as Guide

“Church discipline” is a term rarely used these days. Who knows what it means or to what it refers? Who practices it?<sup>1</sup>

Roughly the first century of LCMS teaching and instructing was done largely in German and in Latin. Right around WW I, when our church body moved away from German, English terms had to be found or adapted for the familiar German and Latin terminology that goes back to the time of the Lutheran Reformation and beyond. Since we are no longer familiar with the original German / Latin terminology, the current English terms can be easily misunderstood. It is therefore good to do a little linguistic archaeology to get to what Luther and the early Lutherans were talking about.

The German term for church discipline is *Kirchenzucht*. The Latin term is *disciplina ecclesiastica*. It is not necessary to spend much time on etymological studies to see interesting references to, e.g., Luther's catechisms that help us get a better understanding of what church discipline encompasses.

#### 1.1 The Sixth Commandment

A first reference we find in the explanation of the Sixth Commandment in the Small Catechism. We are familiar with the English text (SC I, 12): “We should fear and love God *so that we lead a sexually pure and decent life* in what we say and do, and husband and wife love and honor each other.”<sup>2</sup> The German text reads: “Wir sollen Gott fürchten und lieben, *daß wir keusch und züchtig leben in Worten und Werken*, und ein jeglicher sein Gemahl lieben und ehren.”<sup>3</sup>

Here the adverb *züchtig* shows that words related to the noun *Zucht* can be used in a sexual context to describe modesty, sexual reserve, chasteness, and decency in this matter. While this particular adverb can have a wider meaning (see below), this “sexual” meaning becomes the dominant one from the 18<sup>th</sup> century forward.<sup>4</sup> We will return to this commandment below to take a look at the things that, for Luther, facilitated chastity in particular.

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<sup>1</sup> The 1985 report *Church Discipline in the Christian Congregation* by the LCMS's CTCR opens with these observations: “Little has been said or written in recent years concerning church discipline in the Christian congregation, ... A survey of some thirty denominations conducted already several years ago indicated that little or no church discipline was being exercised within Christendom” (1-2).

<sup>2</sup> Luther, Martin (2005-10-31). *Luther's Small Catechism with Explanation (ESV)* (Kindle Locations 69-70). Concordia Publishing House. Kindle Edition.

<sup>3</sup> Concordia Triglotta, p. 540. The Latin translation of the pertinent passage reads: “ut caste et pudice vivamus in verbis ac operibus.”

<sup>4</sup> Cf. Grimm, *Deutsches Wörterbuch*, 32:268-269.

## 1.2 The Fourth Petition of the Lord's Prayer

Another reference that comes to mind is the long list in the explanation to the Fourth Petition of the Lord's Prayer, where the familiar English answer to the question "What is meant by daily bread?" reads (SC III, 14):

Daily bread includes everything that has to do with the support and needs of the body, such as food, drink, clothing, shoes, house, home, land, animals, money, goods, a devout husband or wife, devout children, devout workers, devout and faithful rulers, good government, good weather, peace, health, *self-control*, good reputation, good friends, faithful neighbors, and the like.<sup>5</sup>

*Zucht*, the German noun here used,<sup>6</sup> is the origin of the adjective, "züchtig" used by Luther in the Sixth Commandment. It is derived from the verb *ziehen*, "to pull" (cf. the etymologically related "tug"), but also "to nourish," "to feed," and "to raise."<sup>7</sup> "Züchtig," when used with a general meaning in mind,<sup>8</sup> denotes the result of a good *Zucht*, which in this context refers to a good education or training, *Erziehung*.<sup>9</sup>

What is meant with this type of education is different from the Enlightenment's self-understanding as leading man "out of his self-imposed immaturity" by the public and free use of reason, as German philosopher Immanuel Kant famously formulated it in 1784.<sup>10</sup>

This type of education is also more than a mere sharing of bits of knowledge. Instead, it is the handing down of *in-formation* which shapes and trains a person's ways of thinking, speaking, and acting in the same way the branches of trees and shrubs are trained by being affixed to a trellis in the espalier style.<sup>11</sup> The pattern that offers itself for Christian training is not this or that human program or philosophy, but the apostolic word concerning faith and love, the sum of the Christian life.<sup>12</sup>

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<sup>5</sup> Luther, Martin (2005-10-31). *Luther's Small Catechism with Explanation (ESV)* (Kindle Locations 150-153). Concordia Publishing House. Kindle Edition.

<sup>6</sup> Cf. Triglotta, p. 548.

<sup>7</sup> As in: "I was raised by my parents."

<sup>8</sup> The sexual dimension of *züchtig* (as in the Sixth Commandment) became the almost exclusive meaning of the word from the 18<sup>th</sup> century forward (cf. Grimm, WB, 32:268-269).

<sup>9</sup> Cf. Grimm, WB, 32:268. There we also read that this adjective was highly popular in the 16<sup>th</sup> century. The Latin word used in the translation of the Small Catechism is therefore quite aptly *modestia*. This word, when used as a translation of the Greek-Stoic εὐταξία (*eutaxía*), means more than just humility or sexual reserve. Then it means generally doing the right thing at the right time, acting properly (cf. Lewis-Short, s.v. *modestia*).

<sup>10</sup> In his essay, *What Is Enlightenment?*

<sup>11</sup> Think here of the formal geometrical gardens of the Italian renaissance and the French adaptations during the Baroque period. The English landscape garden of the Romantic era that began to be the ideal beginning in the second half of the 18<sup>th</sup> century is a different matter, as there the human forming is less obvious but still present. Remarkably, Luther refers to the ceremonies of Christian worship as *praeparamenta* (WA 7:72), that is, that which is conducive to an orderly disposition of a Christian's faith and life, a builder's or artisan's model or plan (AE 31:375-376). This will be explored below.

<sup>12</sup> Cf. 2 Tim. 1:13 ("the sound pattern") with 1 Tim. 1:5-7. A sermon by Luther on these verses from 1 Tim. 1 is entitled "Sermon on the Sum of the Christian life" (cf. AE 51:259-287).

Now, after delineating the comprehensive meaning of *Zucht* in general, what did Luther have in mind specifically here in the Fourth Petition of the Lord's Prayer? As Luther described it in the Large Catechism, this petition is mostly about praying *for* the government but also about praying *against* the devil and his exploitive human agents.<sup>13</sup> He wrote (LC III, 73-74):

Now, our life requires not only food and clothing and other necessities for our body, but *also peace and concord in our daily business and in associations of every description with the people among whom we live and move — in short, everything that pertains to the regulation of our domestic and our civil or political affairs.* For where these two relations are interfered with and prevented from functioning properly, there the necessities of life are also interfered with, and life itself cannot be maintained for any length of time. *Indeed, the greatest need of all is to pray for our civil authorities and the government, for chiefly through them does God provide us our daily bread and all the comforts of this life.* Although we have received from God all good things in abundance, *we cannot retain any of them or enjoy them in security or happiness unless he gives us a stable, peaceful government. For where dissension, strife, and war prevail, there our daily bread is taken away, or at least reduced.*

In other words, the government plays a key role when it comes to daily bread, that is, our whole life in this world, because it is the God-given agent for peace in this world.<sup>14</sup> This is why I prefer Tappert's translation of *Zucht* in this context as (public) *order* over the individual's *self-control* in the Synodical catechism.<sup>15</sup> Without public order, that is, without fellow citizens and neighbors submitting themselves to the good laws of the land, there can be no peace and there can also be no lasting enjoyment of what God gives abundantly for the support of the body.

Luther was of the opinion that people should not simply observe God's legal order of civil life out of fear of physical punishment. And while this issue will be addressed in greater detail below, at this point it is enough to point to the importance of the First Commandment for the keeping of all the other commandments. In the Large Catechism's concluding words on the appendix to the First Commandment (cf. Exodus 20:5-6), Luther wrote (LC I, 326, 329-330):

[T]he First Commandment is to illuminate and impart its splendor to all the others. In order that this may be constantly repeated and never forgotten, therefore, you must let these concluding words run through all the commandments, like the clasp or the hoop of a wreath that binds the end to the beginning and holds everything together. ...

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<sup>13</sup> Cf. LC I, 80-84 with Ap. IV, 191-192 and AE 51:177.

<sup>14</sup> No wonder the Augsburg Confession calls the government along with the church "the highest gifts of God on earth" (AC XXVIII, 18): "Temporal power does not protect the soul, but with the sword and physical penalties it protects body and goods from the power of others" (AC XXVIII, 11).

<sup>15</sup> Cf. Grimm, WB, 32:262. Self-control is, of course, a fruit of the Holy Spirit (Gal. 5:23) and hence a more than worthy object of our petitions. However, the question is: Did Luther speak about it here, in the explanation of this particular petition? It is noteworthy that he translated ἐγκράτεια, the Greek noun in Gal. 5 that is typically and properly translated as "self-control," as *Keuschheit* – chastity, in other words (cf. 1 Cor. 7:9).

[T]he First Commandment is the chief source and fountainhead from which all the others proceed; again, to it they all return and upon it they depend, so that end and beginning are all linked and bound together.

*It is useful and necessary always to teach, admonish, and remind young people of all this so that they may be brought up [aufgezogen], not only with blows and compulsion, like cattle, but in the fear and reverence of God. These are not trifles of men but the commandments of the most high God, who watches over them with great earnestness, who vents his wrath upon those who despise them, and, on the contrary, abundantly rewards those who keep them. Where men consider this and take it to heart, there will arise a spontaneous impulse and desire gladly to do God's will.*

In the words of the Small Catechism, we should fear and love God so that we shun what he forbids and keep what he commands. The way toward doing this more and more includes the constant teaching of the First Commandment in relation to the other commandments, as Luther himself demonstrated it. This is how children are brought up like people, not like dumb beasts (cf. LC I, 61).

Luther spelled this out in greater detail at the end of his exposition of the Fourth Commandment in the Large Catechism, where he, after discussing the children's duties toward their parents (obedience and honor), calls on the parents to do their duty too: They were not only to feed their children, but also "to bring them up to the praise and honor of God" (LC I, 168, cf. LC I, 174).

Not surprisingly, and here we return to the themes of *Zucht* and *Erziehung*, the verb used by Luther in this final clause is *aufziehen*, a word mentioned already in LC I, 330 quoted above. It means "to raise," "to rear," or "to educate."<sup>16</sup> All this is summarized and connected to the Fourth Petition of the Lord's Prayer in the concluding paragraphs of that section of the Large Catechism (LC I, 175-177):

If this were done, God would richly bless us and give us grace so that men might be trained [*erzöge*] who would be a benefit to the nation and the people. We would also have soundly instructed [*feine gezogene*] citizens, virtuous and home-loving wives who would faithfully bring up [*ziehen*] their children and servants to be godly. Think what deadly harm you do when you are negligent in this respect and fail to bring up [*erzogen*] your children to usefulness and piety. You bring upon yourself sin and wrath, thus earning hell by the way you have reared your own children, no matter how devout and holy you may be in other respects. Because this commandment is disregarded, God terribly punishes the world; hence there is no longer any civil order [*Zucht*], peace, or respect for authority. We all complain about this state of things, but we do not see that it is our own fault. Because of the way we train [*ziehen*] them, we have unruly and disobedient subjects.

Where there is no *Ziehen* or *Erziehung* in the basic ways of how to live according to God's commandments in the fear, love, and trust of God, there is no longer *Zucht* in the civil society or

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<sup>16</sup> Triglotta, p. 628. The Latin translation reads, not surprisingly, "ad laudem et gloriam Dei propagandam *educent*." The verb used in LC I, 174 is *ziehen*, which, as evident from the context, is synonymous to *aufziehen* and *erziehen*, cf. also Grimm, WB, 3:1091-1092.

peace.<sup>17</sup> And where there is no peace and order, there can be no lasting enjoyment of God's gift of daily bread.<sup>18</sup>

The task of raising children to the glory of God is indeed daunting. But God has given us just the right words and promises to direct our prayer to him, so that he might supply what we lack. Think here especially of the first four petitions of the Lord's Prayer. For what is true of all commandments is also true of the Fourth Commandment. This is why Luther wrote at the beginning of his exposition of the Lord's Prayer in the Large Catechism (LC III, 1-3):

We have heard what we are to do and believe. The best and most blessed life consists of these things. Now follows the third part, how we are to pray. *Mankind* is in such a situation that no one can keep the Ten Commandments perfectly, even though he has begun to believe. Besides, *the devil*, along with *the world and our flesh*, resists our efforts with all his power. Consequently *nothing is so necessary as to call upon God incessantly and drum into his ears our prayer that he may give, preserve, and increase in us faith and obedience to the Ten Commandments and remove all that stands in our way and hinders us from fulfilling them*. That we may know what and how to pray, our Lord Christ himself has taught us both the way and the words, as we shall see.

### 1.3 The Lord's Supper

Finally, the last passage from the Small Catechism, where *Zucht* appears, bring us to the Lord's Supper. There, answering the last question, "Who receives this sacrament worthily?" Luther writes, in part, these familiar English words (SC VI, 10): "Fasting and bodily preparation are certainly *fine outward training*. But that person is truly worthy and well prepared who has faith in these words: 'Given and shed for you for the forgiveness of sins.'"<sup>19</sup> The "fine outward training" in German reads: "feine äußerliche Zucht"<sup>20</sup>

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<sup>17</sup> This type of education in the ways of God, not the establishment of soup kitchens, is the most important service the Christian home and church can render to society at large.

<sup>18</sup> Cf. these pertinent quotes from Luther's 1530 exposition of Ps. 82:2-4 that show that maintaining order by good laws is preferable to healing disorder by social services even when it comes to the government (AE 13:53): "The second virtue of a prince is to help the poor, the orphans, and the widows to justice, and to further their cause. But, again, who can tell all the virtues that follow from this one? For this virtue includes all the works of righteousness: as when a prince or lord or city has good laws and customs; when everything is regulated in an orderly way; and when order is kept by people in all ranks, occupations, trades, businesses, services, and works, so that it is not said: 'The people are without laws.' For where there are no laws, the poor, the widows, and the orphans are oppressed. Then there is no peasant so low that he cannot practice extortion. And this is equally true of buying, selling, inheriting, lending, paying, borrowing, and the like. It is only a matter of one getting the better of another, robbing him, stealing from him, and cheating him. This happens most of all to the poor, the widows, and the orphans. Now, who can count the alms such a lord is giving without ceasing?" Accordingly, building a brick-and-mortar hospital for the poor and needy is fine (and more "glittering"), but more beneficial is the "hospital" of good laws and order *which prevent especially the poor, the orphan, and the widow from becoming indigent in the first place* by protecting their limited goods and possessions (cf. AE 13:53-54).

<sup>19</sup> Luther, Martin (2005-10-31). Luther's Small Catechism with Explanation (ESV) (Kindle Locations 259-261). Concordia Publishing House. Kindle Edition.

<sup>20</sup> Triglotta, p. 556. The Latin translation reads: "bona et externa disciplina."

Suffice it to say at this point that there is a tendency among us to eliminate everything from Christianity that is not faith. So here, because “outward training” is followed by the conjunction “but” introducing “faith,” we quickly eliminate it altogether, even though Luther only eliminated it as a way to achieve the communicant’s worthiness before God (cf. LC V, 37). In other words, what is overlooked is the adjective “fine,” as in: “*fine* outward training.”

This is the point made by the Augsburg Confession (XXVI, 33-34, German):

They also teach that everybody is under obligation to conduct himself, with reference to such bodily exercise [leibliche Übung, Lat.: coporali disciplina] as *fasting and other discipline* [Übung, Lat.: corporalibus exercitiis], so that he does not give occasion to sin, *but not as if he earned grace by such works*. Such bodily exercise [leibliche Übung, Lat.: coporalem disciplinam] should not be limited to certain specified days but should be practiced continually.

In one of the following sections, we will explore further this important and often overlooked aspect of the Christian life, first in a general way in relation to fasting, then in its specific application to the Lord’s Supper.

#### *1.4 Summary So Far*

What does all this mean? Briefly, we can say that *Zucht* – a well-ordered life of faith and love in the wide sense – is a word that summarizes what is commanded and taught by God in his law. However, as with every individual commandment, this summary cannot be fulfilled by us without the help of God, which he provides in the gospel’s means of grace. And it cannot be fulfilled without constant prayer.

To achieve this goal it is also necessary to educate Christians by teaching them all of God’s commandments in conjunction with the gospel and prayer so that they may be raised and live to the glory of God.

We can call both the teaching and the resultant behavior “discipline” when we keep in mind that the English term is derived from the Latin *disciplina*. The longer form of this word, *discipulina*, makes it clear that the term comes from *discipulus*, student or disciple.

#### *1.5. What Is Missing So Far: Church Discipline as Punishment*

Evidently, we have not yet discussed *Zucht* in the narrow sense of the word, the actual topic of this assignment. Since its wide sense incorporates the totality of the Christian life, and the instruction leading to a good Christian life, then the narrow sense refers to the supplemental punitive measures taken to achieve the goal of raising good Christians.<sup>21</sup> Related to the noun

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<sup>21</sup> Cf. Grimm, WB, 32:260.

*Zucht* is the verb *züchtigen*, which in German has come to mean chiefly “to chastise,” “to punish,” or “to discipline.”<sup>22</sup>

As we will see below, in the church of the New Testament age these punitive measures can take various forms and range from admonishing the sinning neighbor – be it in a private conversation or in more general terms in a sermon<sup>23</sup> – all the way to the exclusion from the church and being killed by God.

The fact that this meaning of *Zucht* is not reflected in the Small Catechism as written originally by Luther<sup>24</sup> means something. It means that it is not one of those basic things of the Christian faith we must know to be saved, or which a Christian congregation must practice to be Christian.<sup>25</sup> It also means that the wider meaning of *Zucht* / discipline is more important and foundational. However, it does not mean that such corrective or punitive discipline is optional. For from God’s Word (Matthew 18:15-18) we learn that it is not. We’ll see later how this seeming contradiction can be reconciled.

In what follows, we will first explore why discipline in both the wider and the narrower senses is necessary. We will then take a closer look at church discipline in the wider sense before we come to church discipline in the narrow sense and the doctrinal and practical issues related to the latter. This way of proceeding from the wider to the narrower is chosen purposely because where there is no proper church discipline in the wider sense, it makes little to no sense to try to engage in church discipline in the narrower sense.

In other words, without teaching people positively what they should do and believe and leave undone and un-believed, there is no point in punishing them for not having acted and believed

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<sup>22</sup> Cf. Grimm, WB, 32:269.

<sup>23</sup> It is sound pastoral wisdom that individual *sinner*s are not to be singled out or shamed in a public sermon. This means that individual *sins* should be discussed in general, de-personalized terms, cf. Walther, *Pastoraltheologie*, 84-85.

<sup>24</sup> First the addition to the Fifth Chief Part on confession of those paragraphs on the office of the keys authored by Andrew Osiander to the catechism changed that. While these Osiandrian paragraphs are part of the Synodical catechism, they are not part of the Book of Concord.

<sup>25</sup> Hence Ep. XII, 26 is entirely correct in condemning the following (Schwenkfeldian) statement: “That it is no true Christian congregation in which public expulsion and the orderly process of excommunication do not take place.” This is why calls by Baptist and other leaders from the Reformed side of the church to consider church discipline, in the narrow sense of the word, to be the third essential mark of the church ([http://www.the-highway.com/discipline\\_Mohler.html](http://www.the-highway.com/discipline_Mohler.html)) are certainly laudable, but ultimately misguided and not in keeping with AC VII. Luther, to be sure, counted “the keys” among the marks of the church (cf. AE 41:153) and referred to Matth. 18 in the context. However, as will become clear below, this does not necessarily refer to “the orderly process of excommunication” rejected as a necessity in the church by the Formula of Concord. For in the context, Luther defined “the keys” rather widely: “Now where you see sins forgiven or reprov’d in some persons, be it publicly or privately, you may know that God’s people are there.” At the same time, Luther cannot be used to support the claim that church discipline is strictly optional in the church: “[A]s Christ decrees in Matthew 18 [:15–20], if a Christian sins, he should be reprov’d; and if he does not mend his ways, he should be bound in his sin and cast out. If he does mend his ways, he should be absolved. That is the office of the keys.”

accordingly.<sup>26</sup> That would reduce Christian people, young and old, to the level of cattle, as Luther pointed out before.

## 2. Why Discipline?

Why is discipline necessary? Why do people not just know what to do? And why do they not simply do it after being told what to do? Why, moreover, must even Christians be educated and also punished?

Discipline in both wide and narrow senses, for both believers and unbelievers, became necessary after man's fall into sin. Before the fall, our first Parents did God's will freely and fully. This is an aspect of their being created "in the image and likeness of God" (Gen. 1:16-27). It is the keeping of the First Commandment (cf. Ap. II, 16-18). In and by the fall, however, there emerged in man, upon the devil's prompting, doubt concerning God's will and word. This doubt is a breaking of the First Commandment. It is therefore the source of all sin, just as trust concerning God's will and word is not only the keeping of the First Commandment but also the source of all true obedience, as seen above (cf. LC I, 329; SD IV, 8-12).

After the fall, God's moral law remained in the heart of the sinner. However, it became disfigured by sin. Additionally, reason's desire to keep this law was seriously weakened (cf. SD II, 9). What is more, man's sinful nature – concupiscence, lack of fear of, and faith in, God – is not only a powerful incentive to sin; it is sin itself (cf. AC II, 2).

### 2.1 External Discipline

This is why God not only gave the Ten Commandments as a revealed form of the moral law on Mt. Sinai. He also established the civil authorities as enforcers of this moral law, so that there be a measure of *external discipline* (cf. Rom. 13:1-4; 1 Pet. 2:13-14, also LC I, 180-181). That is to say, in this way unbelieving sinners, by civil rewards and punishments, are forced externally into doing what they are required to do in service of their neighbor. This is the "political use" of the law. In the sixth article of the Solid Declaration, we read (SD VI, 1, 16, cf. also SD IV, 8):

The law of God serves ... to maintain *external discipline* [*äußerliche Zucht / disciplina externa*] and *decency* against dissolute and disobedient people. ... For as long as a person is not reborn, lives according to the law, and does its works merely because they are commanded, *from fear of punishment or in hope of reward*, he is still under the law. St. Paul calls the works of such a man "works of the law" in the strict sense, because *his good works are extorted by the law*, just as in the case of bondservants. Such people are saints after the order of Cain.

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<sup>26</sup> Notably, the five applications of God's word in a sermon discussed in Walther's pastoral theology based on 2 Tim. 3:16; Rom. 15:4 list as the first and most basic application teaching (cf. Walther, *Pastoraltheologie*, 80-82).

Moreover, even when the civil authorities (or parents) are lax or unsuccessful in enforcing God's moral law, God himself remains constantly at work in the world, rewarding those who keep his law and punishing those who break it, according to Ex. 20:5-6 (cf. LC I, 137, 154-155).

Because man's sinful nature rules supreme in unbelievers, they do not wish to keep the moral law for its own sake. However, they keep it nonetheless because they desire to get the rewards and avoid the penalties. This is what is meant by "external" obedience: man's heart is not in it by loving the Author of the commandment, because it ultimately rejects God's law as inimical to man's autonomy. Consequently, only the body is forced to play along by the old Adam because of some external incentive (cf. Ap. IV, 35; SD II, 18-19).

In other words, external discipline means both the external coercing of unbelievers to lead a moral life by the civil laws of the state and life itself as God provides it to the good and the bad (cf. Matth. 5:45; Rom. 2:4) and the result of that coercion as an externally moral life that can be rendered even by unbelievers.

## 2.2 Christian Discipline

The difference between a believer and an unbeliever consists not only in that the former, due to the preaching of the law of God in the power of the Spirit, has come to realize and experience painfully in *passive* contrition in his conscience that he is a sinner under God's severe judgment (cf. Ap. IV, 257; XII, 149; SA III, III, 2). It consists not only in that the former believes in Jesus Christ as his only Savior from God's judgment (cf. AC IV; Ap. IV, 82). It also consists in that the former now truly *wants* to fulfill and keep God's moral law of love, the Ten Commandments. Willing and therefore truly "internal" obedience takes its beginning in the change of heart wrought by the Holy Spirit working through the gospel in conversion (cf. Ap. IV, 315, 348-355; VI, 11).

As the Solid Declaration put it (SD II, 70):

*In true conversion there must be a change, there must be new activities and emotions in the intellect, will, and heart, so that the heart learns to know sin, to fear the wrath of God, to turn from sin, to understand and accept the promise of grace in Christ, to have good spiritual thoughts, Christian intentions, and diligence, and to fight against the flesh, etc. For if none of these things takes place or exists, there is no true conversion.*

However, in this life the Christian is not fully renewed. He begins to keep God's law because it is God's law, that is, because he fears and loves the Giver of that law, God. However, there is still that old Adam in him that constantly wages war against the new man in the Christian. Original sin and its fruit need to be forgiven, to be sure. However, they also need to be killed or mortified and driven out by holy living in *Christian discipline* in the power of baptism. Luther wrote, in the Large Catechism, on the meaning and significance of the traditional rite of baptism by immersion (LC IV, 65-67):

This act or observance consists in being dipped into the water, which covers us completely, and being drawn out again. These two parts, being dipped under the water and emerging from it, indicate *the power and effect of Baptism, which is simply the slaying of the old Adam and the resurrection of the new man*, both of which actions must continue in us our whole life long. Thus a Christian life is nothing else than a daily Baptism, once begun and ever continued. *For we must keep at it incessantly, always purging out whatever pertains to the old Adam, so that whatever belongs to the new man may come forth.* What is the old man? He is what is born in us from Adam, irascible, spiteful, envious, unchaste, greedy, lazy, proud, yes, and unbelieving; he is beset with all vices and by nature has nothing good in him. Now, when we enter Christ's kingdom, *this corruption must daily decrease* so that the longer we live the more gentle, patient, and meek we become, and the more free from greed, hatred, envy, and pride.

While external discipline meant the merely coerced obedience of unbelievers, Christian discipline refers to the obedience to God's immutable will which is rendered by those who are both saints and sinners. On the one hand, they will willingly do what God teaches and demands in his moral law, the Ten Commandments. On the other hand, they, to the extent that they are still sinners, need to be coerced to do what God demands both by teaching the law and by suffering. They need, in other words, discipline in both the wide and narrow sense of the word.

We therefore read in the Lutheran Confessions (SD VI, 18-19, 24):

Since ... believers are not fully renewed in this life but the Old Adam clings to them down to the grave, the conflict between spirit and flesh continues in them. *According to the inmost self [nach dem innerlichen Menschen / secundum interiorem hominem, cf. Eph. 3:16] they delight in the law of God; but the law in their members is at war against the law of their mind. Thus though they are never without the law, they are not under but in the law, they live and walk in the law of the Lord, and yet do nothing by the compulsion of the law. As far as the Old Adam who still adheres to them is concerned, he must be coerced not only with the law but also with miseries, for he does everything against his will and by coercion, just as the unconverted are driven and coerced into obedience by the threats of the law (1 Cor. 9:27; Rom. 7:18, 19). ... For the Old Adam, like an unmanageable and recalcitrant donkey, is still a part of them and must be coerced into the obedience of Christ, not only with the instruction, admonition, urging, and threatening of the law, but frequently also with the club of punishments and miseries, until the flesh of sin is put off entirely and man is completely renewed in the resurrection.*

This leads to the important distinction between *ruling* sin and *ruled* sin that is based on texts such as Rom. 6:12, 14. So long as faith and the new man have the upper hand in the struggle against the old Adam, the Christian's sins will not be charged against him. In this case, sin is being ruled by the new man. However, if the old Adam regains the upper hand, the new man is not only subjugated to the dominion of sin. He is destroyed altogether. For this creature of God's Spirit will not be ruled by anything or anyone else.

This is another important difference between the believer and the unbeliever. In the latter, sin rules supreme. While it is not totally eliminated in the Christian, it still does not have the upper hand. In other words, the Christian sins *against his will* (which freely delights in God's law). The unbeliever sins *according to his will* (which freely delights in breaking God's law).

Luther, in his 1521 treatise against the papal theologian Latomus, distinguished sin before and after baptism in this way (AE 32:202-203):

*[A]fter baptism and the infusion of the power of God, the condition of sin is such that it is not yet entirely reduced to nothing, but it is so subjected and broken down that it cannot now do what it once could. But what could it do? It made us guilty before God, tyrannically plagued the conscience, dragged us day by day into greater and greater evil, was mighty in quantity, quality, and action, governed in time and place, for it prevailed always and everywhere in all our powers and at every hour. The category of passion did not apply to it, for it did not suffer the law's accusation, nor would it even be touched. It was situated in the heart, turned its face downwards, and hastened to hell. Further, it was the relation of all the worst things which were opposed to grace and subject to the anger and wrath of God. Thus it ruled, and we served it. Now when the kingdom of God arrived [the other] kingdom was divided, the prince of the world was cast out, and the head of the serpent was trampled down even to the refuse and remains which by our care are at last to be eliminated. Similarly, after the children of Israel had entered into the land of Canaan, killed absolutely all the kings and destroyed their power, there still remained a natural and genuine part of the annihilated peoples of the Canaanites, Jebusites, and Amorites (as is written in Judges 1). They did not rule, nor were they equal to, the children of Israel, but were tributaries and servants, until at last David, having established the kingdom, wiped them out. So also we, having been called into the kingdom of faith by the grace of baptism, gain the rule over sin, for all its powers are smitten. Now only grumbling remnants, possessing the nature and character of what was destroyed, remain in the members. These we ought to extirpate by our own exertion, but this will happen only when Our David, having established the kingdom, will be enthroned in his majesty.*

Before baptism, sin governed and ruled our whole being and all our actions. It led us deeper and deeper into hell. Baptism not only brought the forgiveness of sins. It also destroyed sin's rule by giving us the Holy Spirit. In this way, we gain the upper hand. We rule over sin. We, furthermore, begin to cast out the remnants of sin by virtue of the "infusion of the power of God." The resultant key difference in this matter between Luther and his traditionalist opponents is clearly set forth in the following quote (AE 32:208-209):<sup>27</sup>

*What then, are we sinners? No, rather we are justified, but by grace. Righteousness is not situated in those qualitative forms, but in the mercy of God. In fact, if you remove mercy from the godly, they are sinners and really have sin, but it is not imputed to them because they believe and live under the reign of mercy, and because sin is condemned and continually put to death in them. This is a most glorious pardon which comes through*

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<sup>27</sup> The quote from Augustine found in this excerpt reappears in Ap. II, 36.

baptism. Surely, if you look at it carefully, *it is almost greater to accept as righteous him who is still infected by sin than him who is entirely pure.* [However], it must not therefore be said that baptism does not remove all sins; *it indeed removes all, but not their substance. The power of all, and much of the substance, are taken away. Day by day the substance is removed so that it may be utterly destroyed.* I am neither the first nor the only man to say this since the [days of the] Apostle. Augustine's words are these: "All sin is forgiven in baptism, not so that it no longer exists, but so that it is no longer imputed." Do you hear? Even after forgiveness there is still sin, but it is not imputed. Are you so little satisfied with this ineffable mercy of God which justifies you from all sin, accepting you as if you were without sin, that you push on further to put to death what He has himself already condemned and brought close to extinction? This is a manifest absurdity and compels Latomus to hold that the Apostle must not be understood to be speaking properly of real sin. Do you say that what is not imputed is now no longer sin? *But this is what I want, that nonimputation [of sin] is not ascribed to the work and its nature, but to mercy. Latomus, however, sets aside forgiving mercy and claims that according to nature sin is no longer present. This truly is to rob God.*

*What has just been said supplies, I believe, the defense for the thesis that all good work is sin unless it is forgiven by mercy. They themselves [my opponents] cannot deny that the fruit exhibits the nature of the tree. Now it has been shown that the tree is not without sin, even though this [sin] has been condemned and forgiven.*

Traditional theology in Luther's time claimed based on human philosophy that the quality of the deed rests in the deed itself: Good deeds are simply good because they, in their natural quality, are in agreement with the law of God, regardless of the quality of the doer. Even unbelievers can perform genuinely good works. Moreover, as the goodness of a deed is located in its inherent quality, the righteousness of man is also located in his inherent quality or, as Luther put it above, "in those qualitative forms."<sup>28</sup>

Luther, on the other hand, in defense of a theses already set forth at the 1518 Heidelberg and the 1519 Leipzig Disputations,<sup>29</sup> asserted based on God's word that the quality of the deed rested on the quality of the doer, just as the quality of the fruit "exhibits the nature of the tree" (cf. Matth. 12:33). Since man's natural quality is that of a sinner, all his deeds are sins, even those done in accordance with the law of God. Baptism does not change man's quality in and by himself. He is and remains a sinner. As Luther put it, "if you remove mercy from the godly, they are sinners and really have sin." However, it is by God's mercy that this quality or substance of sin that pervades all works is not imputed or "credited" to the sinner who believes in the gospel and in the power of God continually chips away at the remaining substance of sin.

<sup>28</sup> Briefly put, "form" is here correlated to matter as that which gives matter its distinctive quality.

<sup>29</sup> Cf. esp. theses 3, 5, and 7-8 of the Heidelberg Disputation (AE 31:39-40, 43-47). See thesis 2 of the Leipzig Debate (AE 31:317): "2. To deny that man sins even when doing good; that venial sin is pardonable, not according to its nature, but by the mercy of God; or that sin remains in the child after baptism; that is equivalent to crushing Paul and Christ under foot." See also AE 32:83-87, where Luther defends the thesis, "A righteous man sins in all his good works" and the thesis, "A good work, even though well performed, is still a venial sin." Both of these theses will be at the center of the treatise against Latomus, cf. AE 32:157-160.

The traditional distinction between venial and mortal sin is adapted within this basic pattern. Traditionally, this distinction was understood to mean that venial or pardonable sins are those sins that are minor in and by themselves. Because these minor offenses were said not to drive out the Spirit, the venial sinner was able to perform the necessary virtuous acts to counterbalance these particular sins to be pardoned by God. Mortal sins, on the other hand, are those sins that are serious in and by themselves. Because they were said to drive out the Holy Spirit, they required the church's action through the sacrament of penance. Additionally, it was stated that mortal sins required full knowledge and consent to the serious sinful act, while venial sin could also be a serious sin that was committed without full knowledge or consent.<sup>30</sup>

Luther and the early Lutherans *rejected* the distinction between mortal and venial based on the gravity of the sin. Furthermore, they assert the ongoing qualitative sinfulness of the believers even after baptism. All sins are mortal in and by themselves. Since baptism does not remove but only forgives sin, even all the deeds of a Christian are infected by sin. Therefore, even our best deeds are mortal sin, requiring God's mercy and forgiveness to become, not just *pardonable*, but in fact *pardoned*.

However, the Lutherans *retained* that part of the traditional distinction which spoke about full consent. Because a new spiritual reality is created by baptism which is called the new man who delights in God's will, the Christian hates his own sinful nature that infects even his good works. What is more – all the while he still sins in thoughts, words, and deeds – does not consent to these acts that originate in his sinful nature. In fact, as seen above, he struggles against them. Therefore, faith – and the struggle against sin that necessarily results from faith – renders these sins pardoned. It also renders them to be *ruled* by the new man in us in the power of God.

We will return to this important distinction when it comes to defining what kind of sin a Christian should rebuke in his neighbor according to Matth. 18:15.

### 2.3. *Christian Discipline, Discipleship, and the Quest for a Point of Contact for God in Man*

As noted above, the term church discipline has by and large vanished from our teaching and practice. Another related term is quite popular these days. That is the term “discipleship.” A related neologism is “discipling.”

Naturally, there is nothing wrong with being a disciple, which means simply student and translates the Greek term μαθητής (*mathitís*). The original twelve followers of Jesus were called his disciples (cf. only Matth. 9:11; 26:18; John 13:5, 13): He was their teacher; they were his students. The term furthermore applies to all who believe in him and abide in his word (John

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<sup>30</sup> Cf. for quick reference only these two paragraphs of the current *Catechism of the Catholic Church*: “For a sin to be mortal, three conditions must together be met: ‘Mortal sin is sin whose object is grave matter and which is also committed with full knowledge and deliberate consent’” (1857). “One commits venial sin when, in a less serious matter, he does not observe the standard prescribed by the moral law, or when he disobeys the moral law in a grave matter, but without full knowledge or without complete consent” (1862).

8:31). It goes without saying then that a disciple needs to be taught that word in which he is to abide (Matth. 28:20). What was said before is consistent with this basic truth.

Problems start where “making disciples” and “teaching” become two different things. When you compare the translation of Matth. 28:19 in the King James Version with newer translation, you find this: On the one hand, the KJV, in keeping with Luther’s 1522/46 translation and its 1912 revision, reads: “Go ye therefore, and *teach* [μαθητεύσατε, mathitéfsate] all nations.” On the other hand, newer translations such as the ESV and NKJV, but also the 1984 revision of Luther’s translation, unanimously read: “Go therefore and *make disciples of* all nations.”

The Greek verb used here<sup>31</sup> by Jesus is part of a class of verbs on -εω derived from a noun or adjective to denote, in their intransitive meaning, that one is what that noun or adjective states. Concretely, here the basic meaning of μαθητεύω is derived from the noun μαθητής, student: “to be a student.” Other verbs like it are: βασιλεύω, to be a king; δουλεύω, to be a slave; πολιτεύω, to be a citizen but also καθαρεύω, to be clean.

The problem is that common translations of the NT have the intransitive meaning of the verb in question only for an aorist passive form in Matth. 27:57: Joseph of Arimathea “*was a disciple* of Jesus [ἐμαθητεύθη τῷ Ἰησοῦ].” In other words, this verbal phrase is normally translated like the nominal construction in John 19:38: ὄν μαθητῆς τοῦ Ἰησοῦ. Obviously, one wonders why the Holy Spirit used a rather unusual form to state through Matthew what could have been put much more simply.

The three other instances have a transitive meaning, that is, their action refers to something outside the agent. What might the meaning be in these cases? The options we have are found in the two classes of translations of Matth. 28:19: It can mean “to make [someone] a disciple.” Or it can mean “to treat [someone] as a disciple,” i.e., “to instruct” him.

The closest analogy for this dual meaning in the transitive meaning of a verb ending in -εω I can offer is πρεσβεύω, which in an intransitive sense expresses like the other verbs a status: “to be an elder” or “to be an ambassador.” On the one hand, it can mean “to make [someone] an elder.” On the other hand, it can mean “to treat [someone] as an elder,” i.e., “to pay homage.”

The English translations (KJV, NKJV, ESV) as well as Luther 1546 agree<sup>32</sup> that the latter meaning should be used in Matth. 13:52, where the verb appears as an aorist passive participle: “every scribe *instructed* concerning the kingdom of heaven [μαθητευθεὶς τῇ βασιλίᾳ].” To say the least, it appears that this is also an alternative translation of Matth. 27:57: Joseph had been *instructed* concerning Jesus, which would mean that the transitive form of the verb in question is not found in the NT.

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<sup>31</sup> The verb is not found in the LXX. In the NT, it appears in Matth. 13:52 (pass.); 27:57 (act.); Acts 14:21 (act.) in addition to Matth. 28:19 (act.).

<sup>32</sup> Only Luther 1984 slavishly translates: “jeder Schriftgelehrte, der *ein Jünger* des Himmelreichs geworden ist,” that is, “every scribe who *has become a disciple* of the kingdom of heaven.”

This leaves us with Acts 14:21 and Matth. 28:19. What both verses have in common is that the form in both instances is again an aorist, but here it is in the active voice. The form in Acts is once more a participle. The one in Matthew is a finite form that serves as the syntactical anchor of the whole construct of three participles dependent on this form. In both instances we find this verb coordinated with verbs denoting proclaiming and teaching; and both have an accusative noun form as its object.

Acts 14:21 reads, in translation: “And when they had proclaimed the gospel to that city (Derbe) [εὐαγγελισάμενοι τὴν πόλιν ἐκείνην] and μαθητεύσαντες ἰκανοῦς, they returned to Lystra, Iconium, and Antioch...” It is not unheard of in NT Greek to find two verbs of proclamation in parallel. See only Luke 20:1 that states about Jesus that he “taught (διδάσκοντος) in the temple and proclaimed the gospel (εὐαγγελιζομένου).” The verb in question could therefore simply mean “to instruct,” as Luther and KJV have it. However, there is no strict parallelism here: while the first verb has the whole city as its object, the second has a significantly smaller number as object.

It therefore seems that what is reported here mirrors Paul’s experience in Thessalonica, Athens, and other places: He proclaims the gospel to all those who would hear him in that particular location, but only *some* believe what is proclaimed and *in this way* become disciples (cf. Acts 17:3-4, 32-34). Therefore, unless the second participle denotes the *additional* instruction given by Paul and Barnabas to those who had come to believe the gospel proclaimed to all, it makes sense to translate the phrase in question as “they made some into disciples.”

When we compare Acts 14 to Matth. 28, a difference appears in that Matth. 28:19-20 is a parallelism: The object of μαθητεύσατε is the same as of the participles clearly meaning baptizing and teaching. If the sentence is translated not as simply *treating* all nations like disciples by baptizing and teaching them, but as actually *making* them into disciples by whatever means necessary to baptize and teach them later, then this translation may be taken to suggest that all will in fact be converted, which is unscriptural. For faith is not everybody’s thing, as Luther translated 2 Thess. 3:2 (cf. Matth. 22:14, also SD XI, 40-41).

Of course, some might say: But doesn’t it say “of” all nations, and doesn’t that really mean that only *some* of those “all” will in fact become disciples? Possibly. However, there is no “of” in the Greek. It has a simple accusative object, just like in Acts 14:21. Unless we want to say that there we should also add an “of,” I suggest we also do not do it here. Luther 1984 is more consistent than most the newer English translations, as it reads: “make all nations into disciples.”

Of course, all this can be properly understood. However, the advantage of the older translations is that they focus our attention on the specific treatment of a disciple, namely, he is taught, as is then also explained by Christ in the following verse: “*teaching* [διδάσκοντες, dhidháskodes] them to observe all that I have commanded you.” In other words, where there is a disciple there

also is a teacher. These are relational terms. You cannot have the one without the other. And where this relationship exists, there is also Christian discipline going on.

Obviously, there are two different verbs in the original text, the first one describing the task from the perspective of the student, the second one describing the same action from the vantage point of the teacher. You could think that the modern translations are really no more than an attempt to imitate the fact that the Greek has two different verbs as well. If this is the case, then all is well.

However, the newer translation can unduly focus our attention on the *making* of disciples, understood as “gaining new followers,” not on the instruction by which this is supposed to happen. As we know, a whole industry has developed around this one question: How can we grow our church by gaining new church members? As we also know, the quest for the silver bullet sometimes looks like a no-holds-barred, dog-eat-dog competition: Bigger parking lots? Great schools? More energetic music? Dynamic services that are “produced” with a high level of technological sophistication? More “relevant” preaching that zeroes in on answering the questions of the people? Sexy billboards? Female dancers who are easy on the eye?

In other words, the newer translations can cause us to take our eyes off the ball. This is to say, it can distract us by leading us astray from what only *God the Holy Spirit* can do through his word to whatever means *we* need to devise to make all nations into “disciples.”<sup>33</sup> As a consequence of this distraction, the relationship between disciple and teacher is, at least initially, suspended. Its place is taken up by that between a customer and a creative entrepreneur who wants to sell his new product to one who does not know much about it and therefore needs to be sold mostly on a desirable “life style” or experience that is artificially attached to the product by marketing and branding and is somewhat familiar to, but also somewhat beyond the (current) reach of, the customer.<sup>34</sup>

Clearly, the issue at stake is the old quest for the famous *Anknüpfungspunkt*, the point of contact in man that makes the church’s proclamation of God’s holy word ring true to sinners who by

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<sup>33</sup> Given the fact that baptism is mentioned in Matthew 28:19, this paradigm shift is especially tragic if the *making* of disciples by purposeful human action and mentoring is juxtaposed to being *born* a disciple (cf. W. A. Henrichsen, *Disciples Are Made, Not Born: Helping Others Grow in Maturity in Christ* (D. C. Cook: Colorado Springs, CO, 1988)). True enough, one does not become a Christian by *natural* birth or by virtue of one’s parents’ faith (Ep. XII, 13). However, what about the *spiritual* birth effected by baptism, whereby we are born anew as God’s children and disciples? Without the birth of Spirit, word, and water (John 3:5-6; Eph. 5:26), we are still dead in sins and trespasses, certainly not disciples (cf. AC II, 2). Unsurprisingly, baptism and the rebirth it effects is not mentioned in Henrichsen’s book.

<sup>34</sup> Cf. J. Twitchel, *Branded Nation: The Marketing of Megachurch, College Inc., and Museumworld* (Simon & Schuster: New York, 2004), where he points out that a surplus of suppliers leads to the need to differentiate one “brand” from another by stories, stories that promise experiences that are desired by the potential buyers but that need not have much to do with the product itself, as the latter might be a rather sophisticated product that is difficult to understand by the average consumer. This kind of marketing used to be found exclusively in the area of consumer products. As Twitchel points out, it has now found its way into what once was considered as “high culture,” i.e., religion, higher education, and the fine arts.

nature hate the very God of whom they know very little if anything.<sup>35</sup> What we stated above already provided the biblical answer for this question. Let us simply apply it to the question at hand!

After the fall, there is still some knowledge of God and his holy law left in man's conscience. While this knowledge is insufficient for salvation, it is, even though it is severely disfigured by sin, sufficient as the anthropological point of contact for the proclamation of God's law and gospel. For this residual knowledge functions as that which, by God's grace, makes God's law ring true in man's heart. Without this, it would be very difficult, if not impossible, to convert man by God's word.

Luther wrote (AE 40:97):

*"Thou shalt not kill, commit adultery, steal, etc.," are ... the natural law written in each man's heart, as St. Paul teaches (Rom. 2[:15]). Also Christ himself (Matt. 7[:12]) includes all of the law and the prophets in this natural law, "So whatever you wish that men would do to you, do so to them; for this is the law and the prophets." Paul does the same thing in Rom. 13[:9], where he sums up all the commandments of Moses in the love which also the natural law teaches in the words, "Love your neighbor as yourself." Otherwise, were it not naturally written in the heart, one would have to teach and preach the law for a long time before it became the concern of conscience. The heart must also find and feel the law in itself. Otherwise it would become a matter of conscience for no one. However, the devil so blinds and possesses hearts, that they do not always feel this law. Therefore one must preach the law and impress it on the minds of people till God assists and enlightens them, so that they feel in their hearts what the Word says.*

Here one sees that the mere existence of a point of contact in man does not exclude, but rather requires, the alien work of the Holy Spirit through the preaching of God's law (cf. SD V, 11-13). This point of contact clearly does not imply what the Lutheran Confessions rightly reject: man's *active* ability to *contribute* to his conversion (cf. SD II, 7-13). Rather, it is his capability of *being* converted by the work of the Holy Spirit through the word of God in law and gospel. This

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<sup>35</sup> This term surged to attention in the first half of the 1930s due to a debate between Swiss theologians E. Brunner and K. Barth on just this question, even though the thought expressed by it goes back at least to the 19<sup>th</sup> century. While Brunner attempted to mine missionary methodology in search of some sort of a bridge from God to man in order to revitalize the church's apologetic and missionary endeavors in an increasingly de-Christianized Europe, Barth considered this to be anathema. Brunner, concretely, saw a common sense of guilt created by God's natural law in man's heart, in addition to his ability to understand language, as a precondition for the proclamation of the word of God. Barth saw this as going too far in the sense of human *self*-preparation for the reception of the word of God. For, simply put, while all have sinned, not all see it this way – something Brunner possibly would not have denied. The sinner's conscience can be totally obliterated, and even if it is still present, the utter depth of man's sin must be learned from God's word, cf. SA III, II, 4. Specifically for the missionary task, Brunner – like late 19<sup>th</sup>-century cultural Protestantism and its strategies for foreign missions before him – charged the church first with creating and promoting those cultural, law-based preconditions in a given society so that the gospel might be understood, e.g., education and social action as the gospel's necessary "humus." Cf. J. G. Flett, *The Witness of God: The Trinity, Missio Dei, Karl Barth, and the Nature of Christian Community* (Eerdmans: Grand Rapids, MI, 2010), 1-2, 89-90 n. 44, 166-170 as well as T. Hart, "A Capacity for Ambiguity?: The Barth-Brunner Debate Revisited," *Tyndale Bulletin* 44 (1993): 295-296, 301-302.

*passive* natural capability, along with his intellect, is in part what distinguishes man from the animals, as it has not been fully erased by man's fall into sin (cf. SD II, 19, 23, 59, 62).<sup>36</sup> In other words, the point of contact in man is not what he does or does not do. It is not what he desires or yearns for, what he naturally feels or experiences in terms of guilt or joy. It is simply what he still is, even after the fall: God's creature (SD I, 32).

Due to man's sinfulness, following what is left of a "natural" knowledge of God and his will in man's reason does not lead man toward the one true God but away from him to self-made idols (SD II, 9): "the more zealously and diligently they want to comprehend these spiritual things *with their reason*, the less they understand or believe." In other words, the veil of human opinions about the law that hides the law's true meaning and leads men to legalistic pride (cf. Ap. IV, 265) must be removed by Christ's spiritual use of the law (cf. 2 Cor. 3:14, 16), so that man may finally come to see the utter corruption of his nature (cf. Ap. IV, 134-135; SA III, II, 4; SD V, 10). Only in this way is he truly prepared to believe the gospel and thus receive the spiritual benefits it offers (cf. SA III, III, 1-6; SD V, 8-9).

How does this compare to "life-style evangelism"? As stated earlier, the promised life style – be it meaningful relationships; belonging to a wholesome group; a fulfilled life as an individual or a family, or a combination of all of the above: "Your Best Life Now," as J. Olsteen's best-selling 2004 book promised – is in part familiar to the prospective converts, but in part it is also not quite a reality for them. That is why they long for what is promised: If we could only join congregation X, then all will be well in our lives in this world. This is why this approach seems to "work" quite well as a point of contact or as a bridge between God and man.

The only question is where this "bridge" really leads! For the gospel of Jesus Christ does not offer this-worldly gifts and experiences which are at least vaguely familiar to unbelievers. These bodily gifts, according to Christ's promise, will certainly be added in a sufficient amount, but the disciple's primary longing is for the kingdom of God and his righteousness (Matth. 6:33). Both are neither of this world nor directly beneficial to our lives in this world (John 18:36; Rom. 14:17; 1 Cor. 11:34). As stated above, both are not known or familiar to the unbeliever, neither fully nor in part (cf. 1 Cor. 2:14), despite his *passive* natural capability for the proclamation of God's law.

Luther's harsh comparison of true and false sacraments rings true still today and brings us back to the topic of discipline. For he has the devil say in his 1539 book on the church and the councils (AE 41:170):<sup>37</sup>

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<sup>36</sup> Hart, "Capacity," 303-305, suggests such a *passive* capacity of man as a possible common ground between Brunner and Barth. Given the massive cultural preparatory work that, in Brunner's view, needed to be done *by the church* before the gospel could possibly make sense to sinners, one also needs to see the major differences between his approach and that set forth in the Lutheran Confessions.

<sup>37</sup> This important work has been retranslated and published in an abbreviated form under the title *Christ's Holy People* by Lutheran Press in 2012.

[M]y church, bishops, and sacraments *work promptly and help now and in this life, visibly and tangibly*, for I am present in them and *help quickly, as soon as it is desired*. Christ's sacraments, however, *work spiritually and invisibly and for the future* so that his church and bishops can only be smelled, as it were, faintly and from afar, and *the Holy Spirit behaves as though he were absent, permitting people to endure every misfortune* and making them appear as heretics in the eyes of my church. *Meanwhile, my church is not only so close that one can actually grasp it, but also my works follow very quickly*; so everyone assumes that it is the true church of God. This is the advantage I have.

The numerical results of these two opposing churches are accordingly, as Luther observed already in his day (AE 41:169):

There was *no need so small that the devil did not institute a sacrament or holy possession for it, whereby one could receive advice and help*. ... Oh, he is far better equipped with sacraments, prophets, apostles, and evangelists than God, and *his chapels are much larger than God's church*; and he has far more people in his holiness than God. *One is also more inclined to believe his promises, his sacraments, and his prophets than Christ. He is the great god of the world*. Christ calls him "ruler of the world" [John 12:31; 14:30; 16:11] and Paul "the god of this world" [II Cor. 4:4]. With this aping tomfoolery he estranges men from faith in Christ and causes the word and the sacraments of Christ to be despised and almost unrecognizable because it is easier to perceive such things than to blot out sin, help in time of need, receive salvation through the devil's sacraments rather than through Christ's. *For it is Christ's will to make people holy and pious in body and soul through the Holy Spirit and not let them remain in unbelief and sin. This is too hard for those who do not wish to be pious or to desist from sin*.

The devil's church promises quick tangible help *right now* for one's every need in this life and world. This is why sinners, familiar with the things of this world, are "more inclined to believe his promises, his sacraments, and his prophets than Christ." For Christ's inconspicuous church distributes eternal, spiritual gifts, while the life of Christ's saints in this world includes suffering, persecution, and misfortune, to the point that they seem to be totally abandoned by God. Christ's church does not "let [its people] remain in unbelief and sin" but uses all the means that God has put at its disposal to "make people holy and pious in body and soul through the Holy Spirit."

In other words, Christ's church practices Christian discipline. It does not just "make" all people into disciples by promising them the good things of this world. Those who are interested in the good things of the world first and foremost will find this "too hard."

The biblical approach to discipline, therefore, uses as point of contact God's law of nature which is found in a disfigured and deficient state in fallen man's heart and conscience. By the proclamation of the law, it shows man the true extent of his deficiencies in the judgment of his *Creator*. Thereby, it not only first of all teaches man what his greatest need is – the forgiveness of sin – it also prepares the heart for the proclamation of the gospel. The Christian's life on earth will have a dual focus: the forgiveness of sin (justification) and the desisting from sin in the

power of the Holy Spirit (sanctification) as a life-long task and struggle for ever greater discipline and conformity to God's holy law in one's daily vocations.

The other approach, however, begins with individually and naturally perceived deficiencies concerning *created gifts* and offers to remedy those in order to get people to listen to whatever else it might have to say.<sup>38</sup> As the Luther quotes from above show, this worldly-needs-based approach lends itself to the promotion of all sorts of agendas and messages, even satanic ones. Its beginning is not organically connected to the church's core message of forgiveness of sin in Christ's name. The forgiveness of, and desisting from, sin will not be central to its followers' lives. The worldly popularity of this approach, its proponents, and its followers will be their sole reward (Matth. 6:2).

### **3 What Does this Mean for Our Teaching, Preaching, Worship, and Patience in Suffering?**

#### *3.1 The Task for Teaching and Preaching*

##### *3.1.1 The Rationale for Teaching by Parents and Pastors*

As was said, discipline certainly and most importantly includes teaching the full counsel of God in law and gospel (Matthew 28:19-20): If we do not know what to believe and how to live, how can we even begin to believe and live according to God's word in a disciplined way? Obviously, neither the gospel nor the law is simply informational. In other words, the bible is not just a "how-to" book for Christian faith and life. The law tells us not only what we should do. The same law also reproves and chastens us by telling us what we have not done, and what we deserve for that failure. And the gospel not only tells us what we should believe about Christ. The same gospel also tells us what that Christ has done *for us*: He acquired our salvation from God's judgment by fulfilling the law by his innocent life and death for us.

So that sinners might know these basic things from God's word, Martin Luther wrote his two catechisms. The first chief part teaches us God's law summarized in the Ten Commandments. The second chief part teaches us God's gospel summarized in the Apostles' Creed. At the beginning of the second chief part in the Large Catechism, Luther connects these two parts as follows (LC II, 1-3):

Thus far we have heard the first part of Christian doctrine. In it we have seen all that God wishes us to do or not to do. *The Creed properly follows, setting forth all that we must*

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<sup>38</sup> What, then, is the difference between this missionary paradigm of American Evangelicalism and that proposed by E. Brunner? While the former buys into the popular culture of the day, the latter sought to elevate it so that it might prepare men for the gospel. Will not "rice Christians" ensue in each case, that is, Christians who come to church primarily because of its promotion of bodily benefits or a given culture? It seems that both approaches also presuppose the significant material wealth of the Western churches. Yet this condition was not a reality for Jesus and Luther and their respective contemporaries. It is also not a given for many faithful "missionary" churches in Africa and Asia. They, in other words, neither could nor can spend themselves out of their "connectivity" problems. And, in fact, this neither was nor is necessary. They relied, and rely, on the power of God's word in law and gospel instead.

*expect and receive from God; in brief, it teaches us to know him perfectly. It is given in order to help us do what the Ten Commandments require of us.* For, as we said above, they are set on so high a plane that all human ability is far too feeble and weak to keep them. Therefore it is as necessary to learn this part as it is the other so that we may know where and how to obtain strength for this task. If we could by our own strength keep the Ten Commandments as they ought to be kept, we would need neither the Creed nor the Lord's Prayer.

We also see again that the Lord's Prayer is included here as another source for needed support in order to keep the Ten Commandments. (cf. LC III, 1-2).

For those who might think that Luther is going a bit far here by "instrumentalizing" the gospel for the law, let it suffice to say here that he is not saying that we are saved by keeping the law with the aid of the gospel. That would be wrong. He is saying, however, that the gospel is needed so that we might begin to keep God's unchanging will, the Ten Commandments, more and more. On this count, he is in full agreement with the Apology where one can read (IV, 348): "We are justified *for this very purpose*, that, being righteous, we might begin to do good works and obey God's law."

From the catechisms we also learn that this teaching aspect of discipline is not just the job of pastors. Remember that each chief part in the Small Catechism opens with a subtitle that refers to the head of the household: The catechism provides the way in which Christians holding this vocation should teach it to the members of their household. In other words, teaching is the chief duty of the parents. In his exposition of the Fourth Commandment, Luther writes in the Large Catechism (LC I, 167-168, 172-174):

In addition, it would be well to preach to parents on the nature of their office, how they should treat those committed to their authority. Although the duty of superiors is not explicitly stated in the Ten Commandments, it is frequently dealt with in many other passages of Scripture, and God intends it to be included in this commandment in which he speaks of father and mother. God does not want to have knaves or tyrants in this office and responsibility; nor does he assign them this honor (that is, power and authority to govern) merely to receive homage. Parents should consider that they owe obedience to God, and that, above all, *they should earnestly and faithfully discharge the duties of their office, not only to provide for the material support of their children, servants, subjects, etc., but especially to bring them up to the praise and honor of God.* ... If we want qualified and capable men for both civil and spiritual leadership, we must spare no effort, time, and expense in teaching and educating our children to serve God and mankind. We must not think only of amassing money and property for them. God can provide for them and make them rich without our help, as indeed he does daily. *But he has given and entrusted children to us with the command that we train and govern them according to his will;* otherwise God would have no need of father and mother. Therefore let everybody know that *it is his chief duty, on pain of losing divine grace, to bring up his children in the fear and knowledge of God,* and if they are gifted to give them opportunity to learn and study so that they may be of service wherever they are needed.

In his 1528 sermons on the catechism, Luther stated (AE 51:137):

If you have children, train them to learn the Ten Commandments, the Creed, and the Lord's Prayer. If you urge them diligently to do this, they will learn much in a year's time. But when they have learned this, there are many excellent passages scattered throughout the Scriptures; these they should learn afterwards; if not all, at least some of them. God has appointed you a master and a wife in order that you should hold your family to this. And you can do this easily enough by praying in the morning when you rise, in the evening when you go to bed, and before and after meals. Thus they will be brought up in the fear of the Lord. I am not saying this for nothing; I am determined that you shall not cast it to the winds. I should never have believed that you were such ignorant people if I did not learn it every day. *Every father of a family is a bishop in his house and the wife a bishopess. Therefore remember that you in your homes are to help us early on the ministry as we do in the church.* If we do this we shall have a gracious God, who will defend us from all evil and in all evil.

Therefore, the "house church" of the family needs to work with the pastor to accomplish the goal of instruction and education in the faith: people who believe and live as they ought to, "to the praise and honor of God." For as we know from the Small Catechism, and as we pray in the Lord's Prayer, God's name is kept holy when we teach and live God's word faithfully (SC III, 3-5). Teaching, then, is the first and most fundamental part of discipline.

### *3.1.2 The Pattern of Teaching in these Last Times: Refuting Antinomianism Crass and Subtle*

As seen in the previous section, the Lutheran Confessions provide us with the biblical diagnosis of our Christian existence as saints and sinners. They also provide us with the biblical pattern for teaching and preaching to, and worshiping among, such as ourselves.

We read in Ep. IV, 18:

Especially in these last times, it is just as necessary to exhort people to Christian discipline and good works, and to remind them *how necessary it is that they exercise themselves in good works as an evidence of their faith and their gratitude toward God*, as it is to warn against mingling good works in the article of justification. Such an Epicurean dream concerning faith can damn people as much as a papistic and Pharisaic confidence in one's own works and merit.

In other words, correctly teaching the core teaching of justification by grace through faith in Christ alone means that we teach that good works according to the Ten Commandments are necessary not for our salvation but as evidence of our faith and our gratitude to God. This is to

say that preaching against works righteousness is only half of the job “in these last times.” We also need to preach against antinomianism or, as it is called in this quote, Epicureanism.<sup>39</sup>

For Epicureanism not only condemns its adherents to hell but it is also seen as being destructive of Christian discipline, as is stated in this quote from the end of the sixth article of the Formula of Concord that is dedicated to refuting a certain subtle form of antinomianism (SD VI, 28):

Hence we reject and condemn, as pernicious and *contrary to Christian discipline* and true godliness, the erroneous doctrine that the law in the manner and measure indicated above is not to be urged upon Christians and true believers but only upon unbelievers, non-Christians, and the unrepentant.

According to the Lutheran Confessions, Epicureanism or antinomianism can take on various forms. There are certainly crass forms, as is evidenced by the following quote from SD IV, 15. Here Christian preachers and teachers are called to “criticize and reject a complacent Epicurean delusion,” that is:

... a dead faith or superstition, *without repentance and without good works*, as if there could simultaneously be in a single heart both a right faith and a wicked intention to continue and abide in sin, which is impossible. Or as if a person could have and retain true faith, righteousness, and salvation *even though he still is and continues to be a barren, unfruitful tree since no good fruits appear, yes, even though he were to persist in sins against conscience or embark deliberately on such sins again*, which is impious and false.

In his above-mentioned book on the church and the councils, Luther along these same lines distinguished between those who only want to be “Easter preachers,” speaking only about the forgiveness of sins in Christ without ever calling people to stop sinning in the power of the Spirit, as “Pentecost preachers” would do (AE 41:113-114):

[M]y Antinomians ... are preaching beautifully and ... with real sincerity about Christ’s grace, about the forgiveness of sin and whatever else can be said about the doctrine of redemption. But they flee as if it were the very devil the consequence that they should tell the people about the third article, of sanctification, that is, of the new life in Christ. ... They may be fine Easter preachers, but they are very poor Pentecost preachers, for they do not preach *de sanctificatione et vivificatione Spiritus Sancti*, “about the sanctification by the Holy Spirit,” but solely about the redemption of Jesus Christ, although Christ ... is *Christ*, that is, *he has purchased redemption from sin and death so that the Holy Spirit might transform us out of the old Adam into new men—we die unto sin and live unto righteousness, beginning and growing here on earth and perfecting it beyond, as St. Paul teaches.*

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<sup>39</sup> The Epicureans were an ancient Greek school of philosophy, founded by the philosopher Epicurus who lived around 300 B.C.E. He taught that pleasure and pain are measures of the quality of life; that the gods do not punish or reward men; that the events of this world are caused by the random motion of the atoms. Epicureanism is a form of materialism and hedonism.

Christ did not earn only *gratia*, “grace,” for us, but also *donum*, “the gift of the Holy Spirit,” so that *we might have not only forgiveness of, but also cessation of, sin*. Now he who does not abstain from sin, but persists in his evil life, must have a different Christ, that of the Antinomians; the real Christ is not there, even if all the angels would cry, “Christ! Christ!” He must be damned with this, his new Christ.

With this new Christ, an impenitent sinner posing as a Christian also has, so to speak, a new kind of baptism, as Luther points out (LC IV, 68): “Where this amendment of life does not take place but the old man is given free rein and continually grows stronger, Baptism is not being used but resisted.”

However, there are also more subtle forms of antinomianism. Those are addressed in the sixth article of the Formula of Concord. Its main foil is described in these terms (SD VI, 2):

This one party taught and held that *the regenerated do not learn the new obedience (that is, in what good works they should walk) from the law*; nor should this doctrine in any way be urged on the basis of the law, since they have been liberated by the Son of God, have become his Spirit’s temple, and hence are free, so that just as the sun spontaneously completes its regular course without any outside impulse, they, too, through the inspiration and impulse of the Holy Spirit spontaneously do what God requires of them.

In other words, “spontaneity” here means more than doing *willingly* what God requires. It also means freedom from the written law in that the indwelling Spirit is said to teach the Christian immediately what needs to be done. The external word of the moral law of God is no longer needed to teach “the new obedience.”

The opposing, scriptural position is summarized in the following paragraph where a distinction is made between the spiritual freedom in the Christian’s inner motivation and his being tied to “the written law” as expression of “God’s external and immutable will” (SD VI, 3):

The other party taught that although true believers are indeed motivated by the Holy Spirit and hence according to the inner man do the will of God from a free spirit, *nevertheless the Holy Spirit uses the written law on them to instruct them*, and thereby even true believers learn to serve God not according to their own notions but according to his written law and Word, which is a certain rule and norm for achieving a godly life and behavior in accord with God’s external and immutable will.

Clearly, the danger foreseen by the authors of the Formula of Concord was that of confusing the voice of the indwelling Spirit with the voice of the old Adam and his self-chosen works, as happened in the Papacy (cf. LC I, 311-318) and also among the Anabaptists (cf. Ep. XII, 5). The key paragraph from the main body of the article reads accordingly (VI, 20):

*Believers ... require the teaching of the law so that they will not be thrown back on their own holiness and piety and under the pretext of the Holy Spirit’s guidance set up a self-elected service of God and without his Word and command, as it is written, “You shall*

not do every man whatever is right in his own eyes, but heed all these words which I command you. You shall not add to it nor take from it” (Deut. 12:8, 28, 32).

While it is still the same law that ultimately condemns even the best works of the Christian, Luther asserted that the law is to be taught to the converted in a gentler way. In other words, the stern condemnation of the second use gives way to the attenuated exhortation of the third use of the law, according to the example of the apostolic letters in the NT.<sup>40</sup> Luther stated in one of his disputations against the Antinomians:<sup>41</sup>

*Before justification the law ruled and terrified all whom it touched. But the law is not to be taught in such a way among the pious, so as to accuse and condemn, but so as to admonish to good. For I ought not to say or preach: You are not under the remission of sins. Likewise: You will be condemned; God hates you etc. For these sayings do not pertain to those who have received Christ, but address the ruthless and wild. The law then is to be attenuated for them and is to be taught them by way of exhortation: Once you were gentiles; now, however, you are sprinkled and washed by the blood of Christ (cf. Eph. 2:11, 13; 1 Cor. 6:11). Therefore now offer you bodies to obey righteousness, putting away the desires of the flesh, lest you become like this world (cf. Rom. 12:1-2; 6:13; Eph. 4:22). Be imitators of the righteousness of good works (cf. Tit. 2:14) and do not be unrighteous, condemned like Cain etc.; you have Christ.*

In other words, believers are exhorted to follow Christ’s example which simply illustrates the moral teaching of the eternal law of God:<sup>42</sup>

*For to present Christ as example is nothing else than showing how to live in obedience to God and parents and superiors and to be a follower of all good works and virtues, as they are recited by Paul and Peter at the end of almost all their epistles. In both ways the example of the law is shown to us as it is fulfilled and as it is to be fulfilled. Therefore the law is not abolished by Christ, but rather firmly established.*

In other words, “the law is to be taught all the more because, since *it teaches the same as Christ’s example*, I am moved by the testimony of two, so that I obey more willingly and freely.”<sup>43</sup> This law, obviously, is nothing but the Ten Commandments which, unlike the gospel and the law insofar as it

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<sup>40</sup> Some might say: “We don’t control the different uses of the law. We just preach it. The Spirit uses the law as he pleases.” He certainly does, but we, if we follow Luther and the apostles on this one, also ought to do our part by clearly differentiating between condemning unbridled sinning and admonishing believers to keep on struggling against sin.

<sup>41</sup> *Only the Decalogue Is Eternal: Martin Luther’s Complete Antinomian Theses and Disputations*, ed. and tr. H. Sonntag (Lutheran Press: Minneapolis, MN, 2008), 116, cf. also *ibid.*, 156. Walther’s distinction, in thesis 23 of his second series of lectures on law and gospel, between the “commandments of the Law” and the “admonitions of the gospel,” while also driving at what Luther speaks about here, obscures the fact that it is still the one moral law of God that is to be taught to the believers.

<sup>42</sup> *Decalogue*, 111.

<sup>43</sup> *Decalogue*, 110.

condemns, are eternal insofar as they are the written form of God's immutable will that is also inscribed in man's hearts (SD VI, 24-25).<sup>44</sup>

### *3.1.3 The Positive Task: Teaching the Christian Life According to the Decalogue in One's Vocation*

All forms of Epicureanism and antinomianism need to be carefully exposed and condemned in our teaching and preaching because they destroy Christian discipline. But this is again only the first part of our duty. We also need to be teaching people how the Christian life looks like today on the basis of the Decalogue, the Ten Commandments. In other words, if we are no longer content with focusing on some broad and ultimately abstract accusatory use of the law, then we have to embark on the journey to spell out for Christians how they should live. Luther models this in his catechisms. While the Small Catechism lists some broad concepts, the Large Catechism is more specific. However, this needs to shape preaching and teaching according to local and individual requirements.

In the Preface for the Small Catechism, Luther wrote (17-18):

[A]fter you have thus taught this brief catechism, take up a large catechism so that the people may have a richer and fuller understanding. Expound every commandment, petition, and part, pointing out their respective obligations, benefits, dangers, advantages, and disadvantages, as you will find all of this treated at length in the many books written for this purpose. *Lay the greatest weight on those commandments or other parts which seem to require special attention among the people where you are.* For example, the *Seventh Commandment*, which treats of stealing, must be emphasized when instructing laborers and shopkeepers, and even farmers and servants, for many of these are guilty of dishonesty and thievery. So, too, the *Fourth Commandment* must be stressed when instructing children and the common people in order that they may be encouraged to be orderly, faithful, obedient, and peaceful. *Always adduce many examples from the Scriptures to show how God punished and blessed.*

Luther himself modeled this type of specific teaching and preaching by his books on the daily vocations of the Christian. By faithfully and concretely applying the moral law of God to the issues and challenges of the day, he also made it possible for the pastor in the local parish to do the same for his flock.<sup>45</sup> Evidently, this was at least somewhat fruitful at the time, as we can see from this quote in the Lutheran Confessions (Ap. XV, 43):

In our churches ... all sermons deal with topics like these: penitence, the fear of God, faith in Christ, the righteousness of faith, comfort for the conscience through faith, the

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<sup>44</sup> Cf. Luther, *Decalogue*, 75: "The Decalogue, however, is greater and better because it is written in the hearts and minds of all and will remain with us even in the coming life. Yet not so circumcision, as baptism also will not remain, but only the Decalogue is eternal—as such, that is, not as law—because in the coming life things will be like what the Decalogue has been demanding here."

<sup>45</sup> Obviously, parents raising their children in the fear and admonition of the Lord at one point in time also benefitted from this concreteness in the church's teaching.

exercise of faith, prayer and our assurance that it is efficacious and is heard, the cross, respect for rulers and for all civil ordinances, the distinction between the kingdom of Christ (or the spiritual kingdom) and political affairs, marriage, the education and instruction of children, chastity, and all the works of love.

The question for us today is: where is this done? Are our moral exhortations based on all of the Ten Commandments or do we pick and choose mostly the Fifth and the Sixth Commandment because that's just what being a "conservative" church calls for? However, by focusing on the gospel and then merely condemning abortion, gay marriage, and other social ills we have not yet taught our people the full counsel of God as it pertains to their holy living in their vocations as teachers and hearers; husbands and wives; parents and children; singles and widowers; workers and employees; rulers and subjects; merchants and soldiers; patients and doctors, and the like.

Based on monothematic and anemic preaching and teaching, we cannot seriously expect God's people to be able to do what Luther calls for in the Small Catechism, where he writes (SC IV, 20):<sup>46</sup>

*Consider your place in life according to the Ten Commandments: Are you a father, mother, son, daughter, husband, wife, or worker? Have you been disobedient, unfaithful, or lazy? Have you been hot-tempered, rude, or quarrelsome? Have you hurt someone by your words or deeds? Have you stolen, been negligent, wasted anything, or done any harm?*

What the Synodical catechism here translates as "place in life" originally reads *Stand* (*vitae status*). The same word reappears, as if functioning as a pointer, in the header of the Small Catechism's table of duties, *Haustafel*, where Luther speaks of "various holy orders and *Stände*." We need not go here into the details of translating this particular word. What is important is that we see the table of duties as intimately connected to the Christian's ability to know what he is supposed to do in his respective vocation *and* to know what he has not done and therefore needs to confess to have it forgiven for Christ's sake.

### *3.1.4 The Importance of Instruction for the Christian's Conscience*

Without clear moral instruction in sermons and elsewhere, God's people also cannot perform their duties with a clear conscience. Either they will not worry about their conscience at all, in good Epicurean fashion. Or they will be tormented by perennial uncertainty: Is this really what God wants me to do? Clearly, joyful obedience cannot result from such a conscience.

Luther demonstrated the importance of a clear conscience in the opening paragraphs of his book for soldiers. The point of that book was not simply showing that a Christian can be a soldier. It was specifically to show, at least in broad strokes, when and under which circumstances a

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<sup>46</sup> Quoted according to Luther, Martin (2005-10-31). Luther's Small Catechism with Explanation (ESV) (Kindle Locations 205-208). Concordia Publishing House. Kindle Edition.

Christian could be a soldier with a clear conscience and, therefore, with all his might and power. Wrote Luther (AE 46:93-95):

[W]hoever fights with a good and well-instructed conscience can also fight well. *This is especially true since a good conscience fills a man's heart with courage and boldness. And if the heart is bold and courageous, the fist is more powerful, a man and even his horse are more energetic, everything turns out better, and every happening and deed contributes to the victory which God then gives.* On the other hand, a timid and insecure conscience makes the heart fearful. It cannot possibly be otherwise: a bad conscience can only make men cowardly and fearful. ...

I am not speaking about the righteousness that makes men good in the sight of God. Only faith in Jesus Christ can do that; and it is granted and given us by the grace of God alone, without any works or merits of our own ... Rather, *I am speaking here about external righteousness which is to be sought in offices and works.* In other words, to put it plainly, I am dealing here with such questions as these: whether the Christian faith, by which we are accounted righteous before God, is compatible with being a soldier, going to war, stabbing and killing, robbing and burning, as military law requires us to do to our enemies in wartime. *Is this work sinful or unjust? Should it give us a bad conscience before God?*

Even though Luther purposely only dealt with the “external righteousness which is to be sought in offices and works,” he clearly acknowledged that this question affects one’s conscience before God: Is what I am doing sinful or just, contrary to God eternal moral law or in conformity to it?

Such questions, then, can be legitimate and highly necessary. They need not always be a legalistic attempt at self-justification before God or the pharisaic attempt to limit God’s reach on the totality of one’s life by casuistic sophistries. In other words, such questions need to be answered from God’s Word. They should not be automatically brushed aside with a reference to the sinfulness of all human actions. For Luther certainly knew a great deal about legalism and the sinfulness of man. Still, he patiently answered the conscientious questions raised by Christians by pointing them to God’s moral law and the answers it gave concerning “external righteousness which is sought in offices and works.” He did not send them away into the self-chosen desert of world-flight that was popular also at that time (cf. Ap. XV, 22-26).

In other words, to bring about cheerful obedience, we need to teach the gospel *and* instruct God’s people in the moral law of God as it applies to their specific vocations with all their complex and controversial contemporary challenges. We cannot just superficially accuse people of having broken the First Commandment and then make it all good with the gospel, while trusting that “the Spirit” will somehow guide people to do the right thing at the right time. To do so would be antinomianism, according to the diagnosis of the Formula of Concord referenced above.

### *3.2 The Contribution of Worship*

This brings us to the second point in this section, worship. This might be surprising to some. How can worship contribute to Christian discipline? Isn’t worship the prime example of

Christians being able to choose freely what they think is most appropriate in their given situation?<sup>47</sup> Isn't "discipleship" and *making* more "disciples" also by means of a generally appealing and always changing worship service more important than "disciplining" those disciples anyway? After all, aren't we saved by faith in the gospel, not by discipline?

The necessary things have been said above about this sort of "discipleship." Here we just want to focus on the fact that, interestingly, Luther and the Lutheran Confessions after him do attribute a disciplining function to worship.

Familiar are these foundational words from the Augsburg Confession (AC XXIV, 3): "the chief purpose of all ceremonies is to teach the people what they need to know about Christ." What this has to do with discipline can be learned from these words of the Apology (VII/VIII, 33, Latin): "With a very thankful spirit we cherish the useful and ancient ordinances, especially *when they contain a discipline [paedagogia]*<sup>48</sup> *that serves to educate and instruct the people and the inexperienced.*" The German translation reads similarly: "We are pleased with all good, useful human orders of worship, especially with those which *serve as a fine, external discipline* for the young and the people."<sup>49</sup>

As discipline can also denote the orderly life resulting from good training, the preservation of Christian discipline is one of the criteria that must be met by a humanly established ceremony to be a truly adiaphorous ceremony, according to the opening sentence of SD X:

There has also been a controversy among some theologians of the Augsburg Confession concerning ceremonies and church rites which are neither commanded nor forbidden in the Word of God but which have been introduced into the church with good intentions for the sake of good order and decorum [um guter Ordnung und Wohlstands<sup>50</sup> willen /

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<sup>47</sup> Cf. only the 2009 *Theses on Worship* adopted by the LCMS's Council of Presidents and commended by the 2010 Synodical convention. There our church body urged us to see it this way: "The Scriptures and Confessions give the people of God considerable freedom in choosing those forms, rites, and ceremonies that aid the worship of God. ... Imposing a certain form, rite or ceremony on the Church burdens men's consciences, thereby militating against the Gospel." To be sure, the text added certain doctrinal limiters of this freedom. However, the final verdict was clear: "Uniformity in forms, rites and ceremonies while desirable, is not essential to the unity of the Church." While this statement can claim some support from the Lutheran Confessions, its general nature makes it actually wrong. Cf. H. Sonntag, *The Unchanging Forms of the Gospel: A Response to Eight Theses on Worship* (Lutheran Press: Minneapolis, 2010) for a critique based on the Lutheran Confessions. A booklet that describes in simple terms the rationale for how Christian worship according to faith and love should look like in positive terms is in preparation.

<sup>48</sup> The use of the Latin *paedagogia*, which is a Greek loan word, here is not surprising when we consider that the *paedagogus* is the "guide of children," their tutor or disciplinarian, cf. Gal. 3:24.

<sup>49</sup> The text reads (Triglotta, p. 238): "Und wir lassen uns gefallen alle guten, nützlichen Menschensatzungen, sonderlich die da zu einer *feinen, äußerlichen Zucht dienen* der Jugend und des Volks."

<sup>50</sup> "Wohlstand" does not mean "affluence" here, but simply the good state of the church, its *bene esse* (as distinguished from its *esse*, its very existence, which is found in the divinely established ceremonies of the gospel, not in adiaphorous, changing human additions to the former, cf. Ap. VII/VIII, 30-31).

propter εὐταξίαν<sup>51</sup> et ordinem] or else *to preserve Christian discipline* [christliche Zucht zu erhalten / ad conservandam piam disciplinam in ecclesia].

This has been the purpose of humanly established ceremonies from the beginning of the church, as we learn from this quote from the Lutheran Confessions (Ap. XV, 20-21, cf. also Ap. XIII, 3; LC II, 32):

[The holy Fathers] observed these human rites because they were profitable for good order, because they gave the people a set time to assemble, because they provided an example of how all things could be done decently and in order in the churches, and finally *because they helped instruct the common folk*. For different seasons and various rites serve *as reminders for the common folk*. For these reasons the Fathers kept ceremonies, and for the same reasons we also believe in keeping traditions.

The importance of the discipline exerted and created by the ceremonies of the public worship is driven home in Luther's exposition of the Third Commandment in the Large Catechism: There we learn that the simple purpose of public worship is to "assemble to hear and discuss God's Word and then praise God with song and prayer" (LC I, 84).<sup>52</sup> In other words, "[s]ince we observe holidays anyhow, we should devote their observance to learning God's Word. The special office of this day, therefore, should be the ministry of the Word for the sake of the young and the poor common people" (86).

In order for that to happen, "we must set apart several hours a week for the young, and at least a day for the whole community, when we can concentrate upon such matters and deal especially with the Ten Commandments, the Creed, and the Lord's Prayer. Thus we may regulate our whole life and being according to God's Word" (89).

Luther here demonstrates that this hearing and discussing of God's word is not born out of some abstract curiosity or thirst for learning. Rather, by hearing God's word – his moral law; his gospel; and his prayer<sup>53</sup> – as it is taught and applied in and by the public worship service, we are able to "regulate our whole life and being according to God's Word." That is, by submitting to the discipline exerted by teaching God's word, we become more and more disciplined.

This is nothing other than the increasing sanctification we already heard about before. For, as Luther writes in the context (91-92):

*The Word of God is the true holy thing [relic] above all holy things. Indeed, it is the only one we Christians acknowledge and have.* Though we had the bones of all the saints or

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<sup>51</sup> We encountered εὐταξία already in our opening section when discussing the meaning of *Zucht* in Luther's explanation of the Fourth Petition as the technical term, originating in Stoic philosophy, for doing the right things at the right time and all things being well-ordered.

<sup>52</sup> Cf. AE 51:333 (1544 dedication sermon of the new church at Torgau): "the purpose of this new house may be such that nothing else may ever happen in it except that our dear Lord himself may speak to us through his holy Word and we respond to him through prayer and praise."

<sup>53</sup> Cf. what had been said above about the coordination of these three parts of the catechism.

all the holy and consecrated vestments gathered together in one heap, they could not help us in the slightest degree, for they are all dead things that can sanctify no one. But *God's Word is the treasure that sanctifies all things*. By it all the saints themselves have been sanctified. *At whatever time God's Word is taught, preached, heard, read, or pondered, there the person, the day, and the work are sanctified by it*, not on account of the external work but on account of the Word which makes us all saints. Accordingly, I constantly repeat that *all our life and work must be guided by God's Word if they are to be God-pleasing or holy*. Where that happens the commandment is in force and is fulfilled.

In other words, the holiness of God's word is not magically transferred to those who happen to be present when it is read, as the Reformer points out (LC I, 97):

It used to be thought that Sunday had been properly hallowed *if one heard a Mass or the reading of the Gospel*; no one asked about God's Word, and no one taught it either.

Instead, the word must be taught rightly. It must be believed (justification), and it must guide the Christian's life (sanctification). As we saw above, Luther pointed out against the Antinomians of his day that the complete forgiveness of sins offered in the means of grace for Christ's sake and apprehended by faith in that gospel must time and again lead to the increasing purging of those sins from our daily lives. This is why the individual petitions of the Lord's Prayer are so important.

Unlike philosophical morality and virtue, Christian holiness does not flow from doing to being.<sup>54</sup> It flows from being to doing (cf. Luke 6:43-49). As Luther put it in the context (94, cf. LC II, 55):

*Other trades and occupations are not properly called holy work unless the doer himself is first holy. But here a work must be performed by which the doer himself is made holy; this, as we have heard, takes place only through God's Word. Places, times, persons, and the entire outward order of worship are therefore instituted and appointed in order that God's Word may exert its power publicly.*

Therefore, not just preaching and teaching as such, but every ceremony, everything going on in the public worship ought to be geared to this one goal, "that God's Word may exert its power publicly." For it is in this way that people learn concerning Christ and about how they ought to live.

Luther concludes with this admonition (98):

Remember, then, that you must be concerned *not only about hearing the Word but also about learning and retaining it*. Do not regard it as an optional or unimportant matter. It

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<sup>54</sup> Cf. only Aristotle's famous statement (*Nicomachean Ethics* II, 1, tr. Ross): "The virtues we get by first exercising them, as also happens in the case of the arts as well. For the things we have to learn before we can do them, we learn by doing them, e.g. men become builders by building and lyreplayers by playing the lyre; so too we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts." What is *not* true for justification (and passive and hence complete sanctification) is true for the increasing active sanctification.

is the commandment of God, and he will require of you an accounting of how you have heard and learned and honored his Word.

The word of God, then, comes to us in many ways in public worship. There is the reading and the preaching of the word, but there are also all the (ancient) ceremonies of the worship services which also serve this one purpose of delivering God's word rightly taught to God's people so that they might be properly disciplined thereby in their faith and life.

What we find in our Lutheran Confessions concerning the disciplining function of fitting ceremonies in addition to the preaching of God's word itself goes back to Luther's 1520 treatise on Christian liberty. After refuting the wrong notion that the performance of religious rites is an especially holy work that contributes to man's justification before God, he does describe a positive function of the rites and ceremonies of the public worship service. Near the end of that treatise, he states (AE 31:375-376):

In brief, as wealth is the test of poverty, business the test of faithfulness, honors the test of humility, feasts the test of temperance, pleasures the test of chastity, so *ceremonies are the test of the righteousness of faith*. "Can a man," asks Solomon, "carry fire in his bosom and his clothes and not be burned?" [Prov. 6:27]. Yet as a man must live in the midst of wealth, business, honors, pleasures, and feasts, so also must he live in the midst of ceremonies, that is, in the midst of dangers. Indeed, as infant boys need beyond all else to be cherished in the bosoms and by the hands of maidens to keep them from perishing, yet when they are grown up their salvation is endangered if they associate with maidens, *so the inexperienced and perverse youth need to be restrained and trained by the iron bars of ceremonies lest their unchecked ardor rush headlong into vice after vice*. On the other hand, it would be death for them always to be held in bondage to ceremonies, thinking that these justify them. *They are rather to be taught that they have been so imprisoned in ceremonies, not that they should be made righteous or gain great merit by them, but that they might thus be kept from doing evil and might more easily be instructed to the righteousness of faith. Such instruction they would not endure if the impulsiveness of their youth were not restrained.*

*Hence ceremonies are to be given the same place in the life of a Christian as models and plans have among builders and artisans. They are prepared, not as a permanent structure, but because without them nothing could be built or made. When the structure is complete the models and plans are laid aside. You see, they are not despised, rather they are greatly sought after; but what we despise is the false estimate of them since no one holds them to be the real and permanent structure.*

The ceremonies of the worship service are not the real thing, that is, the Christian life in faith and love according to God's holy word. This is why they are not to be overestimated. However, they are very useful for "edification," that is, for the building up of the actual edifice that is the Christian life. For they model and rehearse the basic actions of the Christian life: hearing God's word and praising God in humility in accordance with that word. In fact, eventually, they guide the entire body in worshiping God, as it should be on a daily basis (Rom. 12:1; 1 Cor. 6:20, cf. AE 36:293).

Moreover, they, like “iron bars,” are of particular usefulness to keep the “impulsiveness” of “the inexperienced and perverse youth” in check. If the metaphor of the “iron bars” means anything, then it certainly conveys a good amount of rigidity, sturdiness, and repetitiveness of those ceremonies which Luther considered necessary so that they could fulfill their disciplining function that first of all allows learning to take place. Architectural models are of the same nature: If they are changed on a daily basis, no actual building will ensue.

In other words, weekly changes in the order of worship, offering various types of worship in one congregation – these practices so common today are certainly not what Luther would condone. Just as he did not condone constant change in the basic texts used for catechism instruction. If the rites and ceremonies of the worship service have the same “pedagogical” function, then what he wrote in the preface to the Small Catechism should give proponents of “creative worship” some pause, especially because “creativity” – i.e., change – in worship is meant to be attractive to the young and the inexperienced in the faith. This seems all highly questionable, to say the least. For Luther stated (SC, Pref. 7-9):

*In the first place, the preacher should take the utmost care to avoid changes or variations in the text and wording of the Ten Commandments, the Creed, the Lord’s Prayer, the sacraments, etc. On the contrary, he should adopt one form, adhere to it, and use it repeatedly year after year. Young and inexperienced people must be instructed on the basis of a uniform, fixed text and form. They are easily confused if a teacher employs one form now and another form — perhaps with the intention of making improvements — later on. In this way all the time and labor will be lost.*

This was well understood by our good fathers, who were accustomed to use the same form in teaching the Lord’s Prayer, the Creed, and the Ten Commandments. We, too, should teach these things to the young and unlearned in such a way that we do not alter a single syllable or recite the catechism differently from year to year. Choose the form that pleases you, therefore, and adhere to it henceforth. When you preach to intelligent and educated people, you are at liberty to exhibit your learning and to discuss these topics from different angles and in such a variety of ways as you may be capable of. *But when you are teaching the young, adhere to a fixed and unchanging form and method.*

This means that the pastor’s time is better spent actually teaching and building the faith than constantly tinkering with the auxiliary methods and tools used for that purpose.

Students of the human brain and child development tell us that especially children not only learn by repetition. They also love repetition, as parents tired of reading one particular book over and over know very well.<sup>55</sup> We fail to apply this basic insight only at our child’s peril when it comes to, say, forming healthy eating and sleeping or learning how to speak a (new) language. If, as we saw above, this bodily aspect of raising a child should only be a secondary part of our duties as parents, then even greater care and repetition should be used when it comes to the religious instruction of our children. Here too learning and therefore discipline will be greatly assisted

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<sup>55</sup> Cf. only this 2005 piece of advice: <http://www.ag.ndsu.edu/pubs/yf/famsci/fs611w.htm>.

when we stick to repetition as the mother of all learning and discipline, when it comes to the catechism and when it comes to the rites and ceremonies of worship.<sup>56</sup>

To be sure, it takes great humility and love to do things over and over again in the same way for the benefit of those who need that repetition. Like the preachers Luther had in mind, we would rather show off the brilliance of our learning by saying things in all sorts of different ways. Ever since the Enlightenment, reformers of the worship service felt that its repetitive nature was its biggest drawback that needed “enlightening,” i.e., enlivening. What was assumed is that those in charge of the worship service will be well enough trained to handle constant change without getting lost in it. They might be able to, but what about the normal people in the pew? Are they relegated to total spectator status, watching others skillfully perform an ever-changing set of improvisations?

While the Enlightenment’s argument for constant change rings true to many today, we should heed a word of caution based on the experience of the writers of the Lutheran Confessions. They had come to realize that constantly changing formulations of a doctrinal nature works really well as a cover for false teaching. This is why they pledged themselves not only to the content of the Lutheran Confessions, but also to the key formulations used there to express that doctrinal content.

In the opening paragraph of SD VII, it was stated, in part:

As early as 1530, when the Augsburg Confession was drafted and submitted to the emperor, *the Sacramentarians completely* disavowed the Augsburg Confession, withdrew from it, and submitted their own confession. Unfortunately, however, in later years a number of theologians and others who professed adherence to the Augsburg Confession no longer secretly but in part openly approved the Sacramentarians’ position and *against their own consciences sought forcibly to adduce and pervert the Augsburg Confession so as to make it appear to be in full agreement with the teaching of the Sacramentarians in this article.*

Specifically, this duplicity had to do with the presence of Christ’s body and blood in the bread and wine of the Lord’s Supper (SD VII, 2):

Some Sacramentarians *diligently endeavor to employ terminology [mit Worten / verbis] which is as close as possible to the formulas and speech-patterns [Form oder Weise zu reden / formas loquendi] of the Augsburg Confession and of our churches* and confess that in the Holy Supper the body of Christ is truly received by believers. Yet when we press them to set forth their meaning clearly, honestly, and explicitly, they all declare

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<sup>56</sup> Would it not be great if we could worship without having to hold a heavy book, getting lost in a thick bulletin, or failing to be able to read what is on some remote screen because we forgot our glasses? Do these not truly encumber our active and informed participation in the worship service? The path to freedom from books is the memorization of what is in those books by constant and well-informed repetition. That is also the path to “inwardly digesting” what is said and taught.

unanimously that the true, essential body and blood of Christ are as far distant from the blessed bread and wine in the Supper as the highest heaven is distant from the earth.

This important matter was certainly one reason that led the Confessors of 1580 to write in the Preface to the Christian Book of Concord:

*We are not minded to manufacture anything new by this work of agreement or to depart in any way at all, either in content or formulation [weder in rebus noch phrasibus], from the divine truth that our pious forebears and we have acknowledged and confessed in the past, for our agreement is based on the prophetic and apostolic Scriptures and is comprehended in the three Creeds as well as in the Augsburg Confession, submitted in the year 1530 to Emperor Charles V, of kindest memory, in the Apology that followed it, and in the Smalcald Articles and the Large and Small Catechism of that highly enlightened man, Dr. Luther. On the contrary, we are minded by the grace of the Holy Spirit to abide and remain unanimously in this confession of faith and to regulate all religious controversies and their explanations according to it.*

In other words, when it comes to changing texts of a doctrinal-teaching nature, such as the catechism or the order of service, the question is not only whether the hearers or readers can keep up. The question is also whether those frequent changes do not go beyond the average theological ability of the teachers.<sup>57</sup> The question is furthermore whether those changes, like in the days of the Reformation or the Enlightenment, are not the allegedly self-evident and hence convenient Trojan Horses to introduce doctrinal change into the church.<sup>58</sup>

### *3.3 The Role of Suffering for Christ's Sake*

Teaching God's word, but also hearing and believing it are not harmless activities. By the Spirit's grace, they create in man new spiritual life that has to fight against that old life in him,

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<sup>57</sup> One of the reasons why Luther did not change the medieval lectionary he had inherited, despite all of its shortcomings, was that he thought most preachers would not be able to handle biblical texts without the assistance of good postils: They would again end up talking about their personal ideas that are not at all related to the text at hand (cf. AE 53:23-24, 78).

<sup>58</sup> Cf. an anonymous essay which was published in the 1786 issue of *Liturgisches Magazin* (thanks to Dr. J. Herl, Seward, for providing the reference). The author, presupposing the need for (constant) change in worship as self-evident, saw this need not only when it came to some by then outdated German formulations. In those archaic formulations he also detected a spirit and theology that contradicted the enlightened preachers of the day. Lest the people be confused by this, the ancient formulations had to be updated or deleted like, e.g., the baptismal exorcism. The author also recognized that once the "needs of our time" become a guiding principle in the design of orders of service, then constant change needs to be built into them. The author radicalizes this approach by the claim that change or variety itself is legitimate and necessary to fend off boredom. After all, he wrote, "variety is still what best sustains devotion in the long run." Moreover, only constant change would be able to do justice to the constantly changing situations in which one finds oneself: There is no one-size-fits-all order of service. His solution, at least in the long run, would be to do away with binding common orders of service altogether, so that extemporaneous orders of worship correspond to extemporaneous sermons. In the short run, creating a significant variety of orders of service could be used to get people accustomed to the new way of doing things. Of course, prior to the introduction of change as the only constant in worship, the "foolish prejudices" of those who slavishly cling to the ancient formulations – because they, due to their upbringing, had gotten used to them – will have to be overcome by prudent preachers.

man's sinful nature (Gal. 5:16-17). What is more, being converted by God, being made holy in this imputative way and being incorporated in his Son's body, the church, result in the enmity of the devil and the world. Luther wrote in the Large Catechism's exposition of the Third Petition of the Lord's Prayer (LC III, 65):

Where God's Word is preached, accepted or believed, and bears fruit, *there the blessed holy cross will not be far away*. Let nobody think that he will have peace; he must sacrifice all he has on earth — possessions, honor, house and home, wife and children, body and life.

It sounds strange that Luther would call sacrificing all the goods and amenities of this life for the sake of the gospel a *blessed holy cross*. No doubt about it, this type of suffering strikes natural man as the greatest misfortune because this life, as seen above, is all natural really knows. This is why Luther in the following paragraph wrote (66): "*This grieves our flesh and the old Adam*, for it means that we must remain steadfast, suffer patiently whatever befalls us, and let go whatever is taken from us."<sup>59</sup>

Given this mortal combat in the Christian and around the Christian, prayer ceases to be a luxury engaged in only sparingly on high holidays or at church. It becomes a constant necessity, as Luther taught us (67):

[T]here is just as much need in this case as in every other case to pray without ceasing: "Thy will be done, dear Father, and not the will of the devil or of our enemies, nor of those who would persecute and suppress thy holy Word or prevent thy kingdom from coming; and *grant that whatever we must suffer on its account, we may patiently bear and overcome, so that our poor flesh may not yield or fall away through weakness or indolence.*"

This is to say, we pray so that we might not be overcome by the flesh and thereby lose the Spirit. But how can this be a good experience, a *blessed holy cross*? Such suffering is good, indeed, blessed and holy because it is used by the Spirit to make us blessed and holy. What does this mean? Luther explained it this way in his 1539 book on the church where he counts suffering for Christ's sake as one of the seven main outward marks of Christ's church on earth (AE 41:164-165):

*[T]he holy Christian people are externally recognized by the holy possession of the sacred cross*. They must endure every misfortune and persecution, all kinds of trials and evil from the devil, the world, and the flesh (as the Lord's Prayer indicates) by inward sadness, timidity, fear, outward poverty, contempt, illness, and weakness, *in order to become like their head, Christ* [cf. Rom. 8:17, 29; Phil. 3:10, 21] *And the only reason*

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<sup>59</sup> This is also why the old Adam hires scores of theologians at a good price to get suffering off his back, as Luther already noted in his day (cf. AE 31:227). On the other hand, the new man in the Christian sings with the fourth stanza of Luther's hymn, *A Mighty Fortress Is Our God*: "The Word they still shall let remain / Nor any thanks have for it; / He's by our side upon the plain / With His good gifts and Spirit. / *And take they our life, / Goods, fame, child and wife, / Let these all be gone, / They yet have nothing won; / The Kingdom our remaineth.*"

*they must suffer is that they steadfastly adhere to Christ and God's word, enduring this for the sake of Christ, Matthew 5 [:11], "Blessed are you when men persecute you on my account." ... And all of this is done not because they are adulterers, murderers, thieves, or rogues, but because they want to have none but Christ, and no other God [cf. 1 Peter 4:15-16]. Wherever you see or hear this, you may know that the holy Christian church is there, as Christ says in Matthew 5 [:11-12], "Blessed are you when men revile you and utter all kinds of evil against you on my account. Rejoice and be glad, for your reward is great in heaven." This too is a holy possession whereby the Holy Spirit not only sanctifies his people, but also blesses them.*

Meanwhile, pay no heed to the papists' holy possessions from dead saints, from the wood of the holy cross. ... But when you are condemned, cursed, reviled, slandered, and plagued because of Christ, *you are sanctified. It mortifies the old Adam and teaches him patience, humility, gentleness, praise and thanks, and good cheer in suffering. That is what it means to be sanctified by the Holy Spirit and to be renewed to a new life in Christ; in that way we learn to believe in God, to trust him, to love him, and to place our hope in him, as Romans 5 [:1-5] says, "Suffering produces hope," etc.*

Why, then, is suffering for Christ's sake holy and blessed? It is *blessed* because Christ's word makes it so in the Beatitudes. While it may be a sign of being totally abandoned by God to unbelievers, according to God's word it is a reason for rejoicing because it signals to the sufferer that he has indeed come the narrow gate that few find but that leads to heaven (Matth. 7:13-14; 1 Peter 4:12-19).

Such suffering is *holy* because the Holy Spirit uses it to make us holy by driving out the old Adam's impatience and grumbling under the cross. He uses it, moreover, to teach us to love God and to believe, rejoice, and hope in him, even in external hardship and suffering, when he hides his grace and mercy under dealing harshly with us. The second aspect is explained in the context of the last of Luther's famous rules for studying theology, where the Reformer wrote (AE 34:286-287):

Thirdly, there is *tentatio, Anfechtung*. This is the touchstone which *teaches you not only to know and understand, but also to experience how right, how true, how sweet, how lovely, how mighty, how comforting God's Word is*, wisdom beyond all wisdom. Thus you see how David, in the Psalm mentioned, complains so often about all kinds of enemies, arrogant princes or tyrants, false spirits and factions, whom he must tolerate *because he meditates, that is, because he is occupied with God's Word (as has been said) in all manner of ways. For as soon as God's Word takes root and grows in you, the devil will harry you, and will make a real doctor of you, and by his assaults will teach you to seek and love God's Word.*

Suffering is a specific temptation in that the devil uses it to cause us to mistrust God's word and love for us (cf. Ap. IV, 170). For, as Luther here and elsewhere observed based on Scripture, we suffer *precisely because* we are Christians and cling to God's word, not because we are criminals. It becomes a test of obedience to God's word in that falling away from God's word is offered by Satan as a promise to an end to all the pain right now. It was said to Christ on the

cross, in a way reminiscent of his temptations in the desert: “Save yourself! If you are the Son of God, come down from the cross” (cf. Matth. 4:3, 6; 27:40).

To overcome the experience of temptations, without being overcome by them, we need prayer, as was indicated earlier. In addition to the Third Petition, we are then also talking about the Sixth Petition. Luther explained it like this (LC III, 107-108):<sup>60</sup>

*To feel temptation, therefore, is quite a different thing from consenting and yielding to it. We must all feel it, though not all to the same degree ... But we cannot be harmed by the mere feeling of temptation as long as it is contrary to our will and we would prefer to be rid of it. If we did not feel it, it could not be called a temptation. But to consent to it is to give it free rein and neither resist it nor pray for help against it.*

Just like in the case of sin (cf. Rom. 6:12, 14),<sup>61</sup> there is *ruling* temptation and there is *ruled* temptation. So long as we cling to the gospel by faith, we will rule temptation and not consent to it, as fellow kings of Christ in his power (cf. Ap. IV, 193). To consent would be against the will of the new man in us, who delights in God’s holy law. In other words, we would rather be rid of it. If we lose faith, we cannot help but be ruled by temptation and give in to it.

The assaults of the devil, the world, and our sinful nature teach us “to seek love God’s Word” more and more because everything else might have to be sacrificed, and the believer finally realizes what God tried to teach the Israelites in the desert and what Jesus replied to his tempter in the desert (Deut. 8:3; Matth. 4:4): “Man shall not live by bread alone, but by every word that proceeds from the mouth of God.” Clearly, the promise is that this bread will nourish and sustain a Christian in the midst of suffering, not just with an increased knowledge, but also with a measure of experience of the great comfort, power, and sweetness of God’s word. In the context Luther offers himself as an example of one who, due to the papists’ assaults and the despair

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<sup>60</sup> In an earlier explanation of this petition, Luther referenced Jerome’s *Lives of the Hermits* (AE 42:73): “So you see that no one is free from trials. However, *we can defend ourselves against them and check them by entreating God’s help in prayer.* Thus we read in the book of hermits how a young brother longed to rid himself of his thoughts. The aged hermit said to him, “Dear brother, *you cannot prevent the birds from flying over your head, but you can certainly keep them from building a nest in your hair.*” Thus, as St. Augustine declares, we cannot prevent trials and temptations from overtaking us, but with our prayer and our invocation of God’s assistance we can stave off their victory over us.”

<sup>61</sup> Luther adopted and adapted the traditional distinction between mortal and venial sin, e.g., in his 1521 treatise against Latomus. Cf. AE 32:213-214: “[Y]ou will say to me: This distinction between the sin which reigns and that which is reigned over is new; it is yours, and you have arbitrarily posited it. To this I reply: So be it; dislike it if you will—I refuse to dispute about words—go make yourself another. At least this phrase, “sin which reigns,” is not my invention, but is cited from Paul [cf. Rom. 6:12]. Call the other kind, which does not reign, by whatever name you please, although Gen. 4[7] favors me: “Its desire shall be under you, and you shall master it.” Here subjugated sin is certainly described. Even the sophists are compelled to concede that venial sin differs from mortal sin. Although they assert that venial sin does not harm, rule, or damn, they yet most truly and properly call it sin; nor do they say that the mortal and the venial are of two different kinds or natures, but they assert that they are both departures from the law of God and contrary to it. I ask nothing more than that they permit me in this way to call sin what remains after baptism so that it, like what they themselves call venial sin, may require mercy and be in its nature faulty and evil. If you consent to this [sin], you have made sin to reign, you serve it and have sinned mortally.”

created by them, became “a fairly good theologian” by the power, wisdom, and comfort of God’s word.

In other words, being upheld by God’s word when everything in this world gives way teaches one also from experience that God can be trusted (1 Peter 2:23; 4:19), that his word is not just true information but spiritual bread, not dead letter but living Spirit (John 6:51, 63). This, in turn, strengthens one’s faith in God’s word on an experiential basis (cf. Ap. IV, 349-350). This is how Luther interpreted in the quote above the famous “chain” in Rom. 5:3-5 that leads us from suffering all the way to hope that prevents us from being put to shame in God’s final judgment.

Suffering, as Luther taught based on God’s word (Heb. 12:9-10), is an important part of the Father’s pedagogy of making his adopted children conform to his natural Son, “who for the joy that was set before Him endured the cross, despising the shame, and has sat down at the right hand of the throne of God” (Heb. 12:2). That is to say, we follow Christ’s example not only *actively*, that is, when it comes to his humble obedience to God’s will (Phil. 2:5-8). We also follow it *passively*, that is, when it comes to his patience in suffering, as such endurance too is obedience to God’s will (1 Peter 2:21; 3:17).

Suffering patiently, then, is a form of loving God, as God commanded it too (Ap. IV, 170). Luther wrote in the material accompanying his 1526 German mass that this order of service required a “fair and square catechism” lest people go to church without actually ever learning anything. This catechism should teach the basic parts of the Christian faith and all Scripture under the two heads, or “pouches,” of faith and love. Luther wrote (AE 53:66):

*Faith’s pouch* may have two pockets. Into one pocket we put the part [of faith] that believes that through the sin of Adam we are all corrupt, sinners, and under condemnation, Romans 5 [:12], Psalm 51 [:5]. Into the other we put the part [of faith that trusts] that through Jesus Christ we all are redeemed from this corruption, sin, and condemnation, Romans 5 [:15–21], John 3 [:16–18]. *Love’s pouch* may also have two pockets. Into the one put this piece, that we should serve and do good to everyone, even as Christ has done for us, Romans 13. Into the other put this piece, *that we should gladly endure and suffer all kinds of evil.*

Law and gospel, active and passive love – this is the sum of the Christian life. By placing the law before the gospel and faith before love, Luther ensured that Christ did not become a new Moses who “did nothing more than teach and provide examples as the other saints do, as if the gospel were simply a textbook of teachings or laws.” For “[t]he chief article and foundation of the gospel is that before you take Christ as an example, you accept and recognize him as a gift, as a present that God has given you and that is your own. ... This is the great fire of the love of God for us, whereby the heart and conscience become happy, secure, and content” (AE 35:119).

A Christian’s suffering, then, is a good, blessed and holy thing, even though it runs counter to the “intuition” of his sinful nature that only seeks to avoid pain and find pleasure in this life. The

ways of God are known only from Scripture, not from human intuition, as we saw above. God's word teaches us that in suffering we experience the disciplining will and work of our heavenly Father, by which our inborn prideful impatience, grumbling, and faith in a sugar-daddy god are put to death, thus "fulfilling our baptism" (AE 36:72) and giving way more and more way to the real thing, namely, the new man who partakes of God's holiness in humble faith, hope, and love (Eph. 4:22-24; Heb. 12:10; 1 Cor. 13:13). Or as Paul put it in 2 Cor. 1:9: "Indeed, we felt that we had received the sentence of death. But that was to make us rely not on ourselves but on God who raises the dead."

In this way, even those hardships "work together for good to those who love God, to those who are the called according to His purpose" (Rom. 8:28). Such is indeed the great spiritual power and Christian liberty which is our spiritual kingship by which we rule over all things. Luther wrote in his 1520 treatise on Christian freedom especially in view of suffering (AE 31:354-355):

*[E]very Christian is by faith so exalted above all things that, by virtue of a spiritual power, he is lord of all things without exception, so that nothing can do him any harm. As a matter of fact, all things are made subject to him and are compelled to serve him in obtaining salvation. Accordingly Paul says in Rom. 8[:28], "All things work together for good for the elect," and in I Cor. 3[:21–23], "All things are yours whether ... life or death or the present or the future, all are yours; and you are Christ's...." This is not to say that every Christian is placed over all things to have and control them by physical power—a madness with which some churchmen are afflicted—for such power belongs to kings, princes, and other men on earth. Our ordinary experience in life shows us that we are subjected to all, suffer many things, and even die. As a matter of fact, the more Christian a man is, the more evils, sufferings, and deaths he must endure, as we see in Christ the first-born prince himself, and in all his brethren, the saints. The power of which we speak is spiritual. It rules in the midst of enemies and is powerful in the midst of oppression. This means nothing else than that "power is made perfect in weakness" [II Cor. 12:9] and that in all things I can find profit toward salvation [Rom. 8:28], so that the cross and death itself are compelled to serve me and to work together with me for my salvation. This is a splendid privilege and hard to attain, a truly omnipotent power, a spiritual dominion in which there is nothing so good and nothing so evil but that it shall work together for good to me, if only I believe. Yes, since faith alone suffices for salvation, I need nothing except faith exercising the power and dominion of its own liberty. Lo, this is the inestimable power and liberty of Christians.*

Faith in Christ, then, does not make suffering and hardships go away, as many a charlatan promises to this very day. Faith rather leads to a beneficial reception of these special gifts of God so that they too must serve the Christian's discipline and salvation in the ways outlined above. By making the sufferer holy, it sanctifies his suffering as well so that it too is a sacrifice pleasing to God (cf. Ap. XXIV, 30).

Suffering, then, serves the Christian's salvation, not by being that meritorious good deed that automatically opens heaven, as the early Luther believed with many of his contemporaries (cf.

AC XXVI, 37). On the contrary, suffering serves the Christian's salvation because it helps prevent the old Adam from overpowering and killing the new man in the Christian. It does so specifically by showing the believer how dependent he is on God for everything – maintaining pure doctrine, the forgiveness of sins and strength in the battle against sin and temptation, as well as daily bread – lest he slack off in his prayer and clinging to God and his word.

In the Apology we therefore read (XII, 151):

*[T]he saints are subject to death and to all the common troubles, as Peter says (1 Pet. 4:17), "For the time has come for judgment to begin with the household of God; and if it begins with us, what will be the end of those who do not obey the gospel?" As a rule, these troubles are punishments for sin. In the godly they have another and better purpose, that is, to exercise them so that in their temptations they may learn to seek God's help and to acknowledge the unbelief in their hearts.*

The exercise or test administered by God in the form of death and suffering, in other words, will point us to our shortcomings, just like God's discipline of his people in the desert (Deut. 8:2). For unbelief in the heart will show itself also as grumbling against external suffering imposed by our heavenly Father (1 Cor. 10:10). To be sure, we ought to grow in holiness also when it comes in our ability to deal with God-sent hardships in a Christian way. However, this law too always accuses us, leading us back to the gospel of Christ's forgiveness again. Accordingly, it is stated in the Apology (IV, 166-168, cf. IV, 293):

*The incipient keeping of the law does not please God for its own sake, but for the sake of faith in Christ. Without this, the law always accuses us. For who loves or fears God enough? Who endures patiently enough the afflictions that God sends? Who does not often wonder whether history is governed by God's counsels or by chance? Who does not often doubt whether God hears him? Who does not often complain because the wicked have better luck than the devout, because the wicked persecute the devout? Who lives up to the requirements of his calling? Who loves his neighbor as himself? Who is not tempted by lust? Therefore Paul says (Rom. 7:19), "I do not do the good I want, but the evil I do not want is what I do." Again (Rom. 7:25), "I of myself serve the law of God with my mind, but with my flesh I serve the law of sin." Here he openly says that he serves the law of sin.*

In other words, "death and all the common troubles" have the same purpose as the verbally proclaimed law of God that causes even the saints to suffer severe terrors of conscience on account of their sin (cf. Ap. XII, 156): Induce fear of God and despair in oneself, and thereby lead to a renewed desire for the forgiveness offered by the gospel, thus once more becoming a guide or disciplinarian (παιδαγωγός) unto Christ (Gal. 3:24).<sup>62</sup> This is needed due to the continued existence of the old Adam in the Christian, as we read in the Solid Declaration (VI, 19):

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<sup>62</sup> Cf. F. Pieper, *Christian Dogmatics*, III:240, where he speaks of a *praedicatio legis realis*, a proclamation of the law by real-life events.

As far as the Old Adam who still adheres to them is concerned, *he must be coerced not only with the law but also with miseries*, for he does everything against his will and by coercion, just as the unconverted are driven and coerced into obedience by the threats of the law (1 Cor. 9:27; Rom. 7:18, 19).

Suffering is also the “place in life” that teaches us the proper understanding of the doctrine of predestination (cf. SD XI, 20, 48-49, 89-92). For this doctrine is not given to answer fallen reason’s idle curiosity but to comfort the saints under the cross. Luther explained this very well in his preface to Romans (AE 35:378, quoted in part in SD XI, 33):

*In chapters 9, 10, and 11 he teaches of God’s eternal predestination—out of which originally proceeds who shall believe or not, who can or cannot get rid of sin—in order that our salvation may be taken entirely out of our hands and put in the hand of God alone. And this too is utterly necessary. For we are so weak and uncertain that if it depended on us, not even a single person would be saved; the devil would surely overpower us all. But since God is dependable—his predestination cannot fail, and no one can withstand him—we still have hope in the face of sin.*

Here, now, for once we must put a stop to those wicked and high flying spirits who first apply their own reason to this matter. *They begin at the top to search the abyss of divine predestination, and worry in vain about whether they are predestinated. They are bound to plunge to their own destruction, either through despair, or through throwing caution to the winds.*

*But you had better follow the order of this epistle.* Worry first about Christ and the gospel, that you may recognize your sin and his grace. Then fight your sin, as the first eight chapters here have taught. Then, when you have reached the eighth chapter, and are under the cross and suffering, this will teach you correctly of predestination in chapters 9, 10, and 11, and how comforting it is. *For in the absence of suffering and the cross and the perils of death, one cannot deal with predestination without harm and without secret anger against God.* The old Adam must first die before he can tolerate this thing and drink the strong wine. Therefore beware that you do not drink wine while you are still a suckling. *There is a limit, a time, and an age for every doctrine.*

This is why Luther did not include predestination among the topics taught in the Small Catechism. He believed and taught it when and where appropriate and found great comfort in it himself. However, this “strong wine” is not for those who “are still a suckling.”<sup>63</sup> Perhaps more than the other doctrines of the Christian faith, this one is not suitable for pure “classroom teaching.” There it will be easily misunderstood, leading to vain speculations, despair,<sup>64</sup> or “secret anger against God.” It is best reserved for the school of Holy Spirit under the cross.

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<sup>63</sup> Why is it included in the Synodical catechism (under question 191: “Are you sure that you have eternal life?”)? Certainly, the LCMS was a champion for this doctrine in the 19<sup>th</sup> century, but this does not make this doctrine “timeless” in the sense of being exempt from Luther’s prudent rule: “There is a limit, a time, and an age for every doctrine.”

<sup>64</sup> Cf. AE 33:190, where Luther spoke about his own despair over this doctrine in his book against Erasmus: “Admittedly, it gives the greatest possible offense to common sense or natural reason that God by his own sheer will should abandon, harden, and damn men as if he enjoyed the sins and the vast, eternal torments of his wretched

## 4 Individual Discipline

The foundations have been uncovered. Now we can apply what has been said so far to the specific issues of discipline in the narrow sense, i.e., as punishment. While teaching is the first application and use of God's word, it is by no means the only one. We already pointed out that teaching God's word in law and gospel is not simply or purely informational on a factual level. God's word is living and active.

The Spirit uses the law to convict sinners of their sins. The Spirit uses the gospel to comfort those convicted of sins and to create in them genuine faith and love of God, which go hand in hand with a desire to live according to God's will. A third point on the work of the Holy Spirit on the converted by means of God's written word needs to be added, as discussed above (SD VI, 3, cf. SD RN, 3):

*[T]he Holy Spirit uses the written law on them to instruct them, and thereby even true believers learn to serve God not according to their own notions but according to his written law and Word, which is a certain rule and norm for achieving a godly life and behavior in accord with God's external and immutable will.*

What we need to address additionally in this section are two things. First of all, Christ commands each *Christian* actually to practice what is preached, heard, and believed *against his sinful nature and to train his body*. In other words, he commands us to engage in self-discipline before anything else lest we become hypocrites (cf. Matth. 7:1-5).<sup>65</sup> Because the Christian desires to do God's will, he also desires to engage in this type of self-discipline as an aid on the path towards increased holiness and obeying God's law more fully.

Second, Christ has also commanded his *church* to deal with the sins of its members not just in a general way in the public instruction in the worship service or in the classroom where it is heard by the sincere as well as by the hypocrites. He also has called on the individual Christian to correct his neighbor *after* he has corrected himself (cf. Matth. 18:15-18). The case of dealing

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creatures, when he is preached as a God of such great mercy and goodness, etc. It has been regarded as unjust, as cruel, as intolerable, to entertain such an idea about God, and this is what has offended so many great men during so many centuries. *And who would not be offended? I myself was offended more than once, and brought to the very depth and abyss of despair, so that I wished I had never been created a man, before I realized how salutary that despair was, and how near to grace.*"

<sup>65</sup> In a sermon on these verses, Luther described the proper order of things (AE 21:215-216): "If I see something in [my neighbor] that does not please me very much, I should pull back and take a look at myself. There I will find many things which do not please other people either and which I want them to pardon and tolerate. This will soon relieve the itch that tickles itself and enjoys someone else's transgressions, and Master Smart Aleck will toddle along and stop passing judgment. Thus you will be happy to square things with the other person. *First* you will say: 'Lord, forgive me my debt'; and *then* you will say to your neighbor: 'If you have sinned against me, or if I have sinned against you, let us forgive each other.' *But if you see that he is the kind of coarse person who will not stop unless you rebuke him, then go to him and tell him so by himself, as we have often pointed out on the basis of Matthew 18:15; this may cause him to improve and desist.* This should not be called passing judgment on him and condemning him, but admonishing him in a brotherly way to improve. Such admonition should proceed in a fine and peaceable fashion, according to God's commandment."

with wayward pastors will be treated here as well, as it should be. Because the Christian knows from his own experience, how easy it is to grow slack when it comes to following God's word, he not only is willing to help his fellow believer if he or she stumbles; he is also willing to be helped in this way.

Both aspects – self-discipline and church discipline – will come together also when we, in the next section, talk about the actual topic of this presentation, discipline and the Lord's Supper.

#### 4.1 Self-Discipline

Self-discipline applies to what the bible calls “body” and “flesh.” However, both “body” (σῶμα) and “flesh” (σάρξ) can mean two things. These terms can both refer to the old Adam, man's sinful nature (cf. Rom. 6:6; 8:13; Col. 2:11).<sup>66</sup> They can also both refer to one's physical body. *The former* – having been put to death by baptism's imputation of Christ's perfect righteousness that is apprehended by faith – must continually be driven out during this life in increasing sanctification (cf. Rom. 6:4-6; 2 Cor. 4:16; Eph. 4:22-24; Col. 2:11-12). It will eventually and finally be destroyed when the Christian dies physically (cf. Rom. 6:6). Its opposite is the Spirit (cf. Rom. 8:10, 13; Gal. 5:17).

*The latter* is enslaved by the former in the unbelievers (cf. Rom. 6:20-21). In the Christian, it must increasingly be set free from serving sin (e.g., habits) in order to serve righteousness (cf. Rom. 6:12-13, 19; 1 Cor. 9:27). It will die as a natural body, but it will be raised again as a changed, spiritual body (cf. 1 Cor. 15:44, 50-53). Its opposite is the soul (cf. Matth. 10:28).

It is of critical importance to keep this basic distinction in mind lest we justify the false accusation against Christianity that it is in its original teachings hostile to the material world as such, including the human body. This is clearly not the case. *On the one hand*, the human body is not to be destroyed by sanctimonious notions of harsh physical discipline (cf. Col. 2:23).<sup>67</sup> It is

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<sup>66</sup> Cf. only Luther, *Decalogue*, 154: “[I]t is necessary to teach the law for the time being, until *this body of sin—that is, this vicious and corrupt nature*—is completely destroyed.”

<sup>67</sup> Cf. Luther's own observations (AE 2:339): “As a young man I saw many Carthusians at Erfurt who were *excessively pale and walked with a cane, although according to their years they should still have been vigorous*. Surprised at this misfortune, I would inquire where they had contracted this trouble. They answered: ‘From vigils.’ I asked: ‘But why don't you sleep?’ They used to answer: ‘It is not allowed.’ The religion of the monks is one that knows no mildness and no moderation. Therefore it is most unfair and most unjust; for it gives no consideration to the purpose of the law and has no regard for love; but, as Paul says in Col. 2:23, ‘it does not spare the body.’ Hence it is true what Terence says, that extreme justice is extreme injustice. *God does not want bodies to be killed; He wants them spared; indeed, He wants them to be nourished and fostered, in order that they may be fit for their calling and for the duties they owe the neighbor.*” He himself once practiced this rigorous discipline himself (AE 7:113): “[T]he body has been given to us by God, not that we should kill it with fasting or vigils, but that we should care for it with food, drink, clothing, sleep, and medicine. In Col. 2:23 Paul censures the hypocrites who do not spare their bodies. *In the monastery I, too, was once such a murderer and the worst persecutor of my own body; for I used to fast, pray, watch, and fatigue myself beyond my strength.*” Cf. also his note on Bernard of Clairvaux, a famous figure from church history (AE 4:273): “[I]t is said of Bernard that in order to overcome his lust he tormented his body to such an extent that eventually *the brothers could not associate with him because of his stinking breath. God created body and soul, and He wants recreation allowed to both, but in a definite amount and*

rather to be rescued from the grip of sin in order to be repossessed by God's Spirit working through proper spiritual and physical discipline so that it may once again serve and glorify God, its Creator and Savior. However, due to the impact of sin, the material body as it currently exists is also not simply good or immortal. It will die and rise as a new, spiritual body.

*On the other hand*, man's sinful nature has chiefly spiritual effects, even though it also affects everything that is physical in man, including the act of procreation (cf. Ps. 51:5).<sup>68</sup> In fact, residing in man's soul, it dominates and rules the unbelievers, as to both body and soul. While this rule has been destroyed by God's Spirit through the gospel, its remains need to be driven out continuously in the power of the Spirit.

#### 4.1.1 Disciplining the Old Adam

In his 35<sup>th</sup> evening lecture on the proper distinction between law and gospel, C. F. Walther said in 1884/85:<sup>69</sup>

*Consider that according to the Scriptures it is not at all difficult to be converted, but to remain in a converted state, that is difficult. Accordingly, it is a false interpretation to refer the words of the Savior: "Enter ye in at the strait gate", Matt 7, 13, to repentance. Repentance is not a strait gate through which a person has to squeeze. Repentance is something that God Himself must produce in a person. Any kind of repentance which man produces by his own effort is counterfeit and an abomination in the sight of God. We need not worry about our inability to produce repentance in ourselves. We must only apply to ourselves the keen Word of God, and we have the first part of repentance. After that an application of the unqualified Gospel will produce faith in us. All that a person has to do when he hears the Gospel is to accept it. But this is immediately followed by an inward conflict. The error of false teachers in regard to this matter is that they place this conflict before conversion. For such a conflict an unconverted person is not qualified. The conflict comes at a later stage, and it is severe. The narrow way is the cross which Christians have to bear, namely, that they have to mortify their own flesh, suffer ridicule, scorn, and ignominy heaped upon them by the world, fight against the devil, and renounce the world with its vanities, treasures, and pleasures. That is a task which causes many to fall away again soon after their conversion and to lose their faith.*

Obviously, we are here no longer talking about how to become a Christian. We are here talking about what a sinner is to do once he has become also a believer by God's grace. We are, in other

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*manner.*" This "definite amount and manner" will be discussed below in greater detail when we talk about proper fasting.

<sup>68</sup> Cf. SD I, 6 where original sin is compared to "spiritual leprosy." If "spiritual" means, in a basic sense, "in accordance with the Spirit" and not the absence of created matter (cf. AE 28:192-193; 37:95), this terminology makes as little sense as the similar expression "spiritual blindness" (cf. Matth. 15:14; SD II, 10). Here, therefore, the adjective "spiritual" denotes referring to spiritual matters.

<sup>69</sup> Quoted according to the 1929 English edition. Cf. these words from the last lecture of the first, 1878 series of nightly presentations on the same topic: "You have easily obtained God's grace. God has poured it into your bosom without your work. However, do consider that now the praying, struggling, and watching begin" (C. F. W. Walther, *Gesetz und Evangelium: Aus seinem schriftlichen Nachlaß gesammelt* (CPH: St. Louis, 1893), 117).

words, talking about the struggles of a believer against sin, the world, and the power of the devil. We are talking about the Christian's self-denial in the sense that he is called to deny, not the *existence* of sin in him (that would be delusional self-righteousness), but the *assent* to the sinful impulses, thoughts, words, and deeds that issue from his old self, his sinful nature. Not only that, he is to push back more and more those sinful acts originating in his old Adam. In this sense, we are also talking about self-mortification.

Luther, in his introduction to his 1538 disputation against the Antinomians, described the Christian's inner struggle as his life-long military service based on texts such as Rom. 7:23; Eph. 6:13-16:<sup>70</sup>

*By this divine reputation—that your sins are forgiven you freely for Christ's sake—you are sent, as it were, into lifelong military service and battle array, in order to fight and combat sin, the world, the devil, and your own flesh. These enemies will never cease nor rest. By day and night they will call you to do the worst within and without, against God and man, in the First and Second Table, in order to lead you away from that reputation and Christ—because of whom you are righteous and whole before God—so that they might bring you into the kingdom of darkness and so that you might follow those things which pertain to the carnal man and the old Adam.*

As was stated before, by justification we are activated for battle against sin, the world, and the devil because we desire to live according to God's will, not according to the ways of our old Adam. After all, we still live in the church militant, not in the church triumphant yet.<sup>71</sup> In the context, Luther also gave a concrete example how this inner struggle of flesh against spirit looks like in the believer and contrasted it with the unbeliever who rushes into sin headlong.<sup>72</sup>

For example, if I, a Christian, still a strong youth, were to fall in love with a beautiful girl or woman, here, unless I were a total tree trunk, *I could not but feel affection toward her, even if I were baptized and justified, and desire to attain her, if it were only permitted by disgrace or another punishment, which I fear. Yet nevertheless, if I am a Christian, the heart and the Spirit in the heart right away exclaim: "Get behind me, Satan (cf. Mat. 16:23)! Shut up! No, don't rule, flesh! Be completely silent! You shouldn't thus persuade or incite me to fornication, adultery, passion or to do any other shameful acts against my God, but I will wait until God will give a woman to me whom I will love! Besides, with her I will make an end. I will leave her to her bridegroom and family."* These and such words are not man's, but Christ's and the Holy Spirit's, who says in the heart: "Let the girl in peace. I will give you another in due time, whom you will easily love." *This Christian, even if he is affected by sexual desire, nevertheless obeys the Spirit, averts by prayer the evil he feels, and prays that he might not enter into temptation. This already is, therefore, what it means to overcome sin, even if it cannot be done without trouble and much difficulty.* For there is a very great burning of lust, and in that age, the blooming and strapping flesh is consumed vigorously; additionally there is the

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<sup>70</sup> Decalogue, 142.

<sup>71</sup> Cf. Decalogue, 145.

<sup>72</sup> Decalogue, 148.

devil, who is able to rekindle even dead ember, as we see sometimes in old lovers. *Yet nonetheless, the Christian stands firm and obeys God's word and law which says (Ex. 20:17): "You shall not covet," and with the Holy Spirit admonishing him concerning this will of God, he will not give in. The impious, however, whenever he is tempted by these things, falls headlong into all vices and thinks only how he can acquire the things desired.*

Here the old Adam's powerful sinful desires even in the Christian are clearly confessed and not denied. Here also is given voice to words that "are not man's, but Christ's and the Holy Spirit's," in that they express the new man's prayerful and stern refusal to be ruled by Satan and sin. In other words, what we read in SD VI, 24 is here applied by the Christian himself to his own sinful nature:

For the Old Adam, like an unmanageable and recalcitrant donkey, is still a part of them and must be coerced into the obedience of Christ, not only *with the instruction, admonition, urging, and threatening of the law*, but frequently also with the club of punishments and miseries, until the flesh of sin is put off entirely and man is completely renewed in the resurrection.

For, as we already saw in Luther's exposition of the Sixth Petition of the Lord's Prayer, it is one thing to be tempted: as long as we live in the flesh, it cannot be otherwise. It is quite another thing to give in to temptation without offering the least resistance to the old Adam's urgings: as long as we have the Spirit of God, we will resist, however weakly.

Sin, then, is removed, as Luther put it, in both an imputative and actual way, as he described it in this quote:<sup>73</sup>

*First, imputatively, since sins against the law are not imputed to me and are pardoned on account of the most precious blood of the immaculate Lamb, Jesus Christ my Lord. Then, in a purging manner, because the Holy Spirit is given me. After receiving him, I begin to hate wholeheartedly everything that offends his name and I become a pursuer of good works. What is left in me of sin, this I purge until I become totally pure, and this in the same Spirit who is given on Christ's account.*

Faith in Christ, imputation of his perfect righteousness provides for a perfect liberation from sin. Yet then there is also the actual, formal removal of sin by the increasing purging away of sinful thoughts, words, and deeds until "a pure and glorified man without any blemish and defect comes forth" (91) at the resurrection of the just to everlasting life. Without this self-discipline, as a necessary fruit of faith in Christ, we will not share in that resurrection.

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<sup>73</sup> *Decalogue*, 92, cf. also *ibid.*, 143: "[W]e too are pure and holy, but first by way of imputation, because sin is not imputed to us. Secondly, we also are formally righteous, as soon as I, by virtue of these first fruits and the Holy Spirit given to me from heaven, in faith begin to struggle and battle sin and blasphemy." Cf. also the above quoted text from AE 41:113-114. Luther detected as one of the aberrations of the specific Antinomians he was dealing with that they believed the Christian was perfectly righteous also in a qualitative-formal manner, not just in a relational manner, cf. *Decalogue*, 140, 213.

#### 4.1.2 Disciplining the Body

The end result of disciplining one's old Adam, as Luther described it, obviously is an increased quality of holiness in the Christian. However, this holiness is not an end in itself since the Christian is saved based on Christ's alien holiness and righteousness in which he participates by the relationship established by faith in the gospel.<sup>74</sup> The Christian's individual and increasing holiness serves the neighbor. Luther taught this ever since his 1520 treatise on Christian liberty. For there he stated (AE 31:364):

A man does not live for himself alone in his mortal body to work for it alone, but he lives also for all men on earth; rather, he lives only for others and not for himself. *To this end he brings his body into subjection that he may the more sincerely and freely serve others.*

What is noteworthy in this quote is that self-discipline here focuses, not on the old Adam, but on the human body. It is to be subjected to the new man in the Christian so that it might go along with actually doing what God commands in a more disciplined, regular manner. For Luther described the works that bring the body into subjection in this way (AE 31:358-359):

In this life he must control his own body and have dealings with men. Here the works begin; here a man cannot enjoy leisure; *here he must indeed take care to discipline his body by fastings, watchings, labors, and other reasonable discipline and to subject it to the Spirit* so that it will obey and conform to the inner man and faith and not revolt against faith and hinder the inner man, as it is the nature of the body to do if it is not held in check.

This is reflected in what we read in the Augsburg Confession (XXVI, 30-39, cf. Ap. XV, 24):

Although our teachers are, like Jovinian, accused of forbidding mortification and discipline, their writings reveal something quite different. *They have always taught concerning the holy cross that Christians are obliged to suffer, and this is true and real rather than invented mortification.* *They also teach that everybody is under obligation to conduct himself, with reference to such bodily exercise as fasting and other discipline, so that he does not give occasion to sin, but not as if he earned grace by such works. Such bodily exercise should not be limited to certain specified days but should be practiced continually.* Christ speaks of this

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<sup>74</sup> Cf. *Decalogue*, 213, as well as AE 12:376-377: "Grace means the favor by which God accepts us, forgiving sins and justifying freely through Christ. It belongs to the category of relationship, which the dialecticians say has a minimum of entity and a maximum of power. So you should not think it is a quality, as the scholastics dreamed. The forgiveness of sins depends simply on the promise which faith accepts—not on our works or merits, but on the fact that by the sting of the Law God graciously calls us back to Himself so that we might acknowledge Him to be the giver of grace. The gift or the *χαρίσματα* are what is given to the believers after the forgiveness of sins by the God reconciled through Christ. ... the true Spirit dwells in the believers not merely according to His gifts, but according to His own substance. He does not give His gifts in such a way that He is somewhere else or asleep, but *He is present with His gifts and creatures by preserving, ruling, and strengthening them.*" In other words, when we talk about the gift of the Spirit, then we are talking about the category of quality, see AE 41:114, already quoted above: "Christ did not earn only *gratia*, 'grace,' for us, but also *donum*, 'the gift of the Holy Spirit,' so that we might have not only forgiveness of, but also cessation of, sin." See SD III, 65.

in Luke 21:34, “Take heed to yourselves lest your hearts be weighed down with dissipation,” and again, “This kind of demon cannot be driven out by anything but fasting and prayer.” Paul said that he pommelled his body and subdued it, and *by this he indicated that it is not the purpose of mortification to merit grace but to keep the body in such a condition that one can perform the duties required by one’s calling*. Thus fasting in itself is not rejected, but what is rejected is making a necessary service of fasts on prescribed days and with specified foods, for this confuses consciences.

The purpose of this aspect of self-discipline and in fact self-*mortification*, then, is not gaining heaven, but keeping “the body in such a condition that one can perform the duties required by one’s calling.” Of course, we can ask ourselves whether the *physical shape* of our congregational membership reflects living in the world or whether they reflect that *also bodily discipline* according to God’s word has been maintained among us. It is, after all, not just our heart that is to glorify God. By our bodies, too, we are to glorify God and serve our neighbor by a life that is lived in accordance with God’s Ten Commandments (cf. 1 Cor. 6:20).

Those who might think that, e.g., fasting is really more of a monastic-Catholic matter and therefore merely optional for the Lutheran Christian or even forbidden,<sup>75</sup> consider this quote from the Apology (XII, 139, cf. Matth. 6:1-18; Luke 21:34; 1 Cor. 9:27): “We believe that God’s glory and command require penitence to produce good fruits, and that *good fruits like true fasting, prayer, and charity have his command*.” To say it one more time (Ap. XII, 143): “*True prayer, charity, and fasting have God’s command: and where they do, it is a sin to omit them*.” God’s command sets these three practices apart from others like celibacy, poverty, and spiritual obedience that are merely commended in Scripture.<sup>76</sup>

This means that, according to Luther and the Lutheran Confessions, fasting is not only commanded by God so that not being engaged in fasting would be a sin. Fasting is also a practice that prepares the body for more readily serving the neighbor according to “the duties required by one’s calling.” In other words, when the early Lutherans spoke about this kind of preparatory “disciplines,” they do not veer off into self-chosen practices. They stuck to what is commanded and commended by God in Scripture.

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<sup>75</sup> Cf. the above-quoted text SD VI, 20: “Believers, furthermore, require the teaching of the law so that they will not be thrown back on their own holiness and piety and under the pretext of the Holy Spirit’s guidance set up a self-elected service of God and without his Word and command, as it is written, ‘You shall not do every man whatever is right in his own eyes, but heed all these words which I command you. You shall not add to it nor take from it’ (Deut. 12:8, 28, 32).”

<sup>76</sup> Charity, prayer, and fasting are thus to be distinguished from what the Confessions call “non-obligatory forms of discipline,” namely, chastity, poverty, and obedience (e.g., within a religious organization). Evidently, the latter class of disciplinary practices is not commanded by God. Yet, as they are certainly at least commendable, they may be engaged in, provided that can be done without sinning, especially in the case of chastity, which must be based on the divine gift of chastity (cf. AC XXIII, 6; Ap. XXIII, 19); or in the case of obedience to men which must not lead one to disobey God (cf. AC XVI, 6-7; AC XXVIII, 21-22; Ap. XXVIII, 20-21). Certain holy men of the past had “used them for their physical advantage, to have more leisure for teaching and other pious duties, not because the works themselves are services that justify or merit eternal life” (Ap. XXVII, 21, cf. 1 Cor. 7:32-34).

What does this fasting mean, and what are the differences between the Lutheran and the Catholic understanding thereof? As for the differences, first off, there is the fact that the purpose of fasting, as in the case of other good works, is not seen in meriting grace, but in making the body able to serve the neighbor better. Second, fasting “should not be limited to certain specified days but should be practiced continually.” As with repentance in general, it should not be limited to certain times and seasons of the year. It should be life-long (cf. AE 31:25-26). For the neighbor needs to be served for as long as we live. Moreover, fasting is indeed commanded by God. His commandments are in force every day, not just for 40 days during Lent or other days designated by the church.

As for the concrete meaning of fasting here, Luther’s 1530 comments on Matth. 6:16-18 are instructive. Like our confessions, he rejects the traditional practices of setting aside certain days and foods which have only led to more gluttony (cf. AE 21:157-158). He considers it to be a laudable alternative when, by way of government or unanimous church action, certain fast days during the year are prescribed to teach all *citizens* a more moderate and thrifty way of handling those things supplying the needs of the body (cf. AE 21:159) and, like other humanly established church ceremonies, to lead especially the young *Christians* to mark the time before the high holy days of the church year (cf. AE 21:159-160).

Yet all this still is not the true fasting Christ was driving at in Matth. 6. This, according to Luther, was simply that Christians are commanded to lead a moderate life, as becomes plain from this lengthy quote (AE 21:155-156, 160-162):

It is not [Christ’s] intention to reject or despise fasting in itself, any more than He rejects almsgiving and praying. *Rather He is supporting these practices and teaching their proper use.* In the same way it is His intention to restore proper fasting, to have it rightly used and properly understood, *as any good work should be. ...*  
*True fasting consists in the disciplining and restraining of your body, which pertains not only to eating, drinking, and sleeping, but also to your leisure, your pleasure, and to everything that may delight your body or that you do to provide for it and take care of it.* To fast means to refrain and hold back from all such things, and *to do so only as a means of curbing and humbling the flesh.* This is how Scripture enjoins fasting, calling it “afflicting the soul” (Lev. 16:29), “afflicting the body,” and the like, *so that it stays away from pleasure, good times, and fun.* Such was the fasting of the ancient fathers. They neither ate nor drank anything all day, they walked around sorrowful all day, and they withheld everything from their bodies, to the limit of natural endurance. ...  
*If you want to fast right, see to it first that you are a pious man, one who both believes and loves correctly; for this work deals not with God or our neighbor, but with our own body. ...*  
*[W]hat I call the real fasting of Christians means that you punish your whole body and compel it, as well as all five senses, to forsake and do without whatever makes life comfortable.* This may be either voluntary or compulsory, provided that you willingly accept it. *You may eat either fish or meat, but no more than your real need requires, to*

*keep your body from being injured or incapacitated and yet to hold it in check and to keep it busy so that it does not become idle or lazy or lewd. ...*

[T]his fasting is directed only against the lust and the passions of the flesh, not against nature itself. It is not confined to any rule or measure, to any time or place. *If necessary, it should be practiced continually, to hold a tight rein on the body and to get it used to enduring discomfort, in case it should become necessary to do so. ...*

*Everyone is commanded to live a moderate, sober, and disciplined life, not for one day or one year, but for every day and always.* This is what the Scriptures call “sobriety,” or sober living. In this way, though they may not all be able to observe the high fasts, they will at least do this much. *They will be moderate in eating, drinking, sleeping, and in all the necessities of their body. They will do as much of these things as their need requires, not as much as their greedy appetite or whim requires; and they will not live here as though the purpose of life were only eating and drinking, dancing and having a gay time.* But if their weakness sometimes causes them to go too far, let that be included in the article entitled “the forgiveness of sins,” together with other daily trespasses.

*But above all, you must see to it that you are already pious and a true Christian and that you are not planning to render God a service by this fasting. Your service to God must be only faith in Christ and love to your neighbor, simply doing what is required of you. If this is not your situation, then you would do better to leave fasting alone. The only purpose of fasting is to discipline the body by outwardly cutting off both lust and the opportunity for lust, the same thing that faith does inwardly in the heart.*

Several important things can be learned from this text: First of all, fasting is not a service rendered to God or neighbor. As seen already, it simply has to do with one’s body. The fact that fasting is, in a way, self-centered, makes it somewhat secondary, even though it is still commanded by God; if this commandment is broken, the resultant sin needs to be forgiven. Second, true fasting does not simply mean eating or drinking nothing during specific times or seasons, e.g., during Lent. As seen above, Luther considered such a practice to be part of voluntary church regulations or mandatory government laws. Rather, it means *constantly* curbing the “greedy appetite” that wants to get more than what is truly needed for the body to function.<sup>77</sup>

Third, this means that fasting is to be done according to nature, not against nature.<sup>78</sup> Fourth, fasting encompasses not only eating and drinking, but every bodily need and comfort, even rest

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<sup>77</sup> Strangely, the more traditional piecemeal approach to fasting is often all that is championed in certain books on “Christian disciplines,” e.g., D. N. Whitney’s *Spiritual Disciplines for the Christian Life* (NavPress: Colorado Springs, CO, 1991). Commenting on Matth. 6, he wrote: “It’s interesting that Jesus gives us no command regarding how often or how long we should fast. Just like all the other Spiritual Disciplines, fasting is not to be a legalistic routine. It is a privilege and an opportunity to seek God’s grace that is open to us as often as we desire. How long should we fast? It’s up to you and the leadership of the Holy Spirit” (164). It obviously did not occur to Whitney that a lack of the kind temporal qualifiers he was looking for could also mean in a radical way that fasting should be *continuous*, as all the other activities that are commanded by God and not simply “up to you and the leadership of the Holy Spirit.” For this, according to the diagnosis of the Lutheran Confessions (cf. SD VI, 2-3, 20), would be antinomianism.

<sup>78</sup> Or so as to *change* nature, as in the case of the traditional remedies commended for use by those who had, without God’s special gift to them, taken the vow of chastity, cf. Ap. XXIII, 18-19.

and “having a gay time.” Everything is to be used as the body truly needs it.<sup>79</sup> Fifth, since every man is different as to their actual bodily needs, no specific rules beyond these general principles can be established.<sup>80</sup>

Sixth, indulgence in bodily comforts in general is seen as conducive to bodily lust.<sup>81</sup> Refraining from such indulgence, as a preventative action against sin, is therefore conducive to Christian discipline, especially to the kind of chastity commanded in the Sixth Commandment.<sup>82</sup> For as faith drives out lust from the heart, so fasting drives out lust from the body, thereby directly counteracting the old Adam’s luring schemes.<sup>83</sup>

In other words, while we might embrace fasting in the sense of a modest diet combined with regular exercise for its health benefits and class fasting under the Fifth Commandment, Luther did not see these as primary. He, along with tradition, classed it therefore under the following commandment. Denying physical ground to the assaults of the sinful nature in the sexual realm – in other words, the spiritual health of the body (cf. 1 Cor. 6:20) – was his paramount concern. This becomes clear from this quote from his 1520 *Sermon on Good Works* (AE 44:104):<sup>84</sup>

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<sup>79</sup> The body does need rest based on its natural constitution, as Luther clearly saw (cf. LC I, 83). But this does not mean being lazy or sleep all day every day.

<sup>80</sup> And medical and psychological expertise may need to be consulted.

<sup>81</sup> In his comments on 1 John 2:16, Luther defined bodily lust as “that pleasure with which I desire to indulge my flesh, such as adultery, fornication, gluttony, ease, and sleep” (AE 30:250).

<sup>82</sup> This is commanded especially to pastors, according to 1 Tim. 5:22-23 (cf. Luther’s very instructive comments on these verses in AE 28:355-358, e.g., “Whoever must rebuke others about manifest sins should be innocent and blameless. That is, ‘Keep yourself chaste, pure.’ Although we could relate this to other faults, we relate it to unrestrained lust, because it is the most common fault. Paul, therefore, gives a rule that one should keep himself pure as a good example. After all, it is shameful for a theologian. A person is not permitted to enjoy censuring others before an assembly. He adds a quite prudent caution: ‘I want you to be pure, but the preservation of purity requires the chastising of the flesh so that it is free of drinking, laziness, sex, etc.’ Work is good for this. Love is nothing else but the passion of an empty mind. Chrysostom says that it is the sign of a lazy mind. The busy mind, loaded with its concerns and worries, easily drops the sensual appetite. There are the other guards of purity, too: use life and waking hours carefully. The Greeks held their dialogs in the midst of wine and choice foods. Wine is a natural kindler of the passion. When one has guzzled wine, he follows it with food and then with love. With this precept, then, Paul means that one should live purely, that he should fast and keep watch that he does not give his passion an opportunity through an unrestrained life” (355).).

<sup>83</sup> Cf. LC III, 102: “We live in the flesh and we have the old Adam hanging around our necks; he goes to work and lures us daily into unchastity, laziness, gluttony and drunkenness, greed and deceit, into acts of fraud and deception against our neighbor — in short, into all kinds of evil lusts which by nature cling to us and to which we are incited by the association and example of other people and by things we hear and see. All this often wounds and inflames even an innocent heart.”

<sup>84</sup> In the Large Catechism, this is briefly summarized as follows: “Inasmuch as there is a shameful mess and cesspool of all kinds of vice and lewdness among us, this commandment applies to every form of unchastity, however it is called. *Not only is the external act forbidden, but also every kind of cause, motive, and means.* Your heart, your lips, and your whole body are to be chaste and to afford no occasion, aid, or encouragement to unchastity” (LC I, 202). In Luther’s Prayerbook, we find listed among the persons who break the Sixth Commandment (AE 43:20): “Whoever does not avoid provocation to sexual sins—heavy drinking and eating, laziness and idleness, sleeping too much, and associating with persons of the opposite sex.” Correspondingly, keeping this commandment is summarized there in this way (AE 43:23): “Chastity, decency, modesty in deeds, speech, attitude, and thought. Also *moderation* in eating, drinking, sleeping, and doing whatever encourages

*We know that the world is full of shameful works of unchastity, indecent words, stories, and ditties, and that the temptation to unchastity is daily increased through gluttony and drunkenness, idleness, and excessive finery. Yet we still go about as if we were Christians. When we have been to church, said our little prayer, observed the fasts and feasts, we think that that is all we have to do.*

Now if no other work but chastity were commanded we would have our hands full doing it, for *unchastity is a serious and rabid vice. It rages in all our members: in the thoughts of our heart, in the seeing of our eyes, in the hearing of our ears, in the words of our mouth, in the works of our hands, our feet, and our whole body. To control all of these calls for labor and effort.* ... St. Augustine says that among all the conflicts of the Christian *the conflict of chastity is the hardest*, if only because unchastity continues daily without ceasing and is seldom far away. All the saints have cried and complained about it, as St. Paul says in Romans 7[:18], “I find in me, that is, in my flesh, no good thing.” *If this work of chastity lasts, it will lead to many more good works: to fasting, temperance against gluttony and drunkenness, to watchfulness and early rising over against sloth and excessive sleep, and to work and labor over against idleness. Gluttony, drunkenness, lying in bed, loafing, and idling about are weapons of unchastity by which chastity is quickly overcome.* On the other hand, the holy Apostle Paul calls *fasting, watching, and working godly weapons by which unchastity is mastered* [Rom. 13:12–14]. But, as has been said above, these exercises must go no further than to overcome unchastity, and not be detrimental to the natural life.

“Fasting, watching, and working” are the “godly weapons by which unchastity is mastered,” according to Paul. These are not surprisingly the very “weapons” Luther had mentioned in the quote from his treatise on Christian freedom that opened this section. Consequently, the character of genuine fasting and other bodily exercises will be somewhat different from what is promoted and engaged in by many today, because this combination of “diet and exercise” is often advertized,<sup>85</sup> and adopted, to achieve the very opposite of what Luther was driving at, namely, an increased, not a decreased libido.<sup>86</sup>

In other words, Christians will do well to steer clear of “exercise craze” (with or without testosterone supplements), “couch-potato-ism,” and “binge eating.” For all of these, in their specific ways, represent excesses of what was mentioned above as that which genuine fasting is

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chastity. Here belong all precepts concerning sexual restraint, *fasting*, sobriety, temperance, *praying*, *being vigilant*, *working hard*, and *whatever else furthers sexual restraint.*”

<sup>85</sup> Cf. only <http://health.msn.com/health-topics/sexual-health/mens-sexual-health/men-boost-your-libido> (accessed January 22, 2012).

<sup>86</sup> Marriage is God’s gift for procreation and as a remedy *against* libido, not as a playground for an artificially raised libido that is then artificially controlled by all sorts of birth control mechanisms (cf. LC I, 207: “[God] created man and woman differently (as is evident) not for lewdness but to be true to each other, be fruitful, beget children, and support and bring them up to the glory of God.”). For those who live marriage the playground way, the old playground might soon feel too limiting, and one might feel “compelled” to move on to bigger and better things. Fatherhood and the many cares and demands associated with it, interestingly, *decrease* testosterone levels, thereby leading in general to less aggression, risk-taking, and grandstanding but also to more care for the needy neighbor (cf. the 2011 summary of a study by Northwestern University: <http://www.northwestern.edu/newscenter/stories/2011/09/fathers-testosterone-kuzawa.html>, accessed January 22, 2012). That is how it should be by God’s design.

directed against: “everything that may delight your body or that you do to provide for it and take care of it” (AE 21:160).<sup>87</sup>

Finally, returning to the quote from Luther’s exposition of Matth. 6 and complementary to the radical purpose of fasting and other bodily exercises given by Luther in 1520 that was repeated in the Confessions (better serving the neighbor in one’s many vocations), the Reformer here gives another quite radical purpose that again embraces the entire life of the Christian: By subjecting the body to physical discomfort voluntarily, it is trained and accustomed or disciplined to the point of being able to handle more easily those times when those discomforts cannot be avoided without falling into disobedience to God. As a reminder, also the text from the Augsburg Confession quoted above does refer to the cross in the context as “real mortification.”<sup>88</sup>

This discussion of bodily self-discipline, therefore, dovetails neatly with what was said about the importance of suffering in the life of the Christian. As the latter is given by God, so the former prepares the Christian bodily to remain faithful to God in the midst of the latter. In the church militant, the Christian soldier needs to be accustomed to the harsher times that God may have in store for him by training for this contingency by actually and bodily refraining from leading a life of pleasure and comfort.

Looking back at the discussion of suffering from the vantage point gained through the discussion of fasting and other self-imposed mortification of the body, one can say that even suffering imposed by God serves the purpose of making the body less inclined toward lust and more inclined toward serving the neighbor. For the Christian will learn there also by experience that God can sustain him on a small amount of the things needed for the body. Bodily self-discipline, in the full range unfolded above, thus combines both the prevention of sin and the combating of sin: “Every kind of cause, motive, and means” for sinning is eliminated from the outset or removed to remedy a discipline problem.

#### *4.2. Church Discipline and Excommunication: Matthew 18*

Self-discipline is like a soldier’s self-aid: So long as you can properly “self-medicate,” you should do that. You should also stay in the fight to lessen the burden on your fellow soldiers. However, there may be a situation or a time when that is no longer feasible. Then it is time for

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<sup>87</sup> This is obviously a challenge not only for parochial schools and church colleges, but to those ecclesial institutions it should give particular pause because not all the participants in their athletic programs, often featured prominently on the institution’s webpage for advertizing purposes, will be able or willing to avail themselves of marriage. This may be the way of other second-tier colleges to create “brand distinction” (cf. Twitchell, *Branded Nation*, 116, 133), but is this the Christian way?

<sup>88</sup> Consistent with Whitney’s piecemeal approach, a number of special purposes of fasting is listed. While these may not all be bad or wrong (e.g., fasting and prayer, as seen above, is mentioned in AC XXVI, 36 based on Mark 9:29, see also Luke 2:37; 1 Cor. 7:5), none of them reaches the level of the radical and comprehensive statements in Luther and the Lutheran confessions: so that we may be prepared to serve our neighbor in our vocations and endure suffering sent by God.

buddy aid, that is, one soldier giving another the care he needs to stay alive at least until he gets to the field hospital. Next to this type of basic curative care, there is also more basically the need for preventative care. This again applies first to the individual soldier himself, but then it also applies to soldiers as they operate in a team. In other words, there is the need for soldiers to cover their own and each other's movement and backs so that they might not get wounded or hurt to begin with.

With a grain of salt, this external example contains what is true for us as Christians as well. As seen before, Christ calls us first to address the reality of sin in our own lives (both by prevention that avoids it and its external causes and by curative discipline that removes those causes) before we hypocritically get on our neighbor's case. However, given the magnitude of sin's power even in the life of the Christian, we need our neighbor's help. He needs our help. This is what serving our neighbor is about as well.

This is why Luther, in his exposition of the Ten Commandments in the Large Catechism, always included the neighbor as that person that is to help us keep the commandments. On the Sixth Commandment, e.g., Luther wrote (LC I, 205): "In short, everyone is required both to live chastely himself and *to help his neighbor do the same.*"

The help we ought to offer to our Christian neighbor also consists in reproving him in the case of sin. If he repents of his sin, he is to be restored by forgiving his sin. If he does not, he needs to be excommunicated in a last-ditch effort to work repentance. – The rest of the paper is about unpacking this short paragraph.

Obviously, unlike in the general sermon and instruction, this type of discipline only affects those who sin openly. Those who purposely or accidentally hide their sin or, today, their entire lives<sup>89</sup> from the scrutiny of their Christian neighbor will not be affected by, or benefit from, this specific practice. The common sermon, in which God's word is no less powerful than in individual conversation, will have to do for them.

As is well known, in Matth. 18 Christ lays out for his Christians how we should deal with a sinning brother and sister in our midst. This procedure has three steps where the next step is only taken if the sinner in question does not repent. If he repents, he is to be forgiven immediately, which resolves the matter.<sup>90</sup> The individual steps are: Individual admonition between the sinner

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<sup>89</sup> Because urban and suburban congregations these days are often no longer comprised of those who also daily live closely together, use the same stores, and work at the same businesses, there is the real danger that even otherwise "active" Christians can hide large portions of their lives in perpetuity from their fellow Christians. Clear sermons directed to one and all are therefore all the more important.

<sup>90</sup> Cf. Luther's warning words in his exposition of the Fifth Petition of the Lord's Prayer (LC III, 95-96): "*If you do not forgive, do not think that God forgives you.* But if you forgive, you have the comfort and assurance that you are forgiven in heaven. Not on account of your forgiving, for God does it altogether freely, out of pure grace, because he has promised it, as the Gospel teaches. But *he has set up this condition for our strengthening and assurance as a sign along with the promise which is in agreement with this petition,* Luke 6:37, 'Forgive, and you will be forgiven.' Therefore Christ repeats it immediately after the Lord's Prayer in Matt. 6:14, saying, 'If you forgive men their

and the witness of the sin; admonition of the sinner in the presence of witnesses; admonition of the sinner in the presence of the congregation, possibly leading to the excommunication of the sinner.

#### *4.2.1 The First Step: Individual Rebuke*

Christ says in Matth. 18:15: “If your brother sins against you, go and rebuke him between you and him alone. If he hears you, you have gained your brother.” The most important word in this sentence is the verb in the opening conditional clause. In other words, this procedure applies only where we are dealing with a genuine sin, that is, a breaking of God’s word regarding faith and morals. If there is no sin, there is no need for a rebuke of a Christian by a fellow Christian. Yet if there is sin, the sinning is not only “against you.” Then it is also, even primarily, against God (Ps. 51:4).

Obviously, this is why the opening chapters of this paper focused so intensely on teaching God’s word to Christians. They first need to know what to believe and what to do before they can hold each other accountable according to God’s word. Of course, God will hold them accountable even if they have not been taught as they should have been taught according to Christ’s command (Matth. 28:20). However, if they have not been taught, the people who should have been doing the teaching will be held liable as well (Ez. 3:17-21; 1 Tim. 5:22). Those “people” are the ones mentioned above: parents and pastors primarily, but also other relatives and friends, are to teach the word and then also to rebuke sin (cf. LC I, 275).

A word of clarification needs to be added here concerning church regulations, as one of the complaints voiced by the early Lutherans against the traditional practice of church discipline was that “real sins” remained unpunished while the breaking of fasts prescribed by the church was considered a mortal sin (cf. Tr. 75).<sup>91</sup> While more on this complaint will be said below, here it needs to be pointed out that church regulations can be of three kinds (cf. SD X, 1): First, there are those regulations that are commanded by God’s word. This is traditionally called *ius divinum*, divine law or right (cf. AC XXVIII, 20-21). Then, there are regulations that are forbidden by God’s word. Finally, there are those regulations that are in accordance with what God has commanded and that therefore promote what God has commanded. These are traditionally called *adiaphora*.

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trespasses, your heavenly Father also will forgive you,’ etc.” In other words, sharing the forgiveness that is ours by faith in Christ with the brother or sister who has sinned against us is, like every other good work, a sign that our faith is alive and genuine.

<sup>91</sup> Cf. AC XXVIII, 40-41: “It is quite believable that some bishops were misled by the example of the law of Moses. The result was that countless regulations came into being — for example, that it is a mortal sin to do manual work on holy days (even when it does not give offense to others), that it is a mortal sin to omit the seven hours, that some foods defile the conscience, that fasting is a work by which God is reconciled, that in a reserved case sin is not forgiven unless forgiveness is secured from the person for whom the case is reserved, in spite of the fact that canon law says nothing of the reservation of guilt but speaks only about the reservation of ecclesiastical penalties.”

Obviously, if a church regulation is taken directly from God’s word, then it would be sin to break it. Likewise, if a church regulation is contrary to God’s word, then it would be sin to keep it. As for the other, the adiaphorous regulations, breaking them was not necessarily considered sin if it happened in a case of emergency; however, it could be considered a sin if it happened without such necessity. Helpful are the following comments by Luther (AE 41:131):

*Tenth, a council has the power to institute some ceremonies, provided, first, that they do not strengthen the bishops’ tyranny; second, that they are useful and profitable to the people and show fine, orderly discipline and conduct.* Thus it is necessary, for example, to have certain days, and also places where one can assemble; also certain hours for preaching and for the public administration of the sacraments, for praying, singing, praising and thanking God, etc.—as St. Paul says, I Corinthians 14 [:40], “All things should be done decently and in order.” Such items do not serve the bishops’ tyranny, but only the people’s need, profit, and order. In summary, *these must and cannot be dispensed with if the church is to survive.*

*But if someone is occasionally hindered by some emergency, sickness, or whatever it may be from observing this, it need not be sin. For it is done for his benefit and not for the bishops’. If he is a Christian, he thereby will not harm himself.* What difference does it make to God if someone does not want to belong to such a group or participate in this way? Everyone will find out for himself. In summary, *he who is a Christian is not bound to such order; he would rather do it than let it go if he is not forced into it.* Here, therefore, no law can be laid down for him; *he would want to do and would prefer to do more than such a law demands. But he who haughtily, proudly, and willfully despises it—let him go his way, for such a person will also despise a higher law, be it divine or human.*

What Luther writes here about church ceremonies in particular can safely be applied to all man-made regulations in the church that are truly adiaphorous in nature. Necessity might force a Christian to break them *occasionally*. However, he *normally* “would want to do and would prefer to do more than such a law demands.” And he would do so for the sake of love to foster peace and unity in the church.<sup>92</sup> While the occasional breaking of such regulations therefore “need not be sin,” those who “haughtily, proudly and willfully” despise them, do sin, not so much against the particular church regulation as such, but against the common law of love that binds all Christians together. In such a case, then, a neighborly rebuke according to Matth. 18 is quite in order. If necessary, the other steps might need to be taken in due time.

#### 4.2.1.1 Which Sins Should We Rebuke?

One might ask: Which sins, then, should we rebuke? All of them, even those committed out of weakness? Only the deliberate ones that threaten the spiritual life of the neighbor? Only the ones

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<sup>92</sup> Cf. AC XXVIII, 55: “It is proper for the Christian assembly to keep such ordinances for the sake of love and peace, to be obedient to the bishops and parish ministers in such matters, and to observe the regulations in such a way that one does not give offense to another and so that there may be no disorder or unbecoming conduct in the church.”

that threaten a physical life? Only the ones that affected us personally? Only sins against right doctrine or also those against right morals?

*(a) Every Sin*

Every sin, because it is a violation of God's majesty and word, is also an attack upon every Christian because we are members of God's household (Eph. 2:19). In other words, every public sin you witness, even the sin that did not personally affect you, is a sin "against you" because it is a sin against God.<sup>93</sup> We cannot simply do nothing and coldly say: Well, let God fend for his own law, if he wants to. By faith in the gospel, God's law has become our law. We delight in it. We have embraced it because we believe in Christ. We, therefore, will defend it when we see somebody breaking it in words and deeds, as that person thereby profanes God's holy name among us (cf. SC III, 5).<sup>94</sup>

In other words, we are not egotistically and narrowly about restoring our honor and our rights that might have been infringed upon by the sin of a fellow Christian. We are about maintaining good discipline among us as a whole for the benefit of each member of the body of Christ. Accordingly, Matth. 18 is for dealing with a brother or sister who has demonstrably been overcome by his old Adam and broken God's law.

*(b) Of a Brother or Sister*

As Paul explains in 1 Cor. 5:10-12, "sin" here refers to the sinning of a brother or sister within the congregation. These verses are important in that they mark the transition from the OT to the NT church in two important ways when it comes to discipline. The first distinction will be discussed here; the second will be addressed when we take a look at the final step of the process, excommunication. While church and state coincided externally in OT Israel, this is no longer the case, even externally. Many are not even nominally Christian. Only a fraction of those are members of an LCMS congregation. And an even tinier number is a member of our congregation in a way that we could with any degree of certainty observe them sinning.

This is to say, the Christian's task is not to address all sorts of issues he sees on TV or on the internet. His primary task is to address the sin of the brother or the sister. As the example Paul discusses in 1 Cor. 5 shows, it is easier to address the sins of those we do not know so well on a personal level, or not at all (e.g., politicians or that pastor of that far-away congregation), than to address personally the sin of the brother or the sister who sits next to us in the pew or on the

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<sup>93</sup> Luther stated in a 1537 sermon on Matth. 18 (WA 47:280): "When Christ now says: 'if your brother sins against you,' that is, if he acts in such a way that he publicly lives contrary to God and his word, then you should consider it to be sinning against you and all Christians what is done against God's glory or what is done or sinned against God, e.g., when someone disrespects God, blasphemes his word or sins against the other table, e.g., by stealing, robbing, whoring, lying, or deceiving."

<sup>94</sup> What Paul writes concerning the Jews and circumcision in Rom. 2:17-29 can be applied to Christians and baptism.

board of elders. If we started to do this in earnest, instead of pointing the finger to the other guys, we would have more than plenty to do in our own backyard.

*(c) Which Is Known to Us*

Another word concerning the proper definition of “public sin.” Evidently, a sin must be public to be witnessed by somebody, so that that person can then rebuke the sinner. Sins in the heart are judged only by God.<sup>95</sup> However, from Luther’s exposition of Matth. 18 in the Large Catechism we learn that there is a greater and smaller publicity of sins (cf. LC I, 284): He called “public” those sins that are a matter of public record, known by all. Matth. 18 is not for these public sins. It is meant for what Luther called “secret sins.”

Public sins are immediately judged publicly. The honor of the sinner can no longer be protected by proceeding privately. It is already known to all. Secret sins are first to be rebuked in secret. One could say, as the degree of the publicity of the sin, so the degree of the publicity of the first step of dealing with that sin.

If a given sin was witnessed by someone, that person should talk to the sinner. He should not talk to others about the sinner. For that would be slander. As far as others who have not witnessed the sin are concerned, the witness’s *first* duty is actually to defend the sinner publicly, in other words, to deny eventual *rumors* others might have heard. Luther wrote specifically (LC I, 264):

It is a common vice of human nature that everyone would rather hear evil than good about his neighbor. Evil though we are, we cannot tolerate having evil spoken of us; we want the golden compliments of the whole world. Yet we cannot bear to hear the best spoken of others.

Since “we cannot tolerate having evil spoken of us,” the Golden Rule<sup>96</sup> leads to the conclusion that we should not speak evil of others. Since “we want the golden compliments of the whole world,” we should make “golden compliments,” when it comes to our neighbor, evil though he may be. Yet, because “we cannot bear to hear the best spoken of others,” we hate those who do. This is why keeping the Eighth Commandment, like keeping the other commandments, leads to conflict and even suffering, as was discussed above.

Luther here helpfully distinguished between knowing sins and publicly judging sins. He wrote (LC I, 266, 268-269):

*There is a great difference between judging sin and having knowledge of sin. Knowledge of sin does not entail the right to judge it. I may see and hear that my neighbor sins, but to*

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<sup>95</sup> Cf. Luther (AE 28:358): “The church cannot pass judgment about secret sins. This we must reserve for God.”

<sup>96</sup> Cf. LC I, 286: “Our chief reason for doing so should be the one which Christ indicates in the Gospel, and in which he means to embrace all the commandments concerning our neighbor, ‘Whatever you wish that men would do to you, do so to them.’” See also LC I, 277 (a lesson from the “business world”) and 287 (a lesson from “nature”). As written form of the natural law, the Ten Commandments have “common-sense” analogies in creation that are discovered once the meaning of a particular commandment has been established based on God’s word.

make him the talk of the town is not my business. If I interfere and pass sentence on him, I fall into a greater sin than his. ... This is nothing else than usurping the judgment and office of God, pronouncing the severest kind of verdict and sentence, for the harshest verdict a judge can pronounce is to declare somebody a thief, a murderer, a traitor, etc. *Whoever therefore ventures to accuse his neighbor of such guilt assumes as much authority as the emperor and all magistrates. For though you do not wield the sword, you use your venomous tongue to the disgrace and harm of your neighbor.* Therefore God forbids you to speak evil about another *even though, to your certain knowledge, he is guilty.* All the more urgent is the prohibition if you are not sure but have it only from hearsay. ... No one should *publicly* assert as truth what is not *publicly* substantiated. In short, *what is secret should be allowed to remain secret, or at any rate be reproved in secret ...*

Included in this distinction is that between those who have the office of public judgment and those who do not, which is the same as the distinction between person and office: What we all as fellow creatures and persons may not do because it assumes authority over a fellow creature, we might have to do by virtue of a divinely established public office of authority entrusted to us in the three hierarchies of God, namely, family, state, and church.<sup>97</sup> Concretely, Luther thought here of parents, judges, and pastors. While public judges must publicly, but still within the purview of *their* jurisdiction, “speak evil about another,” they do so only after the matter has been “publicly substantiated” based on the word of witnesses whom the judge must call upon and who must *then* also testify *publicly*. Luther wrote (LC I, 274-275):

*[W]e are absolutely forbidden to speak evil of our neighbor. Exception is made, however, of civil magistrates, preachers, and parents, for we must interpret this commandment in such a way that evil shall not go unpunished. We have seen that the Fifth Commandment forbids us to injure anyone physically, and yet an exception is made of the hangman. By virtue of his office he does not do his neighbor good but only harm and evil, yet he does not sin against God’s commandment because God of his own accord instituted that office, and as he warns in the Fifth Commandment, he has reserved to himself the right of punishment. Likewise, although no one has in his own person the right to judge and condemn anyone, yet if they whose duty it is fail to do so, they sin as much as those who take the law into their own hands without such a commission. Necessity requires one to*

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<sup>97</sup> This distinction is founded in the Fourth Commandment (LC I, 108): “In other respects, indeed, *we are all equal in the sight of God, but among ourselves there must be this sort of inequality and proper distinctions.* God therefore commands you to be careful to obey me as your father and to acknowledge my authority.” Cf. LC I, 158: “we have three kinds of fathers presented in this commandment: *fathers by blood, fathers of a household, and fathers of the nation.* Besides these, there are also *spiritual fathers* — not like those in the papacy who applied this title to themselves but performed no fatherly office. For the name spiritual father belongs only to those who govern and guide us by the Word of God.” See also AE 21:23: “[W]e must sharply distinguish between these two, *the office and the person.* The man who is called Hans or Martin is a man quite different from the one who is called elector or doctor or preacher. *Here we have two different persons in one man. The one is that in which we are created and born, according to which we are all alike—man or woman or child, young or old. But once we are born, God adorns and dresses you up as another person. He makes you a child and me a father, one a master and another a servant, one a prince and another a citizen. Then this one is called a divine person, one who holds a divine office and goes about clothed in its dignity—not simply Hans or Nick, but the Prince of Saxony, father, or master.*” What the natural person may not do, the divine person might have to do, namely, pronouncing public judgment.

*report evil, to prefer charges, to attest, examine, and witness. It is no different from the situation of the physician who, to cure a patient, is sometimes compelled to examine and handle his private parts. Just so, magistrates, parents, even brothers and sisters and other good friends are under mutual obligation to reprove evil where it is necessary and beneficial.*

*(d) Which Was not Committed by a Hardened or an Ignorant Sinner*

Sin might become somewhat public in the course of the procedure taught by Christ in Matth. 18. Once a certain matter has been established in a public forum, then everybody is free to discuss it *within that purview*. That this is not *full* publicity will be shown below when we discuss Matth. 18:17.

However, there are other public sins where that procedure need not be followed, according to a section in the Large Catechism already mentioned (LC I, 284):

*[W]here the sin is so public that the judge and the whole world are aware of it, you can without sin shun and avoid the person as one who has brought disgrace upon himself, and you may testify publicly concerning him. For when an affair is manifest to everybody there can be no question of slander or injustice or false witness. For example, we now censure the pope and his teaching, which is publicly set forth in books and shouted throughout the world. Where the sin is public, the punishment ought to be public so that everyone may know how to guard against it.*

This is to say, then, that if you are one of a very small number of individuals to have first-hand knowledge of a certain sin, go ahead and talk to the sinner to call him to repentance and forgiveness. By becoming a witness to his sin of word or deed, you have against your will become his father confessor, so to speak. Therefore, a sort of “seal of confession” applies to you as well now, especially if the sinner actually repents of his sin. You continue to speak well of him publicly, that is, when speaking about him to others. If this first step is not taken, there can be no other steps according to Matth. 18. However, if a particular sin in question is known to all, then the sinner *can*, in fact, he *ought to be* engaged publicly.

For the immediate censure to be justifiably public, the sinner in question must fit the example given here by Luther. In other words, the sinner must be like the pope. What is the point of comparison Luther had in mind here? Words from the Preface of the Book of Concord can shed light on this matter. There we read:

*With reference to the condemnations, censures, and rejections of false and adulterated doctrine, especially in the article concerning the Lord’s Supper, these have to be set forth expressly and distinctly in this explanation and thorough settlement of the controverted articles in order that everybody may know that he must guard himself against them. There are also many other reasons why condemnations cannot by any means be avoided. However, it is not our purpose and intention to mean thereby those persons who err ingenuously [so aus Einfalt irren / qui ex quadam animi simplicitate errant] and who do*

*not blaspheme the truth of the divine Word, and far less do we mean entire churches inside or outside the Holy Empire of the German Nation. On the contrary, we mean specifically to condemn only false and seductive doctrines and their stiff-necked proponents and blasphemers. These we do not by any means intend to tolerate in our lands, churches, and schools inasmuch as such teachings are contrary to the expressed Word of God and cannot coexist with it. Besides, pious people should be warned against them.*

“False and seductive doctrines” must always be condemned publicly so “that everybody may know that he must guard himself against them.” This is how “pious people should be warned against them.” When it comes to the individuals holding those views, a distinction needs to be made. On the one hand, there are the “stiff-necked proponents and blasphemers” who, by definition, are those who have been admonished concerning their false views. Only after repeated admonition and reasoning have proved fruitless can they plausibly be called “stiff-necked” and “blasphemers.” These individuals as well as their teachings are then publicly denounced, because they are in this sense like the pope.

On the other hand, there are those who “err ingenuously and who do not blaspheme the truth of the divine Word.” These are those who, e.g., “go their way in the simplicity of their hearts, do not understand the issues, and take no pleasure in blasphemies against the Holy Supper as it is celebrated in our churches according to Christ’s institution.” In other words, they might hold wrong beliefs, but they do not mean to do so. There is still hope in their case:

*It is furthermore to be hoped that when they are rightly instructed in this doctrine, they will, through the guidance of the Holy Spirit, turn to the infallible truth of the divine Word and unite with us and our churches and schools. Consequently the responsibility devolves upon the theologians and ministers duly to remind even those who err ingenuously and ignorantly [so aus Einfalt und unwissend irren / simplicitate vel inscitia a veritate aberrarunt] of the danger to their souls and to warn them against it, lest one blind person let himself be misled by another.*

False belief is never excused. It always needs to be replaced by the right faith according to “the infallible truth of the divine Word” “through the guidance of the Holy Spirit.” However, the one holding a certain false belief might hold it in the simplicity of his heart so that it does not automatically undermine his justifying faith, even though that is a real danger.<sup>98</sup>

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<sup>98</sup> Luther wrote concerning the salvation of young children in the Catholic Church (AE 41:207-208): “You were indeed all baptized in the true baptism of the ancient church, just as we were, especially as children. *Now if a baptized child lives and then dies in his seventh or eighth year, before he understands the whorelike church of the pope, he has in truth been saved and will be saved—of that we have no doubt. But when he grows up, and hears, believes, and obeys your preaching with its lies and devilish innovations, then he becomes a whore of the devil like you and falls away from his baptism and bridegroom—as happened to me and others—building and relying on his own works, which is what you whoremongers preach in your brothels and devil’s churches; whereas, by contrast, the child is baptized to rely and build on his one dear bridegroom and Lord, Jesus Christ, who gave himself for us.*” Whoever is saved under the condition of pervasive false doctrine is saved in spite of that doctrine. Luther wrote (AE

What is true of false belief applies equally to false morals. As the former, the latter must always be denounced in public sermons etc. However, here too there are these days those persons who can simply go with the flow, and there are those who *actively direct* “the flow” in a wrong direction and defend it when confronted about it. It is certainly an indictment of our congregations that even when it comes to moral issues things have gotten to the point that consciences – as the place where the remnants of God’s moral law reside even in non-Christians (cf. Rom. 2:14-15) – have been neglected or seared (cf. 1 Tim. 4:2)<sup>99</sup> to the point that even on moral issues people either plausibly claim that they did not know or even agitate for a certain societally approved moral stance to be adopted against the clear word of God.

An important practical application for today is that we need to know in what situation we are operating in a given congregation, or even in our church body as a whole. This is another reason why so much emphasis was placed on correct instruction in this paper as the way to correct and refine the believer’s conscience. There might be many of our members who are swept up in the doctrinal or moral sin *du jour* because “everybody is doing / saying it.”

Think of couples living together without being married. Should they know? If they have been taught in confirmation class, they should. Perhaps it was not taught at their congregation. Perhaps they joined as adults and were not told. Even if it was, they maybe did not pay much attention. Maybe they forgot because it was not reemphasized during sermons and bible classes. Maybe it was, but they did not attend church regularly. Maybe their (“Christian”) friends encouraged it by their own actions. Etc. While these are *in the end* all invalid excuses, still folks often need to be given the benefit of the doubt, especially in today’s topsy-turvy church where membership accountability has often vanished altogether. In other words, an attempt to teach them the truth needs to be made, with the hope expressed by the Confessors of 1580 in mind.

Think also of a pastor of a congregation where fishy but faddish things go on. Shouldn’t he know? He went to Seminary after all! Yes he did, but maybe he colloquized from church body X. Maybe he took the easy classes. Maybe he cooperated and graduated, just to do the things that he learned when he was in youth group. Maybe he just “connected” with the materials offered by

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41:210): “[I]t is God, who by his wonderful almighty power in the midst of so much abomination among you and the whoredom of the devil, nevertheless *still sustains the young children through baptism, and some old people, but only a few*, who at the end of their lives have turned once more to Christ, of whom I myself have known many.” While these quotes are taken from a 1541 text, already in his 1520 treatise concerning Christian liberty Luther distinguishes between the different ways in which one is to deal with hardened ceremonialists and the weak who cling to ceremonies because of the false instruction given to them (cf. AE 31:371-374).

<sup>99</sup> Luther wrote on this verse (AE 28:311): “*From the conscience comes every doctrine, according to the way in which the conscience is influenced. It lives according to what it teaches.* Thus it has a god who is not God. Thus it errs both in doctrine and in worship. The erring conscience is seared. That is, it is seared by cauterization. Just as men or sheep are branded, so those consciences are branded by a false idea of doctrine. With fear they create a conscience where there is no conscience. Paul, then, is speaking about conscience according to the words he has proclaimed. These are the ‘doctrines of demons.’ *Every doctrine creates a conscience; so this should be a false conscience and false idea about God.*” Consciences teach man how to live. Doctrines taught to man from the outside create a conscience according to which man then lives. If the doctrine is false, man’s conscience and the way he lives will be false. If the doctrine is right, his conscience and life will be right.

Willow Creek. Again, these too are *finally* invalid excuses, still a conversation might reveal: the guy just didn't know! And he is willing to learn! And willing to stop the wrong things going on in his church! Praise the Lord!

*(e) But only by a Well-Instructed Christian*

To say it plainly already when discussing the first step outlined in Matthew 18, the procedure there given is really only for those who are well-taught Christians already. Even after almost a generation of instruction, Luther could still say in 1537 about the entire procedure taught in Matthew 18:<sup>100</sup>

Praise the Lord, the world is now so pious that one does not need the ban even though it is drowning in sins. For it is full of greed, hatred, envy, deceit – in a word, it is full of shame and vice. *There is still no sin one could ban. Now everything is called doing what is decent and honest, or seeking food. Everything must be holiness, and all have become pious in the devil's name. This is why this ban of ours concerning daily living is now no longer practiced. We cannot establish this ban.*

Because there was no meaningful general agreement on the definition of sin yet, even those things that are objectively “shame and vice” were generally considered to be “decent and honest.” This is why Luther could not act on Matthew 18 as far as the “daily living” or the morality of his people was concerned. For to do so, would lead to the excommunication of entire congregations – something that neither he nor the Confessors of 1580, according to the quotes above, would advocate. He had to keep on teaching and preaching in public instead. This does not mean that there was simply no discipline going on in the church at the time. For, as we saw, teaching and preaching are the most fundamental forms of church discipline.

Yet while the individual disciplining of life was left for another day, the disciplining of doctrine was strongly advocated. Luther wrote:<sup>101</sup>

Since we cannot ban and punish the sins of living, we nonetheless ban the sins of doctrine. This ban we have nonetheless retained, so that we say that one should not listen to Anabaptists, Sacramentarians, and other heretics. We ban them and exclude them from our midst. *This is the most important part. For where the doctrine is wrong, there life cannot be helped. However, where the doctrine remains pure and is preserved, there life and the sinner can still be helped.* For here one has absolution and the forgiveness when it comes to doctrine. Yet once the doctrine is lost, one goes astray and finds neither banning nor loosing. In that case, everything is lost.

“Once the doctrine is lost, ... everything is lost.” False doctrine cannot help false life, but pure doctrine can help an impure life. “For here one has absolution and the forgiveness” to cleanse just such an impure life. Those “Anabaptists, Sacramentarians, and other heretics” Luther mentions here as excluded “from our midst” are, again, not those who out of ignorance or

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<sup>100</sup> WA 47:289-290.

<sup>101</sup> WA 47:290.

weakness hold certain wrong notions but the loud and hardened advocates of these false doctrines.

*(f) And Which also Is not Simply a Daily Sin of Weakness*

It takes spiritual maturity and a sense of equity, fairness, or justice to tell one sinner apart from another sinner. Both might be doing or saying the same wrong thing. However, equity calls us to look at the intention behind a given act or word. Was it done intentionally? Was it done out of weakness? Was it done by simple oversight? To be sure, all sins need to be confessed to God, as we do in the Lord's Prayer. However, not all sins need to be addressed by a verbal rebuke.

Concerning equity, Luther made these helpful comments (AE 45:118-119):

I will say nothing here of the temporal dealings and laws of the governing authority. That is a large subject, and there are too many lawbooks already, although if a prince is himself no wiser than his jurists and knows no more than what is in the lawbooks, he will surely rule according to the saying in Proverbs 28: "A prince who lacks understanding will oppress many with injustice." *For no matter how good and equitable the laws are, they all make an exception in the case of necessity, in the face of which they cannot insist upon being strictly enforced. Therefore, a prince must have the law as firmly in hand as the sword, and determine in his own mind when and where the law is to be applied strictly or with moderation, so that law may prevail at all times and in all cases, and reason may be the highest law and the master of all administration of law. ... I say this in order that men may not think it sufficiently praiseworthy merely to follow the written law or the opinions of jurists. There is more to it than that.*

We find similar comments in another treatise by Luther (AE 46:102-103):

In Greek *this virtue, or wisdom, which can and must guide and moderate the severity of law according to cases, and which judges the same deed to be good or evil according to the difference of the motives and intentions of the heart*, is called *epiēkeia*; in Latin it is *aequitas*, and *Billichkeit* in German. Now because law must be framed simply and briefly, it cannot possibly embrace all the cases and problems. This is why *the judges and lords must be wise and pious in this matter and mete out reasonable justice, and let the law take its course, or set it aside, accordingly*. The head of a household makes a law for his servants, telling them what they are to do on this day or that; that is the law, and the servant who does not keep it must take his punishment. But now one of them may be sick, or be otherwise hindered from keeping the law through no fault of his own; then the law is suspended, and *anyone who would punish his servant for that kind of neglect of duty would have to be a mad lord of the house. Similarly, all laws that regulate men's actions must be subject to justice, their mistress, because of the innumerable and varied circumstances which no one can anticipate or set down*.

Of course, there is a distinction between church and state, the left-hand and the right-hand kingdom of God. Therefore, some might think that what Luther wrote here about equity or fairness tempering strict legal justice is just of concern to the administration of the left-hand

kingdom where we deal with *unbelieving sinners*, while “stricter” standards should somehow apply in the church where we deal with *believers*, or, as we should call them in this context, believing *sinner*s. About these strange creatures we confess based on what we have learned in the Small Catechism (SC III, 16): “we daily sin much and surely deserve nothing but punishment.”<sup>102</sup>

What we call equity, fairness, or justice in the civil realm we call love in the church. We find strikingly similar exhortations in Luther and the Lutheran Confessions, based on God’s word, concerning how we ought to deal with fellow *sinner*s and their messy lives: Not justice that enforces strict adherence to God’s unchanging laws, but love that overlooks sin in many cases to keep the church together. The Apology, commenting on 1 Peter 4:8, therefore stated (Ap. IV, 242-243):<sup>103</sup>

Many heresies have arisen in the church simply from the hatred of the clergy. This text therefore speaks *not of one’s own sins but of other people’s* when it says, “Love covers all offenses,” namely, other people’s offenses and offenses between people. *Even though these offenses occur, love covers them up, forgives, yields, and does not go to the limit of the law.* Peter does not mean that love merits the forgiveness of sins in relation to God; that in place of Christ the mediator it is our propitiation; or that it regenerates and justifies. *He means that in human relations it is not peevish, harsh, or implacable; that it covers up some of the mistakes of its friends; and that it puts the best construction even on the more offensive actions of others,* as the common proverb says, “Know, but do not hate, the manners of a friend.” *It is not without reason that the apostles speak so often about this duty of love which the philosophers call “leniency.”* This virtue is necessary for the preservation of domestic tranquility, which *cannot endure unless pastors and churches overlook and forgive many things.*

The Greek term translated here as “leniency” is the same that Luther referred to in his two statements above: ἐπιείκεια, *epiikia*,<sup>104</sup> which can be translated as leniency but as a virtue it is typically called equity.<sup>105</sup> At any rate, love is the NT equivalent to the philosophical virtue of equity, which aims to preserve peace and Christian unity by covering, overlooking, and forgiving faults and sins of others without making a big deal about them.

This kind of love is, specifically, the fulfillment of the Eighth Commandment, whose purpose, as stated above, is to defend and not to accuse the sinning neighbor. Luther summarized this commandment in the Large Catechism as follows (LC I, 285):

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<sup>102</sup> Luther, Martin (2005-10-31). Luther's Small Catechism with Explanation (ESV) (Kindle Locations 157-158). Concordia Publishing House. Kindle Edition.

<sup>103</sup> Cf. also Ap. IV, 232-233: In Col. 3:14, “Paul commands that there be love in the church to preserve harmony, *to bear, if need be, with the crude behavior of the brethren, to cover up minor mistakes, lest the church disintegrate into various schisms and the hatreds, factions, and heresies that arise from such schisms. ... Dissensions ... arise when the people judge their clergy’s behavior too strictly or despise them because of some minor fault and then seek after some other kinds of doctrine and other clergy.*”

<sup>104</sup> Triglotta, 186.

<sup>105</sup> Cf. also Thomas Aquinas, *Summa Theologica*, II-II, qu. 120.

Now we have the sum and substance of this commandment: No one shall harm his neighbor, whether friend or foe, with his tongue. No one shall speak evil of him, whether truly or falsely, unless it is done with proper authority or for his improvement. *A person should use his tongue to speak only good of everyone, to cover his neighbor's sins and infirmities, to overlook them, and to cloak and veil them with his own honor.*

This is to say, Christ's call to his Christian people to rebuke the sinning brother or sister is not the license to be a petty moralist who points out the minutest violation of God's law. It is not the license to nag. As we know from raising children, if we acted in this way, we would drive them into anger. In this way, we would actually violate our duty as parents (Eph. 6:4).

In this context, Luther helpfully introduces the distinction between doctrine and life, faith and love (AE 27:41-42):

*[W]e today regard those men as excommunicated and condemned who say that the doctrine of the sacrament of the body and blood of Christ is uncertain or who do violence to the words of Christ in the Lord's Supper. With the utmost rigor we demand that all the articles of Christian doctrine, both large and small—although we do not regard any of them as small—be kept pure and certain. This is supremely necessary. For this doctrine is our only light, which illumines and directs us and shows the way to heaven; if it is overthrown in one point, it must be overthrown completely. And when that happens, our love will not be of any use to us. We can be saved without love and concord with the Sacramentarians, but not without pure doctrine and faith. Otherwise we shall be happy to observe love and concord toward those who faithfully agree with us on all the articles of Christian doctrine. In fact, so far as we are concerned, we shall have peace with our enemies; and we shall pray for those who slander our doctrine and persecute us out of ignorance, but not with those who knowingly offend against one or more articles of Christian doctrine and against their conscience. By his example Paul teaches us to be as firm as he is when he predicts with complete assurance that they will bear their judgment on account of a matter that seemed not only trivial but even wicked to the false apostles and their disciples; for both groups thought they were teaching in a proper and godly way. Therefore, as I often warn you, *doctrine must be carefully distinguished from life. Doctrine is heaven; life is earth. In life there is sin, error, uncleanness, and misery, mixed, as the saying goes, "with vinegar."* Here love should condone, tolerate, be deceived, trust, hope, and endure all things (1 Cor. 13:7); here the forgiveness of sins should have complete sway, provided that sin and error are not defended. But just as there is no error in doctrine, so there is no need for any forgiveness of sins. Therefore there is no comparison at all between doctrine and life. "One dot" of doctrine is worth more than "heaven and earth" (Matt. 5:18); therefore we do not permit the slightest offense against it. But we can be lenient toward errors of life. For we, too, err daily in our life and conduct; so do all the saints, as they earnestly confess in the Lord's Prayer and the Creed. But by the grace of God our doctrine is pure; we have all the articles of faith solidly established in Sacred Scripture.*

This is the context of the famous Luther-quote: "Doctrine is heaven; life is earth." "Doctrine is heaven" because it "shows us the way to heaven." Therefore, nothing militating against pure doctrine can be tolerated and given up. When it comes to life, the kind of "love that should

condone, tolerate, be deceived, trust, hope, and endure all things” finds a vast field of activity because we, as “all the saints,” are sinners who “err daily in our life and conduct” out of weakness.

This is why Luther, according to the 1537 sermon quoted above, felt unable to establish church discipline regarding *life*, while he defended church discipline regarding *doctrine*. Therefore he also denied church fellowship to those who “*knowingly* offend against one or more articles of Christian doctrine and against their conscience.” The same approach we saw operative in the Preface of the Book of Concord: False doctrine and the hardened defenders of that false doctrine are exposed and condemned publicly. Those who follow false doctrine out of ignorance and in the simplicity of their hearts are excused, while they are still taught the truth of God’s word so that they might no longer be wrong.

This is, then, how the Eighth Commandment is kept. This is how the neighbor is served. This is how Christian love is exercised that is properly distinguished from Christian faith. This is how the unity of the church is preserved by defending pure doctrine and loving our neighbor.

Luther wrote particularly about the importance of love when it comes to defending unity in doctrine and therefore in the church (AE 24:246):

*It does not require such great skill to begin to love; but, as Christ says here, remaining in love takes real skill and virtue.* In matrimony many people are initially filled with such ardent affection and passion that they would fairly eat each other; later they become bitter foes. The same thing happens among Christian brethren. A trivial cause may dispel love and separate those who should really be bound with the firmest ties; it turns them into the worst and bitterest enemies. That is what happened in Christendom after the days of the apostles, when the devil raised up his schismatic spirits and heretics, so that bishops and pastors became inflamed with hatred against one another and then also divided the people into many kinds of sects and schisms from which Christendom suffered terrible harm. *That is the devil’s joy and delight. He strives for nothing else than to destroy love among Christians and to create utter hatred and envy. For he knows very well that Christendom is built and preserved by love.* In Col. 3:14 Paul speaks of love as “binding everything together in perfect harmony.” And in 1 Cor. 13:13 he calls love the greatest virtue, which accomplishes and achieves most in the Christian realm. *For in the absence of love doctrine cannot remain pure; nor can hearts be held together in unity.*

Therefore, while we are saved by doctrine and while we are therefore most concerned about purity of doctrine to the point of excommunicating persistent false teachers, Christ also calls us to preserve *by love* the unity that is ours in the faith. Love also means, as seen above, to exercise restraint when it comes to rebuking the neighbor’s daily sins of weakness. Many a time we will be left praying Christ’s prayer on the cross: “Father, forgive them for they do not know what they do” (Luke 23:34).

*(g) But Which Is a Sin Committed Deliberately and Persistently*

What sins, then, are we talking about positively? We are talking here about the kind of sin that Nathan rebuked in King David (cf. 2 Sam. 12:1-14). In other words, it is mortal sin this is all about. As explained above, mortal sin does not mean the gravity of the sin itself, but the simple fact that it was committed deliberately and persistently. Because of the deliberate nature of the act, it drives out the Holy Spirit, leading to immediate spiritual death.

In his 20<sup>th</sup> evening lecture on the proper distinction between law and gospel, Walther wrote:

*It is not the manifest enormity of their sin that casts such people out of their state of grace and puts out the heavenly light of their faith, but the attitude of their heart towards their sin. When I am suddenly overtaken by sin, God forgives me; He is not angry with me and does not charge that sin against me. Such acts do not extinguish faith. Or it may be that I am rushed into sin by my temperament. I do not want to sin, but I have been irritated to such an extent that, before I know it, I have sinned. That is not a mortal sin, which would take me out of the state of grace. But when a person persists in his sin against his conscience, though he knows it to be a sin, and continues sinning purposely for a long time, he no longer has faith and cannot truly pray to God; the Holy Spirit leaves his heart, for another spirit, the evil spirit, rules in it, whom the sinner has admitted into his heart. To him the Holy Spirit yields His place and departs.*

Above we saw that, according to the Lutheran Confessions and Luther, faith cannot coexist with the intention to remain in sin. For faith comes with the desire to do as God as commanded to do in his holy law (cf. only SD II, 69). We also noted that both the remaining sin in even the good works of the Christian and the daily sins of weakness are forgiven them solely by faith in Jesus Christ.

Here these insights helps us to understand what kind of sin Jesus was talking about when he called for the neighbor to step in and help by rebuking it: When the old Adam has won the war against the new man in us and we can no longer “self-medicate,” i.e., practice self-discipline because we have lost the Holy Spirit, then we definitely need the help of a kind neighbor who does for us what we are no longer able to do for ourselves.

We need someone to show us our sin from God’s law to lead us once more to repentance. We need someone to show us God’s grace in Christ from the gospel to lead us once more to faith in Christ. In other words, having lost our faith and thereby also our new spiritual life before God, we need to be brought back to that life again. This can happen by a common sermon or by the parents’ teaching the Small Catechism at home in the case of mortal sins unknown to our neighbors. This can also happen by a neighbor who rebukes us in private for mortal sin witnessed by him.

This sin, then, is not necessarily an “enormous” sin. It may well be a seemingly small sin which we personally perhaps do not take that seriously and thus have slipped into committing carelessly and repeatedly. As Walther noted famously at the end of his 31<sup>st</sup> evening lecture, “Small sins become great when they are regarded as small.”

In light of what has been said above about the importance of properly teaching God's word in law and gospel, about publicly condemning sin and false belief in every description, Walther is entirely correct in saying, in the same lecture, that "[e]vangelical preaching means that sin must be magnified. The minister must pronounce a severe judgment on sin, for he is to proclaim the judgment of God. Also venial sins you must not regard lightly." Accordingly, he wrote:

While inculcating [the distinction between mortal and venial sins] upon our hearers, *we must be scrupulously careful not to create the notion in them that venial sins are sins about which a person need not be greatly concerned and for which he does not have to ask forgiveness.*

In other words, especially in the case of our daily sins of weakness, where the personal rebuke would create anger because it appears to be singling out one Christian or sin over another in an arbitrary manner, there common but clear preaching is to be the way of creating and maintaining a Christian's earnest concern about sin of every size, shape, form, or description.<sup>106</sup> For, as we noted earlier, every sin is a sin against God's law. Obviously, where "sin must be magnified," there grace must be magnified even more (Rom. 5:20).

By properly applying the distinction between venial and mortal sins we avoid the sin of being overly critical of our neighbor who is weak as we are weak. Instead, we will overlook his sins of weakness in our private interactions with him and defend him in our public interactions with others, according to the Eighth Commandment. Yet we also avoid the sin of being careless and cold concerning the spiritual survival of our neighbor. Instead, we will rebuke him with God's law to create genuine repentance, according to Christ's command.

Obviously, it would be ideal if we could somehow look into the heart of our neighbor and privately rebuke him when he is just about to slide over from sinning out of weakness to sinning deliberately, that is, just before he loses his spiritual life. However, since this is God's prerogative alone, we are left to know a tree by its fruit, according to Christ's word, along with the gift of mature discernment. Due to the importance given to teaching God's word at home and at church, this does not at all mean that the neighbor is simply left to his or her own devices until it is too late. Besides, there is not just preaching God's word in law and gospel. There is also absolution which may be sought by every Christian individually as a potent support in our struggle against sin before it is too late, that is, before we have lost the Spirit.

#### *(h) Summary So Far*

Now we have all the pieces of the answer to the question: Which sins should we rebuke in private, according to Matth. 18:15? *We should rebuke every sin of a brother or sister, which is known to us personally, which was not committed by a hardened or ingenuous sinner but by a well-instructed Christian, which also is not simply a daily sin of weakness, but which is a sin*

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<sup>106</sup> Cf. Walther and Luther on singling out individual sinners in sermons. Same can be applied to singling out individuals for "personal rebuke" when the individual is sinning merely out of weakness.

*committed deliberately and persistently.* As was said, it takes great wisdom and mature discernment to know when to rebuke and when not to rebuke sin. As in the case of Solomon, this is a gift of the Holy Spirit (cf. 1 Kings 3:9-12).

#### 4.2.1.2 *The Main Thing: Forgive*

The many preceding paragraphs were necessary to understand what sins Christ is talking about in Matth. 18:15. They can easily obscure the fact that rebuking sin is not the main thing in this context. As Christ “did not come to judge the world but to save the world” by earning the forgiveness of all of the world’s sins (John 12:47), so we here rebuke sin only so that we might share Christ’s forgiveness to those who repent of their sin. The law serves the gospel in just this way. In the power of the gospel these repentant sinners will then once more take up the daily struggle to discipline their old Adam and body to glorify God by faith’s trust in the gospel and by love’s service to their neighbors according to God’s commandments.

#### 4.2.1.3 *Who May Do the Rebuking and the Forgiving?*

Some might say that rebuking and forgiving sin are always to be done by pastors. Other might restrict the forgiveness of sins to pastors. Christian laymen may pray for one another or remind others of what was said in church, but they may not “independently” forgive sin.

This opinion clearly runs counter to what Christ said in Matth. 18:15: “Moreover if *your brother* sins against you, go and tell him his fault between you and him alone. *If he hears you, you have gained your brother.*” Since the “gaining” does not happen simply by rebuking a brother caught in mortal sin, but by forgiving his sin, it follows that Matth. 18:18 needs to be applied to all of the steps outlined in Matth. 18, not just the last one, excommunication. In Matth. 18:18, we read: “Assuredly, I say to you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.”

Luther understood it quite this way, as becomes clear from his 1537 sermon on Matth. 18:<sup>107</sup>

No one should rely on his secret comfort. [Christ] has provided for us sufficiently enough. We do not need to wait for a revelation from heaven and tempt God. *He has said: “What you will loose on earth will also be loosed in heaven.” Those who are with the multitude of the Christian church can experience abundantly what God’s will is. And when one hears the preacher one hears God himself.* What need is there to crawl into a corner? *Likewise, when brothers comfort each other, this too is God’s will and word. The whole world and all corners are stuffed full with revelation, and as God speaks to me from the pulpit, so he also speaks to me through my neighbor, through my good friends and associates, through my husband, through my wife, through my master and through my servant; the same is true for father and mother, etc. Even my and your word is to be so powerful as if God himself had spoken to us.*

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<sup>107</sup> WA 47:298-299.

God's word does not need the specific office of pastor to become powerful, even though this office has been established by God. God's word is powerful in itself when spoken faithfully. It binds. It looses. It opens heaven. It closes heaven. It is for our comfort that God has ordained it so that "the whole world and all corners are stuffed full with revelation." For Luther also wrote in that sermon:<sup>108</sup>

*[Christ] lavishes forgiveness of sins on his Christians even more abundantly and sticks it into all corners so that they might not only find the forgiveness of sins in the congregation but also at home, in the field, in the garden, and wherever one meets another, there a Christian should have comfort and salvation. And this should also serve me also for this purpose that when I am aggrieved and sad or am stuck in sadness and frailty so that I am lacking something, whatever hour and time it may be – and one does not find public preaching at all times at church – and my brother or neighbor comes to me, I am to lament and ask him for comfort who is closest at hand: whatever comfort he then gives and promises to me, this is to be with God in heaven also a Yes. Contrariwise, I too am to comfort another by saying: Dear friend, dear brother, why not leave your sadness? It is not God's will that you suffer one thing. God has allowed his Son to die for you, not that you might grieve, but that you might be glad. Therefore, be of good cheer and comforted. This will be a service pleasing to God. Then kneel together and say a Lord's Prayer. This is then certainly heard in heaven for Christ says: "I am in their midst." He does not say: I see it. I hear it, or I will come to them, but I am already there. Therefore, when you comfort me and I comfort you, and we both do it for our improvement and salvation, then I should believe you and you should believe me that God the heavenly Father wants to give us that for which we pray and what we lack. How could Christ lavish good things on us even more abundantly and provide for us even better?*

These quotes echo what Luther wrote in late 1536 in the Smalcald Articles (III, IV):

We shall now return to the *Gospel, which offers council and help against sin in more than one way, for God is surpassingly rich in his grace*: First, through the spoken word, by which the forgiveness of sin (the peculiar function of the Gospel) is preached to the whole world; second, through Baptism; third, through the holy Sacrament of the Altar; fourth, through the power of the keys; and finally, through *the mutual conversation and consolation of brethren*. Matt. 18:20, "Where two ... are gathered," etc.

They also echo what we find in the *Treatise on the Power and Primacy of the Pope*, where Melancthon wrote at about the same time (Tr. 67-68):

*In an emergency even a layman absolves and becomes the minister and pastor of another*. It is like the example which Augustine relates of two Christians in a ship, one of whom baptized the other (a catechumen), and the latter, after his Baptism, absolved the former. Here the words of Christ apply which testify that *the keys were given to the church and not merely to certain individuals*: "Where two or three are gathered in my name, there am I in the midst of them" (Matt. 18:20).

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<sup>108</sup> WA 47:297-298.

One would think that discovering a brother stuck in a mortal sin would be an emergency where “a layman absolves and becomes the minister and pastor of another.” Every believer, as member of the Christian church, then, has the keys and may use them according to Christ’s command, when that is needed.

Melanchthon here merely echoed what Luther had been declaring since at least 1520. E.g., in the written justification for his burning of papal books late in that year, he asserted against the contemporary teaching in church of his day, in thesis 13 (AE 31:388-389): “The keys are given to St. Peter alone, even though *in Matt. 18 [18] Christ gives them to the whole congregation.*”

Bind and loosing sins, therefore, is a function of the priesthood of all believers, as Luther explained it in his 1523 treatise concerning the ministry (AE 40:21):

*[L]et us go on and show from the priestly offices (as they call them) that all Christians are priests in equal degree. For such passages as, “You are a royal priesthood” (1 Pet. 2[:9]) and, “Thou has made them a kingdom and priests” (Rev. 5[:10]), I have sufficiently treated in other books. Mostly the functions of a priest are these: to teach, to preach and proclaim the Word of God, to baptize, to consecrate or administer the Eucharist, to bind and loose sins, to pray for others, to sacrifice, and to judge of all doctrine and spirits. Certainly these are splendid and royal duties. But the first and foremost of all on which everything else depends, is the teaching of the Word of God. For we teach with the Word, we consecrate with the Word, we bind and absolve sins by the Word, we baptize with the Word, we sacrifice with the Word, we judge all things by the Word. Therefore when we grant the Word to anyone, we cannot deny anything to him pertaining to the exercise of his priesthood.*

A little later in the same treatise, he expounded on this binding and loosing in greater detail. He wrote (AE 40:26-28):

*[T]his office of the keys belongs to all of us who are Christians, as I have so often proved and shown in my books against the pope. For the word of Christ in Matt. 18[:15] is addressed not only to the Apostles, but, certainly, to all the brethren: “If your brother sins against you, go and tell him his fault ... if he listens to you, you have gained your brother.” And, further on, “If he refuses to listen even to the church, let him be to you as a Gentile and a tax collector. Truly I say to you, whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven” [Matt. 18:17, 18].*

*We need pay no attention to the bogey man of these masqueraders when they distinguish between the power of the keys and the use of the keys, a distinction based on no Scripture but on their own recklessness alone. ...*

*The keys belong to the whole church and to each of its members, both as regards their authority and their various uses. Otherwise we do violence to the words of Christ, in which he speaks to all without qualification or limitation: “Let him be to you,” and “You will have gained your brother,” and “Whatever you,” etc. And the words which were spoken alone to Peter, “I will give you the keys of the kingdom of heaven,” here find their confirmation. This word also, “If two of you agree on earth,” and “Where two are*

gathered in my name there am I in the midst of them” [Matt. 18:19, 20]. *In all of these declarations we find established the fullest authority and the most immediate exercise of the right to bind and to absolve.* Were this not true we would be denying to Christ himself the right and use of the keys as he dwells among even a couple of his disciples. But this indeed I have abundantly elaborated elsewhere.

*As we have declared already, the ministry of the Word belongs to all. To bind and to loose dearly is nothing else than to proclaim and to apply the gospel. For what is it to loose, if not to announce the forgiveness of sins before God? What is it to bind, except to withdraw the gospel and to declare the retention of sins? Whether they want to or not [they must concede] that the keys are an exercise of the ministry of the Word and belong to all Christians.*

Yet what is the use of struggling to secure this office for us who know Christ? It is clear enough that among the papists the knowledge of Christ, faith, and the gospel are altogether unknown, and at present even damned. *When faith is lacking and Christ is ignored, it is impossible to see what is and is not sin before God. For the blindness of unbelief forces them to call evil good and good evil, and to lose their way altogether. If we do not know the difference between sin and good works we cannot loose or bind.* So if we want to speak and feel as followers of Christ, we must hold that the papists and the shorn sacrificers, as long as they persist in their contention, cannot possess the function of binding and loosing or even be priests, much less be the only ones who have this office or who confer it on anyone by their ordinations.

Because Luther had grounded the keys in the word of God, it is not surprising that he, at the end of his discussion of the binding and loosing of sins, returned to reemphasizing the proper knowledge of “what is and is not sin before God.” All Christians need to know this because all Christians hold the keys. This is why this paper spent considerable time in emphasizing teaching the word of God and in defining what sin, exactly, Christ has in mind in Matth. 18.

After discussing all the above-mentioned common rights of the Christians in detail, Luther added this important caveat that we will need to come back to when we discuss the last step of what Christ commanded in Matth. 18. Luther wrote (AE 40:34):

*It is of the common rights of Christians that we have been speaking.* For since we have proved all of these things to be the common property of all Christians, no one individual can arise by his own authority and arrogate to himself alone what belongs to all. *Lay hold then of this right and exercise it, where there is no one else who has the same rights. But the community rights demand that one, or as many as the community chooses, shall be chosen or approved who, in the name of all with these rights, shall perform these functions publicly.* Otherwise, there might be shameful confusion among the people of God, and a kind of Babylon in the church, where everything should be done in order, as the Apostle teaches [I Cor. 14:40]. *For it is one thing to exercise a right publicly; another to use it in time of emergency. Publicly one may not exercise a right without consent of the whole body or of the church. In time of emergency each may use it as he deems best.*

In other words, we may use the keys “where there is no one else who has the same rights.” This includes the one-on-one situation of one Christian rebuking and absolving another Christian. We

may not use the key in the public sphere “without consent ... of the church.” The fact that all Christians collectively and individually hold the keys does not do away with the need for calling men into the *public* ministry established by Christ. In fact, it is one important reason for this need. Already in 1520, Luther had answered the obvious question (AE 31:356):

*You will ask, “If all who are in the church are priests, how do these whom we now call priests differ from laymen?” I answer: Injustice is done those words “priest,” “cleric,” “spiritual,” “ecclesiastic,” when they are transferred from all Christians to those few who are now by a mischievous usage called “ecclesiastics.” Holy Scripture makes no distinction between them, although it gives the name “ministers,” “servants,” “stewards” to those who are now proudly called popes, bishops, and lords and who should according to the ministry of the Word serve others and teach them the faith of Christ and the freedom of believers. Although we are all equally priests, we cannot all publicly minister and teach. We ought not do so even if we could. Paul writes accordingly in I Cor. 4 [1], “This is how one should regard us, as servants of Christ and stewards of the mysteries of God.”*

There is, then, no greater spiritual dignity with those who hold the office of the public ministry of the word. They, like those who do not hold it, are all equally priests by faith in Christ. However, “although we are all equally priests, we cannot all *publicly* minister and teach.” This again points to the distinction between *having* the keys and *privately* using them on the one side and having the keys and *publicly* using them on the other side. All Christians have and do the former. Only those called into the public ministry by their fellow Christians have and do the latter. All are priests. Not all are ministers.

In this way Luther modified the traditional distinction between *possessing* the keys and *using* them that was set forth by his papal adversaries who claimed that, while all Christians *possessed* the keys, only those in the sacramental priesthood were allowed to *use* the keys. Contrariwise, Luther asserted that all Christians *possess* the keys and may *use* them as needed in the *private* realm, where there are no other Christians around. Yet, maintaining the divinely established preaching office, he disallowed the *public use* of the keys by those not called into that office. As stated above, we will return to this important distinction later.

#### *4.2.2 The Second Step: Witnesses Are Brought in*

The second step is prescribed by Christ in Matth. 18:16: ““But if he will not hear, take with you one or two more, that »by the mouth of two or three witnesses every word may be established.«” The chief question here is what those “one or two more” are all about. Are they witnesses of the sin that prompted the initial rebuke, or are they witnesses of the rebuke in view of potential action before the entire congregation?

If Matth. 18 is primarily and chiefly about dealing with “secret sins” (cf. LC I, 284), sins that by their nature have a limited number of witnesses, it appears more plausible that the witnesses mentioned in this particular verse are to serve *chiefly* as witnesses of the deed itself. This is why

Christ, in the following verse 17, states clearly: “if he refuses to hear *them*.” This means that they all, as personal witnesses of the initial sin, have some legitimate rebuke to offer to the sinner.

In his comments on 1 Tim. 5:24-25, Luther, drawing on contemporary jurisprudence, distinguished between the “indictment of the deed” and the “indictment of the law.” When the former is not self-evident, it coincides with the latter. This is to say, when the sinfulness of a deed is not self-evident in the *public’s judgment*, it is first established in a *public trial* by means of witnesses. Yet when it is self-evident, then the former does *not* coincide with the latter: The *public’s judgment* has already been pronounced. The *public trial* follows later and confirms the former without the need for witnesses. Luther wrote specifically (AE 28:359):

Paul gives a rule: *You cannot err in those sins which are conspicuous before you pass judgment. Jurists call this the indictment of the deed.* This is what happens to a man who is an adulterer by the public witness of his whole neighborhood. He is found out in the midst of his adultery, when gossip rages in the streets, when children born of that illicit union play in the streets. That is what we call an indictment of the deed. *The bishop’s judgment follows. It becomes an indictment of the law* which declares, etc. *There is no need to run about for a trial; there is no need to run about gathering witnesses. Rather the sin is conspicuous ahead of time.* The whole city and neighborhood, etc. ... It works the other way in the case of [an inconspicuous] bad man. Your judgment comes later and is added. *Then the indictment of the law and of the deed occur together.* When this does not happen at first, *the sins of others appear later. If you find two or three witnesses, evil works then appear later.* If you cannot accuse a person, and if his work is not known to you nor shouted through the streets, *then witnesses come.* Through them come his activities. In this way works follow that person to his judgments.

Since Matth. 18 is specifically *not* about the public sins that are shouted in the streets, it requires additional witnesses of the deed to proceed. If there is only one accuser and no further witnesses, it cannot proceed beyond stage one. For “by the mouth of two or three witnesses every word may be established.” These witnesses of the deed then also become witnesses of the private rebuke. In the 1537 sermon already referenced above, he stated:<sup>109</sup>

Now, if he does not want to put up with this comforting word, you are still to have patience with him and *take one or two witnesses with you, who can vouch for you that you have indeed admonished and punished him and have told him.*

In a 1522 sermon, he put it this way (AE 51:97):

If he will not listen, *you should take two others with you and admonish him once more, in a brotherly way, to give up his sin.* But if he scorns that, you should tell the pastor before the whole congregation, have your witnesses with you, and accuse him before the pastor in the presence of the people, saying: Dear pastor, this man has done this and that and would not take our brotherly admonition to give up his sin. Therefore I accuse him, *together with my witnesses, who have heard this.*

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<sup>109</sup> WA 47:281.

### 4.2.3 The Third Step: The whole Congregation Is Brought in

If and only if a “secret sin” cannot be (rebuked and) forgiven in private, it is brought before the whole congregation, according to Christ’s word (Matth. 18:17): “And if he refuses to hear them, *tell it to the church*. But if he refuses even to hear the church, let him be to you like a heathen and a tax collector.”

#### 4.2.3.1 The Setting: The Assembly of Christians

The proper setting for this kind of public rebuke is not the worship service with its public preaching that is open to believers and unbelievers alike, but a separate congregational assembly. In a 1527 letter to Nicholas Hausmann in Zwickau, Luther wrote the following concerning the difference between rebuking sin in a public sermon and rebuking sinners in a public assembly:<sup>110</sup>

I have been told, and it has been confirmed by N., that *one of your preachers begins to make himself awkward in the pulpit by attacking the person of a city councilor out of the proper order*. This pleases the riffraff. And even here the spirit that seeks personal glory and a following still gleams forth. It is, therefore, my kind request that you as well as the city council should take a look at this lest sleep and laxness may not once again cause us trouble.

*By God’s grace, you know well that such rebuking of the person belongs nowhere but in the assembly of Christians*. Up until now, you have not formally established this kind of assembly yet which, as we hope, will be established by the visitation. *Moreover, even if there were an assembly established already, such rebuking would not be right because St. Paul says: “An elder do not rebuke but admonish him like a father,” and according to Matth. 18, Christ first wants a private admonition to take place*. A spirit that does not follow this order has nothing good in mind.

However, *in a public theatrical assembly [theatralis concio] where Christians and non-Christians stand and listen side by side, as happens in the churches, one should also rebuke in general terms and discuss all kinds of unbelief and vice in detail, but no single person in particular*. For it is a general sermon. It should stay general and put to shame no individual before others *until they are separated and come to the assembly where one admonishes, pleads, and rebukes*.

However, if he desires to rebuke in public, let him do it to those who publicly attack him first, as I do in the case of the papists and the enthusiasts. *In all other cases, let him stop and not make a big to do about it or despise persons. For such rebuking does not improve anyone*. It tickles the riffraff and hurts the one doing the rebuking.

Even at this last stage of the order laid out by Christ in Matth. 18, the honor and reputation of the sinner is protected by love according to the Eighth Commandment. One could say that the Eighth Commandment guides the interpretation of “church” in Matth. 18:17. For the point of this whole exercise is not to get a highly publicized “kill” that “tickles the riffraff” but hardens the sinner. The point is to improve the sinner. Publicity, in other words, is to be granted only on a

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<sup>110</sup> Translated according to the text quoted in Walther, *Pastoraltheologie*, 84-85.

need-to-know basis. Not everybody attending a given church service needs to know about a Christian's failings. Only "those who want to be Christians in earnest and who profess the gospel with hand and mouth" (AE 53:64) should. These, as Luther envisioned it, "should sign their names" so that "those who do not lead Christian lives could be known, reprov'd, corrected, cast out, or excommunicated, according to the rule of Christ, Matthew 18 [:15–17]."

However, what Luther confessed in 1526 would remain true for the remainder of his life, despite the hopes concerning the visitation entertained in 1527 (AE 53:64):

*But as yet I neither can nor desire to begin such a congregation or assembly or to make rules for it. For I have not yet the people or persons for it, nor do I see many who want it. But if I should be requested to do it and could not refuse with a good conscience, I should gladly do my part and help as best I can. ... For if I should try to make it up out of my own need, it might turn into a sect. For we Germans are a rough, rude, and reckless people, with whom it is hard to do anything, except in cases of dire need.*

A decade later, he still lamented this unsatisfactory state of affairs. Taking into account the confused notions of the people about what is right and wrong that still prevailed 20 years after the beginning of the reformation, he wrote in his 1537 sermon on Matth. 18:<sup>111</sup>

*The world is now so pious that one does not need the ban even though it is drowning in sins. For it is full of greed, hatred, envy, deceit – in a word, it is full of shame and vice. There is still no sin one could ban. Now everything is called doing what is decent and honest, or seeking food. Everything must be holiness, and all have become pious in the devil's name. This is why this ban of ours concerning daily living is now no longer practiced. We cannot establish this ban.*

Instead of trying to establish the happy but sectarian fantasy island of a committed "core congregation" within the vast ocean of people only loosely associated with Christ, as would later the Pietists (*ecclesiola in ecclesia*), Luther tried to bring everybody who did not refuse it to the point of wanting "to be Christians in earnest" by improving the common services and sermons which everybody could attend. He wrote (AE 53:64):

*And to train the young and to call and attract others to faith, I shall—besides preaching—help to further such public services for the people, until Christians who earnestly love the Word find each other and join together.*

It seems that this is still or once again<sup>112</sup> our situation. We too "have not yet the people or persons" to put Matth. 18 into its proper practice, nor do we "see many who want it." According

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<sup>111</sup> WA 47:289-288.

<sup>112</sup> Walther's assessment of the opportunities in religiously liberal America betrays the enthusiasm of one who was able to start from scratch with a body of like-minded, committed individuals and who also underestimated the corrosive power of that religious liberty on the Christian congregation whose members still contend with the old Adam. He wrote (*Pastoraltheologie*, 371): "What once prevented Luther from implementing this order, namely, the mixed state of the congregations, which then would lead to sectarianism, cannot prevent us in this country from

to Luther's mature judgment, it would be a mistake, if we tried to establish proper church discipline given the state of many of our congregations. It would lead to sectarianism, that is, churches being shattered for non-biblical reasons. It would not be beneficial. Still, it is good for us to know what we should strive for so that we can work toward this goal.

Instead of constantly bemoaning the ongoing restructuring in our congregations *away* from classic LCMS-type "voters' assemblies," we should take this as an indication that the kind of congregational assemblies Luther spoke about as a necessary prerequisite for implementing the order taught in Matth. 18 are not simply abstract constitutional rights that we must blindly defend or put in place everywhere for a congregation to be considered truly Christian or Lutheran. They, rather, presuppose a degree of collective spiritual maturity that is, unfortunately, no longer a reality in many of our congregations, even though older congregational constitutions might still require of its members to correct and be corrected according to Matth. 18. The binding and loosing of sin, as we noted above, requires a solid knowledge of "what is and is not sin before God" (AE 40:28).

The law's prescriptions do not automatically make things happen because "they neither prove nor determine anything with regard to human ability, but prescribe things to be done and left undone," as Luther rightly asserted against Erasmus (AE 33:129). There is, therefore, a great need among us to adjust our current constitutions and bylaws so that they reflect the fact that we as of yet do not have the people needed to establish what Luther called "a truly evangelical order" as the proper setting for Matth. 18.

While this *collective* caution applies also to the judging of doctrine,<sup>113</sup> this does not mean that individual Christians do not have the right, or even the duty, to judge doctrine and rebuke and absolve sin *apart* from a full-fledged implementation of the order set forth by Christ in Matth. 18. For Christ speaks about forgiveness bestowed by one brother upon the other in several places, e.g., in Matth 18:21-22 and in Luke 17:3-4. And he exhorts all Christians to examine the "fruit," that is the teaching, of all teachers according to Matth. 7:15-23 and John 10:4-8 (cf. AE 39:306-309).

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implementing this 'truly evangelical order' because here, resulting from the permitted freedom of religion, 'sectarianism' is already a reality. In addition to preaching the gospel, this sectarianism can be controlled best by that 'truly evangelical order.'" While all this might have worked out in the early decades of the LCMS, now the constitutionally protected sectarianism has made serious inroads into our own fellowship. We are back to Luther's times and all their religious fermentation.

<sup>113</sup> The same, by the way, is true of a Christian congregation's right to judge all doctrine. Luther, significantly, opened his 1523 treatise by the same name with this paragraph (AE 39:305): "*First, it is necessary to know where and what the Christian congregation is, so that men do not engage in human affairs (as the non-Christians were accustomed to do) in the name of the Christian congregation.* The sure mark by which the Christian congregation can be recognized is that the pure gospel is preached there. . . . Likewise, where the gospel is absent and human teachings rule, there no Christians live but only pagans, no matter how numerous they are and how holy and upright their life may be." In other words, he pointed to the marks of the Christian church mentioned in AC VII, the scriptural preaching of God's word and the scriptural administration of the sacraments. Where these are not a reality, that assembly does no longer have the *spiritual* right of judgment, even though it might still have it *legally or constitutionally*.

#### 4.2.3.2 *The Procedure: Pastors Judge before the Congregation*

*If we had the people*, what is to happen in these congregational assemblies in the case envisioned in Matth. 18? How are pastor and congregation to interact? Here we need to recall what was said above concerning the difference between person and office and between the priesthood of all believers and the public office the pastor. What a person as such may not do in public, a person holding a certain office might have to do.<sup>114</sup> While every Christ may in private rebuke, admonish and forgive a fellow Christian, when there are other Christians around who have the same right as he, he may not exercise this right. Only the one designated by all as their representative, the pastor, may do so on their behalf.

Luther, consequently, wrote on the Eight Commandment in the Large Catechism (LC I, 284):

*So you see that we are absolutely forbidden to speak evil of our neighbor. Exception is made, however, of civil magistrates, preachers, and parents, for we must interpret this commandment in such a way that evil shall not go unpunished. We have seen that the Fifth Commandment forbids us to injure anyone physically, and yet an exception is made of the hangman. By virtue of his office he does not do his neighbor good but only harm and evil, yet he does not sin against God's commandment because God of his own accord instituted that office, and as he warns in the Fifth Commandment, he has reserved to himself the right of punishment. Likewise, although no one has in his own person the right to judge and condemn anyone, yet if they whose duty it is fail to do so, they sin as much as those who take the law into their own hands without such a commission.*

Within the church, then, pastors also hold the office of judgment, just as parents hold this office in the family and civil judges do in the political realm. They should not be slack in the exercise of this God-given duty whenever and wherever this can be done in view of the cautions outlined above. To apply this specifically to the last two steps according to Matth. 18, Luther wrote (LC I, 279-280):

Christ teaches further: "If he does not listen, take one or two others along with you, that every word may be confirmed by the evidence of two or three witnesses." So the individual is to be dealt with personally and not gossiped about behind his back. *If this does not help, then bring the matter before the public, either before the civil or the ecclesiastical court.* Then you do not stand alone. *You have witnesses with you through whom you can convict the guilty one and on whose testimony the judge can base his decision and sentence.* This is the right procedure for restraining and reforming a wicked person.

Following the logic of the earlier quote, the judge in the ecclesiastical court would be the pastor of the local congregation. Accordingly, Luther wrote in 1539 (AE 41:133-134):

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<sup>114</sup> This is why parents, pastors, and secular judges are, by virtue of their office, exempted from Matth. 7:1, cf. AE 21:210-213.

[A church] council condemns a heretic, not according to its own discretion, but according to the law of the empire, that is, according to Holy Scripture, which they confess to be the law of the holy church. Such law, empire, and judge must surely be feared on pain of eternal damnation. *This law is God's word, the empire is God's church; the judge is the official or servant of both.*

Not only the council, but *every pastor and schoolteacher is also the servant or judge of this law and empire. ... pastors and schoolteachers are the lowly, but daily, permanent, eternal judges* who anathematize without interruption, that is, fend off the devil and his raging.

This is confirmed by the way the early Lutherans responded to the broken system of ecclesiastical jurisdiction of their day. Melancthon gives a good summary of the Lutheran grievances at the end of the Treatise (Tr. 74-76, cf. AE 40:371):

*[T]he bishops have tyrannically reserved [the common jurisdiction] for themselves alone and have employed [it] for gain. For it is evident that the officials (as they are called) have exercised intolerable arbitrariness and, either on account of avarice or on account of other evil desires, have tormented men and excommunicated them without due process of law. What tyranny it is for civil officers to have the power to ban men arbitrarily without due process of law! And in what kinds of cases they have abused this power! Not in punishing real offenses, but in dealing with non-observance of fasts or festivals and similar trifles. To be sure, they sometimes punished persons involved in adultery, but in this connection they often harassed innocent and honest men. Besides, since this is a very serious charge, nobody should be condemned without due process of law. Since, therefore, the bishops have tyrannically reserved this jurisdiction for themselves and have shamefully abused it, there is no need, on account of this jurisdiction, to obey the bishops.*

The Lutheran grievances concerning abuses in the area of excommunicating Christians, then, were fourfold: *first*, that the bishops had reserved this power for themselves; *second*, that they had used it for personal profit; *third*, that they and the officers of their courts did not follow “due process of law;” and *fourth*, that they typically did not excommunicate people for real offenses against God’s law but mostly only those who violated the man-made regulations of the church. This jurisdiction, so the inevitable conclusion, need not be obeyed.

What is the Lutheran alternative to the broken system they found? In the context, Melancthon summarized it very briefly (Tr. 74): “It is certain that *the common jurisdiction of excommunicating those who are guilty of manifest crimes belongs to all pastors.*” Consequently, they made this proposal (Tr. 76): “[S]ince we have good reason for not obeying, *it is right to restore this jurisdiction to godly pastors and see to it that it is used properly for the reformation of morals and the glory of God.*”

While this addressed the first complaint – the bishops had arrogated jurisdiction to themselves alone – it also addressed the other issues. For this jurisdiction, restored to pastors as its proper

agents,<sup>115</sup> also is to be “used properly for the reformation of morals and the glory of God.” In other words, Matth. 18 needed to be followed, in the way outlined so far: real sins would be rebuked in private first, then before the church, for the benefit of the sinner and the glory of God.

They returned jurisdiction to local pastors because ministers have this duty “by divine right,” that is, according to God’s institution of the ministry. What God gives, no man may take away, one might say. We therefore read in the Lutheran Confessions (Tr. 60-61, cf. AC XXVIII, 21):

*The Gospel requires of those who preside over the churches that they preach the Gospel, remit sins, administer the sacraments, and, in addition, exercise jurisdiction, that is, excommunicate those who are guilty of notorious crimes and absolve those who repent. By the confession of all, even our adversaries, it is evident that this power belongs by divine right to all who preside over the churches, whether they are called pastors, presbyters, or bishops.*

Excommunication is here seen as an integral part of the “functions” of the ministry, on the same level as preaching and administering the sacraments. Just as a bishop – as one who, for “good and useful reasons,” presides over a number of congregations *by human arrangement* (cf. Ap. XIV, 1; Tr. 63) – may not arrogate preaching and the sacraments only to himself, so he may also not do so in view of excommunication.

The Confessions, therefore, teach a twofold power of the public ministry in the church, the power of order (preaching and the sacraments) and the power of jurisdiction (excommunication), as becomes clear from this quote (Ap. XXVIII, 12-14):

*In the Confession we have said what power the Gospel grants to bishops. ... We like the old division of power into the power of the order and the power of jurisdiction. Therefore a bishop has the power of the order, namely, the ministry of Word and sacraments. He also has the power of jurisdiction, namely, the authority to excommunicate those who are guilty of public offenses or to absolve them if they are converted and ask for absolution. A bishop does not have the power of a tyrant to act without a definite law, nor that of a king to act above the law. But he has a definite command, a definite Word of God, which he ought to teach and according to which he ought to exercise his jurisdiction. ... They have the Word, they have the command about when they should exercise their jurisdiction, namely, when anyone does something contrary to that Word which they have received from Christ.*

In a way, these two powers relate to one another as the two aspects of church discipline, the instructive and the corrective one, which we considered in the opening section of this paper. “Tyranny” in this matter does not already take place when a bishop or any other incumbent of

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<sup>115</sup> “Especially marriage cases” had also come under the control of the bishops. However, as the Treatise notes (Tr. 77-82), this was only by human arrangement, not by divine institution. Bishops may continue to adjudicate those. However, if they continued to fail in these matters, there is no harm for these cases to revert to the civil courts where they belong by divine right.

the public ministry exercises the jurisdiction that is part and parcel of his office's duties. This exercise only becomes tyranny when it is exercised "without a definite law."

*(a) What Does "Tell It to the Church" and "Hear the Church" Mean?*

It is clear, then, that the early Lutherans did not take the power of jurisdiction away from the bishops to give it to the congregation as a whole. While it is true that the church *possesses* the keys, the *public use* of the keys is limited to the minister when he is called to a given congregation. In this, the keys are no different from the other means of grace, as Luther explained once again in 1539 (AE 41:154):

*[T]he church is recognized externally by the fact that it consecrates or calls ministers, or has offices that it is to administer. There must be bishops, pastors, or preachers, who publicly and privately give, administer, and use the aforementioned four things or holy possessions in behalf of and in the name of the church, or rather by reason of their institution by Christ, as St. Paul states in Ephesians 4 [:8], "He received gifts among men ..."—his gifts were that some should be apostles, some prophets, some evangelists, some teachers and governors, etc. The people as a whole cannot do these things, but must entrust or have them entrusted to one person. Otherwise, what would happen if everyone wanted to speak or administer, and no one wanted to give way to the other? It must be entrusted to one person, and he alone should be allowed to preach, to baptize, to absolve, and to administer the sacraments. The others should be content with this arrangement and agree to it. Wherever you see this done, be assured that God's people, the holy Christian people, are present.*

The "aforementioned four things" are God's word, baptism, the Lord's Supper, and the keys. The power of the latter consists in that "those who refuse to be converted or sanctified again shall be cast out from this holy people, that is, bound and excluded by means of the keys, as happened to the unrepentant Antinomians" (AE 41:153).

In other words, just as the pastor does not need the approval of the congregation for every individual sermon he preaches once he has been called, he also does not need the approval of the congregation for every single excommunication that might become necessary once all the other steps mandated by Matth. 18 have been followed within a well-instructed congregation.

What, then, is positively speaking the role of the congregation at this point? Does not Christ say: "tell it to the church," not just "tell it to the pastor"? Certainly, the congregation ought to be present in the form of the assembly of all Christians discussed above. However, from what can be gleaned from Luther's writings and his own practice, its role does not go beyond that of a witness. The clearest statement is contained in a 1522 sermon (AE 51:97-98):

*It should be done in this way: When you see a usurer, adulterer, thief, or drunkard, you should go to him in secret, and admonish him to give up his sin. If he will not listen, you should take two others with you and admonish him once more, in a brotherly way, to give up his sin. But if he scorns that, you should tell the pastor before the whole congregation,*

*have your witnesses with you, and accuse him before the pastor in the presence of the people, saying: Dear pastor, this man has done this and that and would not take our brotherly admonition to give up his sin. Therefore I accuse him, together with my witnesses, who have heard this. Then, if he will not give up and willingly acknowledge his guilt, the pastor should exclude him and put him under the ban before the whole assembly, for the sake of the congregation, until he comes to himself and is received back again. This would be Christian.*

The first step, then, is to go to the sinning brother privately to admonish him in secret. The next step is to take two witnesses along. The last step is to “accuse him before the pastor in the presence of the people.” If this too remains fruitless, “the pastor should exclude him and put him under the ban before the whole assembly, for the sake of the congregation. . . . This would be Christian.”

It appears that Luther here used 1 Tim. 5:19-21 to interpret the general provisions “tell it to the church” or “hear the church” in Matth. 18:17 because both texts deal with persistent sinners in the congregation. Paul wrote: “Do not receive an accusation against an elder *except from two or three witnesses*. Those who are sinning *rebuke in the presence of all*, that the rest also may fear. I charge you before God and the Lord Jesus Christ and the elect angels that you observe these things *without prejudice, doing nothing with partiality*.”

Here Timothy who, for all intents and purposes filled the office of pastor or bishop, is solemnly charged by Paul to hear witnesses before he rebukes elders<sup>116</sup> who *sin persistently* in the presence of the congregation. All this is to take place without prejudging or partiality on part of the judge.<sup>117</sup> This takes place for the benefit of both the sinning elder and those who are present.

In his comments on those verses, Luther gave detailed instructions for the pastor who also has the “odious”<sup>118</sup> duty of having to deal with sin. For instance, he wrote (AE 28:351):

*The kingdom of Satan lets nothing be good on earth. The learned man has so many jealousies. In this way all good things are obnoxious to detractors. Paul, then, wants to instruct the bishop to have good judgment, so that he may not easily believe wagging tongues but know how things are done in the world. If he knows the terms and the kingdom of the devil, he can adjust himself. He is not rash. Rather, he acts with good*

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<sup>116</sup> Cf. AE 28:350: “Earlier I mentioned that ‘elder’ is ambiguous in the Greek. *Does it mean one who is older or an official?* I take it to mean one who is generally an older person, even though one may take it as a minister of the Word. I continue, however, to take it in its general sense.”

<sup>117</sup> Cf. the good advice given by Luther in the Large Catechism (LC I, 259): “A judge ought, above all, to be a man of integrity, and not only upright but also a wise, sagacious, brave, and fearless man. Likewise, a witness should be fearless; more than that, he should be an upright man. *He who is to administer justice equitably in all cases will often offend good friends, relatives, neighbors, and the rich and powerful who are in a position to help or harm him. He must therefore be quite blind, shutting his eyes and ears to everything but the evidence presented, and make his decision accordingly.*”

<sup>118</sup> Luther wrote (AE 28:350): “I would gladly deal with the Word, but to deal with sins is an odious thing. There is danger that we go beyond our bounds, that we teach the contrary. Therefore we must use great prudence there, because cases are so different that a person could lose his mind over them.” Still, it has to be done.

reasoning, because he knows this is happening this way. Therefore this is a dangerous passage. It gives a general rule: “except on the evidence of two or three witnesses.” ... Here you note that he is speaking about public accusation and public charge: that *no one be accused before the church unless two or three declare in public that he has done this. If this does not occur, you should consider accusers as detractors.* Thus one should not be rash in words or speaking, etc., when he passes judgment or makes an accusation on some personal charge, *unless he has two witnesses who know for certain.* This is the way he can protect himself. I would not deprive us of that golden rule for the comfort of our consciences. *If I know that he is sinning in secret, I act according to Matthew 18. On the other hand, if I want to pass judgment before others without witnesses, I burden myself with the sins of others.* If two people say, “He does this and that, which offends others,” they may make this accusation before the church. Paul is speaking about those who are counted among Christians.

Here one can see that Luther also used Matth. 18 to shed light on the apostolic instruction in First Timothy. God’s word is its own interpreter. And acting “according to Matthew 18” means specifically that the bishop is to be the one who cautiously and prudently judges in the case of secret sins<sup>119</sup> in the presence of the congregation, if and only if there are witnesses. Every other scenario is rejected because if there are no proper witnesses, accusers are satanic “detractors” who themselves need to be rebuked (Matth. 16:23!). In that case, the judge would burden himself “with the sins of others.”

Therefore, “tell it to the church” means: Tell it to the pastor as the one called into the office of publicly using the keys on behalf of the church. Do so before the assembled congregation as a witness who has rebuked the sinner first in private then with other witnesses. “Hear the church” then means: Hearing the pastor who, after considering the witnesses against a Christian in the presence of the assembled congregation, offers a final rebuke to the one who persists in sin.

This picture is also not fundamentally altered when one considers the following paragraphs by the Reformer in his 1530 treatise on the keys (AE 40:370-372):<sup>120</sup>

*In [Matth. 18] you hear that we must deal with certain public sins, committed by persons who are known, and with cases where one brother sees another commit sin. Furthermore such sins are supposed to have been punished first in a brotherly manner, and finally established as such by the whole congregation.*<sup>121</sup> Therefore the bulls and papal bans which read, “We excommunicate after sentence has been passed, though only after three admonitions,” and “out of the fulness [sic] of our power,” we call in our own language an execrable ban.<sup>122</sup> *I call it a devil’s and not God’s ban, contrary to Christ’s command,*

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<sup>119</sup> Luther on Matth. 18 (LC I, 284): “All this refers to secret sins.”

<sup>120</sup> The translation of this important text contained in AE is, to say the least, insufficient, especially when it comes to the critical prepositions. Corrections will therefore be offered in footnotes attached to questionable sentences.

<sup>121</sup> “Furthermore, it should be such sins which have previously been rebuked in a brotherly way and which *then finally have been convicted publicly before the congregation.*” Cf. WA 30.2:502: “dazu solche sunde, die zuvor bruederlich gestrafft und zu letzt offentlig fur der Gemeine uberzeugt sind.”

<sup>122</sup> Luther’s own words, “auff Deudsch,” are a bit more colorful.

when people are cursed with the ban sacrilegiously, before they have been convicted in the presence of the assembled congregation.<sup>123</sup> Such are all the bans with which the episcopal representatives and spiritual courts practice their illusions when, with a slip of paper, they excommunicate people before a congregation ten, twenty, or thirty miles distant, although these people have never been condemned, accused, or convicted in their own congregation and before their own pastor. Instead, a bat comes flying out of a corner of episcopal officialdom, without witnesses and without divine command!<sup>124</sup> But you must not be afraid of such an execrable ban. If a bishop or his representative desires to excommunicate someone, let him or his representative go to the pastor of the congregation where the person is to be excommunicated.<sup>125</sup> Justice must be done to him according to these words of Christ.

*I am saying all this for the sake of the congregation. In dealing with one of its members who is under the ban it should be sure of the reason it thinks him to be deserving of excommunication as the words of Christ in our text direct. Otherwise the congregation might be deceived in imposing a ban which is false, thereby dealing with a neighbor unjustly.*<sup>126</sup> By such action it would blaspheme the keys, dishonor God, and be uncharitable toward the neighbor. This is not fitting for a Christian congregation. *For it should be consulted if one of its members is to be excommunicated, as Christ commands.*<sup>127</sup> *A congregation is not bound to put any faith in a slip of paper issued by an episcopal representative, nor need it be concerned about any bishop's letters. Indeed, it is bound not to give it credence. One should not believe the word of men if it concerns the affairs of God. Consequently a Christian congregation is not to play the part of a servant girl in the court of the bishop's deputy, or of the jailer to the bishop, so that either one of them can say: "Hey there, Gretel and Hans, keep this or that person under the ban." The congregation need not respond, "At your service, dear deputy." This*

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<sup>123</sup> "I call it the devil's ban and not God's ban when people are banned by a sacrilegious deed, before they are publicly convicted before the congregation, against Christ's order." Cf. WA 30.2:502: "Ich heisse es des Teuffels bann und nicht Gottes bann, da man die leute bannet mit frevler that, ehe sie offentlig uberzeugt sind fur der Gemeine widder Christus ordnung."

<sup>124</sup> "This is how all the bans are with which the officials and spiritual courts play around with, when they, over a distance of ten, 20, or 30 miles, put people under the ban before a congregation with a piece of paper, even though they were never rebuked, accused, or convicted in the same congregation and before the pastor; rather, a bat comes flying out of some official's corner, without witnesses and without God's command." Cf. WA 30.2:502: "Des gleichen sind alle die Bann, damit die Officiel und geistliche richtheuser gaugkeln, da man uber x. xx. xxx meile wegs die leute mit einer zedel fur einer Gemeine inn bann thut, so sie doch inn der selbigen Gemeine und fur dem Pfarher nie gestraft, verklagt noch uberzeugt sind, Sondern kompt daher eine fleddermaus aus eines Officials winckel, on zeugen und on Gottes befehl."

<sup>125</sup> "If a bishop or an official wants to put someone under the ban, let him go or send into the congregation and before the pastor, where the same should be put under the ban." Cf. WA 30.2:502: "Wil ein Bisschoff odder Official jemand jnn bann thun, so gehe odder schicke er hin jnn die Gemeine und fur den Pfarher, da der selbige soll jnn den bann gethan werden."

<sup>126</sup> "And all this I say because the congregation, which is to consider such a person banned, should know and be certain how he earned the ban and got under it, as here the text of Christ provides; otherwise, it might be deceived and accept a lying ban and thereby commit an injustice against the neighbor." Cf. WA 30.2:502: "Und das alles sage ich darumb, Denn die Gemeine, so solchen sol bennisch halten, sol wissen und gewis sein, wie der den bann verdienet und drein kommen ist, wie hie der Text Christi gibt, Sonst moecht sie betrogen werden und einen luegen bann an nemen und dem nehesten damit unrecht thun."

<sup>127</sup> "For it also is a part of it when someone with it is to be banned, Christ here says." Cf. WA 30.2:502: "Denn sie gehoeret auch dazu, wenn jemand bey jhr sol verbannet werden, spricht hie Christus."

perhaps might make sense in secular government, but *in this case, where souls are at stake, the congregation shall have a place as judge and helper.*<sup>128</sup>

Based on the corrected translation given in the footnotes to this text, the picture that emerges is strikingly similar to what is already known based on the previous discussion. The abuses of the bishops in this matter consisted generally in not following Matth. 18. Specifically, Luther noted that the excommunication was not imposed by the congregation where the offender holds membership, but by a remote bureaucracy that followed its own rules and therefore did not need witnesses. Congregations were demoted to mere servants of the powerful bishops who just carried out whatever the church's upper echelon's decreed. They cannot know whether the excommunication was imposed justly or unjustly. It might be forced to accept a "lying ban" and sin against a Christian neighbor in this way.

The alternative? The bishop should follow Matth. 18, if he has a grievance against a lay member in a given congregation. Specifically, as Luther wrote, "if a bishop or an official wants to put someone under the ban, let him go or send *into the congregation and before the pastor*, where the same should be put under the ban." The mentioning of the pastor here is no accident, as is clear from what has been said so far. It is also not an accident that the nouns "congregation" and "pastor" are preceded by different preposition.

In other words, Luther is here advising the bishop regarding the third step to be taken after everything else has proved fruitless: The bishop or his representative met with the person who had truly sinned against God's law and not just broken some ecclesiastical mandate, as has been explained above. Witnesses were brought in. All this then forces the bishop or his representative to come before the local ecclesiastical court that consists of the pastor as judge ("before the pastor") and the congregation has his fellow judges who have delegated him to do the public judging on their behalf. There the bishop needs to make his case, together with his witnesses, which the pastor is then to decide on behalf of the congregation. In this way, the congregation would know for sure whether a given accusation is accurate or not.

#### *(b) Sacerdotalism?*

Some might wonder whether this is not too pastor-centric. Some might even call it "sacerdotalism." Of course, if the summary of the position of Luther and the Lutheran Confessions offered here is correct, then this complaint needs to be taken up with Luther and the Lutheran Confessions.

As is well known, in the decades and centuries between Luther's death and us today, many did not put the Reformer's teachings into correspondent legal practice. At times, an overbearing government became a problem. As the government's grip on the church weakened, it was often,

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<sup>128</sup> "But here, where souls are affected, the congregation should also be judge and *mistress*." Cf. WA 30.2:502: "Aber hie, da es die seelen betrifft, Sol die Gemeine auch mit richter und fraw sein."

under the influence of democratic ideas, replaced by that of “society” which by that time was no longer “confessional Lutheran” by any stretch of the imagination. Throw into the mix some ideas that, while they perhaps did not necessarily originate within the Reformed camp, were very powerful “over there.” Specifically one can think here of giving “the laity” a strong role when it came to matters of discipline in the church.<sup>129</sup>

This is why a different approach was taken here. Instead of synthesizing or untangling the various and often conflicting realities of church polity and politics in Germany that in one way or another resulted from the reformation, I have simply contrasted what the early Lutherans did with what went wrong before and looked at the theological rationale given for these changes. Instead of sailing onto the vast ocean of post-reformation era church orders, I have done so on the basis of Luther and the Lutheran Confessions.

This, as pointed out above, led me to conclude that the issue was *not* that called and ordained ministers performed the excommunication. The issue was that such excommunications were imposed without following the procedure laid out by Christ in Matth. 18.

Because Matth. 18 was not followed, the traditional excommunications were not imposed due to sins condemned by God’s word, but mostly due to the breaking of certain man-made regulations of the church. They were also imposed to enforce certain policies of the bishops and popes, all of which were also secular rulers with secular interests. Furthermore, they were imposed without previous private admonition, without witnesses, and outside of the congregation where the person to be excommunicated held membership, as we would put it today.

In his 1530 treatise on the keys, Luther summarized this and reemphasized the spiritual importance of following Matth. 18 (AE 40:369-370):

*But how shall we proceed to use the keys rightly so that what is done is valid in God’s eyes? In Matt. 18[:15–17], you have a definite text in which Christ himself describes the office of the keys. You cannot go wrong if you follow his instructions. But ... when you do not hold yourself to this rule, you become uncertain and your heart cannot say, I know that I do not err. But your heart will accuse you and say something like this: You have bound and loosed without God’s Word. Your own arrogance and not God has commanded you to do so. Therefore, you did not have the keys but only dreamed of having them. Because of this your own conscience will condemn you and say: You have blasphemed God’s name and dishonored the keys, and, in addition, you have done an injustice and violence to your neighbor. You have disturbed his conscience with lies and*

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<sup>129</sup> It is somewhat telling that Walther, to find Lutheran proof for his understanding of church discipline in particular and church polity in general, often resorted to Lutheran theologians of the second and third generations who had to make do within an established church context that was not quite a reality during Luther’s time. Because of this, Luther and the Lutheran Confessions were in a sense freer. For a brief overview of the history of the Lutheran church’s polity in Germany, see a historical section of a larger paper prepared by me in response to a 2007 piece in Concordia Journal on the ministry ([http://lutheranwiki.org/Excommunication\\_and\\_the\\_Power\\_of\\_the\\_Ministry#Historical\\_Excursus:\\_Church\\_Polity\\_in\\_Post-Reformation\\_Lutheranism\\_in\\_Germany](http://lutheranwiki.org/Excommunication_and_the_Power_of_the_Ministry#Historical_Excursus:_Church_Polity_in_Post-Reformation_Lutheranism_in_Germany))

*led him astray, leaving him in error as to his understanding of the keys and causing his spiritual death. What will you then do? Indeed (you say) this is not the way they look at it at the courts of the bishops and of the pope. That I know well, but it is the way it happens at Christ's court. And if it is not the practice at the courts of the bishops then these are not Christian bishops.*

As Luther emphasized so often, abuse does not destroy the substance of a thing. Abusing the powers of the ministry for personal gain should not lead us to take those powers away or curtail them by stacking all sorts of unbiblical conditions on it.<sup>130</sup> After all, those powers are given to the minister by the concrete form and content of God's institution of the ministry. It would be a sin to take them away from those to whom God has given them in his word.

Instead of taking away and curtailing God-given powers, we should be training and teaching ministers so that they might be equipped, with the assistance of the Holy Spirit, to discharge all their duties faithfully, including the "odious" and unpopular business of dealing with the messy lives of sinners with all the tools that God has given them to save men from their sin. Since God has given pastors also the "power of jurisdiction," as our Confessions call it, at least God must have thought that that would be a good thing to have to lead men to salvation and to defend the church here on earth.

Finally, it needs to be noted that, if Matth. 18 is followed, laypeople typically take the first two steps without running to the pastor to ask him to "fix" things in a given situation. In this way, as was explained above, they powerfully exercise their spiritual priesthood in their private interactions with their fellow Christians. They do so as they both rebuke and absolve their sinning neighbor. It is difficult to see what is "sacerdotalist" about that. Every Christian is called to do his duty where God has placed them, even in a congregational context, so that the neighbor might be helped in his need according to God's word.

#### *4.2.3.3 The Worst Possible Outcome: Excommunication*

If the sinner hears the congregation's collective admonition and repents of his sin, he is immediately to be forgiven, as in any of the previous stages. On the other hand, if he does not hear the church, he is to be excommunicated.

What does excommunication actually mean? This is one of the questions the synodical catechism does not answer for us. Many questions are raised and answered there, but in all this, it does not become clear what excommunication actually means and entails, both in view of the Lord's

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<sup>130</sup> E.g., by calling excommunications that are not preceded by two unanimous decisions of voters' assemblies "tyrannical" or by making the pastor merely the mouthpiece or executor of the decision a voters' assembly has arrived at. Cf. the 1985 CTCR report, *Church Discipline in the Christian Congregation*, 14-15. In the synodical catechism one reads: "The called minister of Christ *must carry out the resolution of the congregation*, that is, he must exclude the excommunicated person from the rights and privileges of a Christian." (Luther, Martin (2005-10-31). *Luther's Small Catechism with Explanation (ESV)* (Kindle Locations 3019-3020). Concordia Publishing House. Kindle Edition.)

Supper in particular and in view of a sinner's salvation in general. Luther was much clearer about the implications of the "dreadful sentence" of excommunication.

In his 1519/20 sermon on the ban, he opens with this basic definition (AE 39:7):

[W]e must now learn what the ban is which is exercised through the power of the spiritual estate in Christendom. For its principal, real function and power is to deprive a sinful Christian of the holy sacrament and to forbid it to him. That is why the one cannot be understood without the other as long as they stand in opposition to each other. The Latin word *communio* means "fellowship," and this is what scholars call the holy sacrament. Its opposite is the word *excommunicatio*, which means "exclusion" from this fellowship, and this is what scholars call the ban.

The primary function of the ban or excommunication is that it excludes from communion (the Lord's Supper) and other church fellowship. This is set forth in greater detail in a 1537 sermon on Matth. 18, where Luther wrote:<sup>131</sup>

[When you ban a sinner,] you regard a public sinner to be a tax collector and heathen, *to whom heaven is locked and hell is opened: He goes forth as someone who is no longer in the communion of saints because he does not want to listen. The Christian church considers him to be one who is not in God's grace and the communion of saints, but lies under God's disgrace and wrath, and who is also in the kingdom and power of the devil. Such [the papists] call the small ban, but it surely is the gravest and greatest. For it destroys the soul when I forbid a person to serve as a godparent and bring children to be baptized or to be admitted to the Lord's Supper or to enjoy the common prayer of the church, or to have any other office in Christendom. However, he may come to church and hear the sermon in the hope that he might be converted. However, if he does not do it, then I forbid him everything what the holy Christian church possesses, as the forgiveness of sins, likewise, that he should not become a partaker of the suffering, death, and blood shedding of Christ. I deny him the communion of saints and eternal life so that he has to give up heaven and Christendom and be deprived of all graces and gifts of the Holy Spirit. In his letter to the Corinthians, St. Paul calls this in harsh terms to deliver to the devil [1 Cor. 5:5]. For one is saying to the banned person that he does not belong to the little flock where Christ is Lord by his word and sacraments, but has moved him from the Christians to that people where the devil is lord. ... This is how we are to behave in relation to those who are hardened sinners: one should tell them that they are condemned before God and the church on account of their sin, that they belong to the devil and will burn in hell. This is the ban of the Christian church which Christ himself instituted. Matthew 16 also talks about it. It may well be called the [small] ban. This is how the pope has called it. Yet in truth it is the greatest and eternal ban. For whoever is stuck in it has received baptism and the Lord's Supper in vain and is not redeemed from sin and death by the blood of Jesus Christ. May God protect us all from this ban!*

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<sup>131</sup> WA 47:281-282.

Indeed, may God protect us! Excommunication is not some administrative formality that brings with it only minor inconveniences in this life. If the excommunication has been carried out properly, and if no repentance takes place after it by the hearing of God's word, then it signals a momentous change in the spiritual condition of a person: It makes known the transfer of a sinner from the kingdom of grace to the kingdom of the devil. Indeed, as Christ says in Matth. 18:17, such a one is once more like a "heathen and tax collector." Because such a one is now publicly recognized and removed as dead branch of Christ the vine (cf. John 15:6), he can no longer share in the sacrament that is also a public sign of being a living member of Christ's body. To be sure, care must be used when administering the ban. However, since Christ has given his church his clear instruction on the matter, one need also not despair and be paralyzed in inactivity.

Luther here also alludes to the distinction between the small and the great ban and excommunication that was introduced in the middle ages. Suffice it to say at this point that the great ban included certain secular punishments. Lutherans, at any rate, only embraced the small ban as that ban which alone had Christ's command and which is really not small at all! The secular punishments they left to the secular authorities. Luther, admonishing *the ministers who are to do the excommunicating*, wrote in the Smalcald Articles (SA III, IX):

We consider the greater excommunication, as the pope calls it, to be *merely a civil penalty which does not concern us ministers of the church*. However, *the lesser (that is, the truly Christian) excommunication excludes those who are manifest and impenitent sinners from the sacrament and other fellowship in the church until they mend their ways and avoid sin*. Preachers should not mingle civil punishments with this spiritual penalty or excommunication.

Here we once more see the difference between discipline in the OT and NT alluded to above. In the case of impenitence, the penalty of the OT was physical death as a state punishment along with excommunication from the OT church. In the NT, the punishment for impenitence is "simply" excommunication, the handing over to the devil. 1 Cor. 5 makes this clear once more. When Paul, in 1 Cor. 5:13, quotes from the OT: "put away from yourselves the evil person," then what he refers to removing the sinner from the fellowship of the church by means of excommunication, refers originally to the death penalty, as is seen from Deut. 13:5, where it says:

That prophet or that dreamer of dreams *shall be put to death*, because he has spoken in order to turn you away from the Lord your God, who brought you out of the land of Egypt and redeemed you from the house of bondage, to entice you from the way in which the Lord your God commanded you to walk. *So you shall put away the evil from your midst*.

At any rate, this is powerful stuff! Here the question arises: Has God indeed "given such power to men" (cf. Matth. 9:8)? This question can arise in the heart of a pious Christian who trembles at the magnitude of that "dreadful sentence." Yet this question can also arise in the mind of one who has set his mind on despising the church's sentence against him.

The answer is a clear yes, because Christ says in Matth. 18:18: “Assuredly, I say to you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.” This means that the heavenly certainty we all like about the loosing word of the gospel’s absolution we cannot deny to the binding word of the law’s excommunication. Both have to be binding before God in heaven to have the desired spiritual effect in the sinner. Accordingly, Luther wrote (AE 40:348):

*[W]hen a Christian hears and is convinced that the keys may err and fail, it is not possible for him to ground his hopes and belief on what the key promises. For one should believe only that of which one can say or hold that it is certainly God’s Word and the truth without any kind of doubt. Otherwise, there is nothing left but an erroneous and unstable belief. Indeed, genuine unbelief is sure to follow.*

Luther, countering the mocking of excommunication he already heard in his day, explains this quite nicely, again in his 1537 sermon where he stated concerning Matth. 18:18:<sup>132</sup>

Let him know this who is hardened and does not respect the ban, saying: Do you think you can take me away from the Lord God and give me to the devil? You say that I am the devil’s – *who has given you the authority to damn me? You are not right in judging me like this.*

*But you should say: Dear friend, I do not take you away from our Lord God, but I tell you from Christ’s words the sentence that by your sin you have been taken away from God and handed over to the devil. These very sins make you a tax collector and heathen. It is your fault.* And hear the authority and power which Christ has given to his church and the preaching office when he says: “Truly, what you will bind on earth will also be bound in heaven,” as if he wanted to say: If you have punished someone, and he does not respect this but grumbles against it, saying: Who has given the preachers authority to bind and ban me? And even if they do it, God in heaven will therefore not be displeased with me. As long as I am on good terms with God, what do I care about the ban? Christ responds to this, saying: *Those whom you on earth consider damned and belonging to the devil, I will consider likewise in heaven.* For whatever you will bind on earth will also be bound by me in heaven. *For I am married to the church in such a way that everything that is bound among you is to be bound with me as well.*

*The binding on earth below and in heaven above is to be one act of binding. Here God ties himself to the judgment of the holy Christian church, **when it uses it rightly**, so that the church’s sentence is then God’s own sentence.* This is why it is nothing when a person says: Friend, no one here on earth will tear me away from God and deliver me to the devil. There is much talk like that, both among the nobility and the others. They, in the devil’s name, are so strong that they dare to say: Well, what do I care about the babbling of the preacher, etc.

You hear here that the Lord Christ institutes such a fine government in the church that *in the case of public sins and vices he and she shall have the authority to bind and ban the people by the word.* And he does not say that he wants to reserve something to himself in this matter, but *what the church locks will also be locked with him. This and nothing else.*

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<sup>132</sup> WA 47:285-286.

*What you speak, I speak too. What you loose, I loose too. What you bind, I bind too. For your word is my word. This is why he does not say: what I will bind or loose in heaven above shall be bound or loosed among you. For in that case we would not know what and whom he might bind. Yet we know that the Christian church enjoys the status with him that her binding is as much as if God in heaven himself had spoken it. For elsewhere [Luke 10:16] he says: "He who hears you hears me." What I speak is spoken by God in heaven. And here he says: What you bind and loose on earth shall be bound and loosed with me in heaven. A hardened sinner is not allowed to comfort himself that he is not rejected even if the church has banned him, as today many say: No one can tell me what to believe. I have learned so much that I know in my heart how to be saved, even if my pastor puts me in the ban. – Well, just trust that the Lord Christ's sentence will not be different from the church's sentence.*

Ever since the fall, sinners have tried to drive a wedge between Christ and the word spoken faithfully by his pastors on earth who are maligned as inefficacious babblers. Time and again, they will fail in this attempt to their own detriment. Seeking a direct highway to Christ apart from the word entrusted to his holy bride, the church, will fail in every single case: "What the church locks will also be locked with him. This and nothing else."

If this critical truth is grasped in faith, God is given the greatest honor possible.<sup>133</sup> What is more, "a radical reformation" of the church would ensue, according to Luther, who wrote (AE 40:368-369):

*[H]e who believes or would gladly believe that the keys are doing their work effectively, let him rejoice and use them with confidence. The greatest honor you can bestow on God and his keys is to trust in them. It is for that reason we teach our people that he who is bound or loosed by means of the key, let him rather die ten deaths than doubt their efficacy. No greater dishonor can be done to God's Word and judgment than lack of faith in the same. For this means as much as to say: God, you are a liar. It is not true what you say. I do not believe it. Hence God must be a prevaricator. He who binds and looses must be equally as certain, otherwise he is guilty of similar abominations. But where has one ever taught or heard of such a thing under the papacy? ... They do not believe the judgment of the keys is God's Word. They are in the habit of treating them as if they were of an ancient, worldly origin. But if they were to believe that it was the judgment of God in which they themselves should first of all have faith, at the risk of endangering their souls' salvation, they would not treat it so thoughtlessly but rather with fear and trembling. But where would one then secure episcopal representatives? What would then*

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<sup>133</sup> Cf. AE 31:350: "It is a ... function of faith that it honors him whom it trusts with the most reverent and highest regard since it considers him truthful and trustworthy. There is no other honor equal to the estimate of truthfulness and righteousness with which we honor him whom we trust. Could we ascribe to a man anything greater than truthfulness and righteousness and perfect goodness? On the other hand, there is no way in which we can show greater contempt for a man than to regard him as false and wicked and to be suspicious of him, as we do when we do not trust him. So when the soul firmly trusts God's promises, it regards him as truthful and righteous. Nothing more excellent than this can be ascribed to God. *The very highest worship of God is this that we ascribe to him truthfulness, righteousness, and whatever else should be ascribed to one who is trusted.*" Cf. Ap. IV, 48-60.

become of the consistories? *A radical reformation would then begin to appear. And such a one must and shall come to pass!*

Comfort, therefore, is to be sought in Christ's forgiveness, in the loosing key, not in the denigration or ridicule of the word of excommunication spoken by the minister. For in every case, as Luther notes, it is not the public excommunication that excludes a sinner from the kingdom of grace. It is the sinner's persistence in his sin that made it mortal even if no public sentence is pronounced. Excommunication, based on the proper diagnosis of the spiritual health of a given sinner, merely makes this hidden judgment of God public for the benefit of the excommunicated sinner (repentance) and for the benefit of other Christians (threat).<sup>134</sup>

Here it is important to understand the similarity and the difference between the word of excommunication and the word of absolution. For this purpose we must briefly discuss the distinction between general and private absolution and, by way of extension, the distinction between general and "private" excommunication.

The gospel declares to *all sinners* that *all sin* is forgiven based on the objective reality of Christ's death for *all sins*. When spoken in a general way – e.g., in a sermon or in general absolution at the beginning of the service – this gospel is heard by the penitent and impenitent alike. The former hear it beneficially if they believe it. The latter do not hear it beneficially even if they believe it. When spoken in a private way to a specific individual – e.g., in baptism, the Lord's Supper, or also in private absolution – then it declares to that sinner that particular sins that burden him have been forgiven by Christ. If this is believed, then it is beneficial. If this is not believed, then it is not.<sup>135</sup>

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<sup>134</sup> Cf. again SD VI, 24, speaking about believers: "[T]he Old Adam, like an unmanageable and recalcitrant donkey, is still a part of them and must be coerced into the obedience of Christ, *not only with the instruction, admonition, urging, and threatening of the law*, but frequently also with the club of punishments and miseries, until the flesh of sin is put off entirely and man is completely renewed in the resurrection." In the case of "inactive" members who have fallen "through the cracks" to the point that they objectively cannot be contacted anymore (e.g., no current address or phone number can be found), excommunicating them still serves the purpose of warning "active" members. When they mysteriously "reappear," they need to be notified of the previous excommunication in order to lead them to repentance. If the broad concept of church discipline outlined above is implemented in a given congregation, and it should be as a prerequisite for following through on Matth. 18, such cases should be rare.

<sup>135</sup> Cf. Luther's and Melancthon's April 1533 letter to the Nuremberg city council: "*The preaching of the holy gospel itself is principally and actually an absolution in which forgiveness of sins is proclaimed in general and in public to many persons, or publicly or privately to one person alone*. Therefore absolution may be used in public and in general, and in special cases also in private, just as the sermon may take place publicly or privately, and as one might comfort many people in public or someone individually in private. *Even if not all believe [the word of absolution], that is no reason to reject [public] absolution, for each absolution, whether administered publicly or privately, has to be understood as demanding faith and as being an aid to those who believe in it*, just as the gospel itself also proclaims forgiveness to all men in the whole world and exempts no one from this universal context. Nevertheless the gospel certainly demands our faith and does not aid those who do not believe it; and yet the universal context of the gospel has to remain [valid]."

One can say that the gospel objectively delivers what Christ has earned on the cross, namely, forgiveness of all sin of all people.<sup>136</sup> This delivery must be appropriated or accepted by faith to be beneficial to the sinner.

The law, on the other hand, declares to all sinners that all sin is condemned based on the objective reality of God's wrath against everything that is not holy. When spoken in a general way – e.g., in a sermon – this law is heard by all. In the case of some, it has the desired result and works repentance. In the case of others, it does not, provoking them to even greater anger and contempt of God and the church. When spoken to a specific individual – i.e., the impenitent sinner by way of excommunication – then it declares to that individual that he has not appropriated Christ's forgiveness of all sins due to his impenitence and resultant absence of faith; that he is therefore under God's wrath which, by its very nature, is ultimately eternal.

One can say that the law objectively delivers what the sinner has earned for himself by his particular act of impenitence, namely, his eternal damnation. However, one can, as Luther above, also, and even *more accurately*, say that the law simply and merely declares to the sinner what is already an objective reality in him, namely, his eternal damnation on account of his sin or, in the case of excommunication, his eternal damnation on account of his impenitent insistence on a given sin that cannot coexist with faith in Christ. This declaration, however, is not simply informational; it is also effective by the Holy Spirit dwelling in it to lead a sinner once more to repentance.<sup>137</sup>

There is, then, an important difference between the law and the gospel in this regard: The former makes known to us what is *in us already*. The latter makes known to us *and bestows on us* what is *in Christ*. Luther wrote concerning the question whether the law could be called a cause of sin in his disputations against the Antinomians:<sup>138</sup>

*Neither does the law cause sin to happen, nor does it force a person to sin, but it shows us the sin already committed and, as I said, already present and reveals to us, who are blinded by the devil, what we do not know ourselves. Just like he does not throw a poor fellow into the bears' pit who comes along and points out that he has indeed fallen into the pit, sits in a dangerous place, and that the danger is life-threatening. This is how the law is the cause of sin: To recognize and understand the disintegration and fall, not to effect it.*

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<sup>136</sup> Because the loosing key is not based on the unknowable condition of the sinner's heart, but on Christ's accomplished salvation, there is no "erring key," as Luther asserted against the conditional key taught by his papal opponents who directed the sinner, not to God's objective promise attached to the keys (Matth. 18:18), but to their own repentance: People using the keys may err (and thereby lose the keys), but the keys do not err. Christ gave Matth. 18 to exclude human error and promote human certainty, cf. AE 40:351-352, 367, 369-370.

<sup>137</sup> The law, in other words, is also a tool of the Holy Spirit, not just the gospel, even though the law has different purposes than the gospel. Cf. Luther, *Decalogue*, 40: "It is to be noted that the 16<sup>th</sup> proposition of the Antinomians states that the law only shows sins, certainly without the Holy Spirit, so it therefore only shows them unto damnation. This they babble impiously since it is impossible for the law to show sin and move hearts without the Holy Spirit, who is God the Creator of all things and who wrote the law with his finger on tablets of stone, as is said in Exodus (31:18)."

<sup>138</sup> Decalogue, 160.

In other words, while the law also has a revelatory effect, it merely leads the sinner to know himself, which is not saving in itself. The gospel's revelatory effect consists, on the other hand, in that it leads the sinner to know Christ as Savior. The gospel bestows a new, external reality on the sinner. The law merely shows the sinner's innate reality is. Consider also this insightful comment by Luther on Rom. 5:20 ("Moreover the law entered that the offense might abound."):<sup>139</sup>

*This is already truly to increase sin by the law, that is, it is rendered better known, more conspicuous, and clearer, so that it, even by its appearance, might lash and agitate the mind. It is impossible that there is a man who ever saw how great a sin it is not to fear God, not to believe in God, not to love God, to scorn the word, and not to call on God. Indeed, if he had seen it, he would already be dead. However, so that we might realize some of these things, the law is given, so that the sin that is already present in our nature would terrify and arouse us, so that it might show us what kind of people we are in our hearts, not into what kind of people it makes us, as if they are falsely accused by the law.*

In summary, then, excommunication makes known to the impenitent sinner – blinded once again by his own sin as he is – both his impenitence and God's severe judgment over this impenitence. God willing, this word will prove effective and lead the sinner once again to repentance.

*(a) Can a Sinner Be Saved after Excommunication?*

Given the power of the sentence of excommunication, one can wonder whether thereby all is lost for good or whether such a sinner can once more be helped. The latter is the case. For that is the purpose of excommunication: eternal salvation through repentance and faith in Christ. This is why the excommunicated is not to be shut out from hearing the word of God in church, as seen above. If and when he, by God's word, comes to his senses, then he is to be absolved by his pastor and becomes once again a partaker of all the blessings and benefits Christ has given to his church on earth. Luther put it very well in his 1537 sermon:<sup>140</sup>

*If the sinner is terrified by the ban and is converted, should one receive him again? St. Peter will later ask about this when he says [Matth. 18:21]: "How often should I forgive my brother? Is seven times enough?" And such piece is exceedingly comforting because Christ teaches that he and the Christian church do not bind and ban eternally, but if a man is converted by such dreadful sentence and ban, is sorry for the sin, and seeks forgiveness of sins by Christ and desires a different sentence and judgment, then one should take him again away from the devil. He is not to be utterly rejected, as if he could not ever again get on the right track, but one is to open him the door and absolve him from all his sins. And when this has happened, and he is loosed on earth, he will also be*

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<sup>139</sup> Decalogue, 183. Cf. SA III, II, 4-5: "[T]he chief function or power of the law is to make original sin manifest and show man to what utter depths his nature has fallen and how corrupt it has become. So the law must tell him that he neither has nor cares for God or that he worships strange gods — something that he would not have believed before without a knowledge of the law. Thus he is terror-stricken and humbled, becomes despondent and despairing, anxiously desires help but does not know where to find it, and begins to be alienated from God, to murmur, etc. This is what is meant by Rom. 4:15, 'The law brings wrath,' and Rom. 5:20, 'Law came in to increase the trespass.'"

<sup>140</sup> WA 47:286.

*loose in heaven. For he who is absolved by the church is to be certain that he is to be loosed also before God in heaven.*

*(b) What Happens if the Excommunicated Person Repents but Dies in Excommunication?*

A related question is: what if the person excommunicated repents and returns to faith in Christ, perhaps by hearing a sermon or based on the speaking of a Christian friend or family member, but dies before he can be publicly absolved from the excommunication? Excommunication only makes publicly known what is previously true in a person's heart already, as this is evidenced by one's actions, it is part of excommunication's nature to be lagging behind the spiritual realities of a person's heart.

The same is true for the public lifting of the ban: it merely acknowledges that now, by the work of the Holy Spirit through the word of God, there is once more repentance and faith in Christ. However, that does not mean that the word of the gospel here spoken is not efficacious in strengthening the faith of the one to whom it is spoken individually. This is, in other words, similar to baptism or the Lord's Supper: the person being baptized or partaking of the Lord's Supper publicly should, or at least may, have faith already. Yet this does not mean that the sacraments do not give anything to the one receiving them. They always give forgiveness, life, and salvation. These gifts require faith to be received beneficially.

In other words, if the excommunicated person comes once more to repentance and faith, that person should announce this to the pastor of their (former) congregation, so that he then can also publicly absolve them. If they have come to faith but die before they have the opportunity to be reinstated publicly, relatives may rest assured that the person has died in Christ. Consequently, Luther, distinguishing between the general preaching and the particular jurisdiction (church discipline), wrote to the Nuremberg city council in October, 1533:<sup>141</sup>

*These are two different things: preaching and jurisdiction. The jurisdiction applies to public sins; alongside these there are many more secret sins, which cannot be bound and punished other than in general by the preaching office. Thus, the sermon binds all unbelievers and at the same time gives all believers forgiveness. Indeed, also he who is bound by the jurisdiction, if he came again to obedience and faith by the sermon, would be forgiven before God, even though he ought to reconcile himself later also with the church as the one whom he also offended.*

*(c) What about Unjust Excommunication?*

Finally, another related question of some importance is this one: What if the excommunication was imposed wrongly? As explained above, the proper imposition of excommunication in the case of "secret sins" requires that all the steps prescribed by Christ are followed carefully. If, e.g., one of the steps prior to "tell it to the church" is omitted, the church should not hear what it is being told. In other words, the pastor should not admit such a "case" for public adjudication

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<sup>141</sup> St. Louis ed., 21:1850.

before the congregation. It would automatically result in a miscarriage of justice. It would lead to an unjust excommunication, even if the sinner were guilty, because he was not dealt with according to God's patience so that he might repent in time and thus save his life (cf. Rom. 2:4; 2 Peter 3:9). If the pastor and the congregation decide to go forward even if the first two steps have not been properly followed and excommunicate a member, then that excommunication is unjust. It should not be taken to heart by anyone because it was not done by the holy Christian church. Luther wrote in 1530 (AE 40:362-363):

But what do I think of Gregory's quotation [adduced by the papal theologians] which says, "Our ban is to be feared even if it is an unjust one"? This is my answer: Whether the quotation is Gregory's or his mother's *it is nonetheless of the devil. I would gladly come face to face with that doctor who would teach that I ought to fear injustice and lies*. Even if it were from an angel from heaven I would take his horrible ban, and, after having used it as toilet paper, wipe its nose. What is the purpose of such vile blasphemy which shamelessly dares to command us Christians to fear public injustice and well-known lies and to give them divine adoration?

Luther's change in this matter over just a decade is significant: In his 1519/20 writing on the ban, he still urged Christians to fear and embrace every ban imposed by church authority in obedience to the Fourth Commandment. He argued it would be more beneficial to them to suffer unjustly in all humility and patience than to despise authority. He wrote (AE 39:20-21):

*[T]he unjust ban is much more desirable than the just ban or the outward fellowship. It is a noble and great merit before God, and blessed is he who dies under the unjust ban. For God will eternally crown him who is put under the ban for the sake of truth. Here he should sing with Psalm 109[:28], "They cursed me, but you have blessed me!" Only let us beware of despising authority, and humbly declare our innocence. If this does not help, then we are free and excused before God. For if it is our duty to make friends with our adversary, according to the commandment of Christ in Matthew 5[:25], *how much more should we make friends with the power of the Christian church, be it exercised over us justly or unjustly, through worthy or unworthy authorities! Just as an innocent child is not really harmed by an unjust scourging from his mother, even though he is undeservedly punished and in fact becomes even dearer to and more accepted by his mother, so we will become much more dear to God if we endure the undeserved punishment of our spiritual mother, the church, through its evil government*. For she remains the mother as long as Christ remains, and she does not change into a stepmother because of evil government.*

In the early years, obedience to mother church included obedience to "its evil government" and any unjust ban. In fact, reminiscent of his early theology that advocated humility and humiliation as the safest way to salvation, Luther considered the unjust ban to be of greater spiritual value and merit before God. The mature Luther rejected this and challenged any doctor who would prove to him that the unjust ban should be feared.

Instead of urging obedience even to the unjust use of the keys, Luther later distinguished between having the true keys and not having the true keys. There is thus not the use and abuse of the keys. There is only the use of the true keys that are effectual before God and the use of something which human imagination has manufactured and which have no authority before God whatsoever. You only have the true keys if you follow what Christ set forth in Matth. 18. These keys must be believed and feared as God's own judgment. You have only counterfeit keys if you do not follow what Christ taught in Matth. 18. These keys must not be believed or feared. Luther wrote (AE 40:369-370):

[H]ow shall we proceed to use the keys rightly *so that what is done is valid in God's eyes?* In Matt. 18[:15–17], you have a definite text in which Christ himself describes the office of the keys. *You cannot go wrong if you follow his instructions. But if you do not, and instead take a novel and peculiar path of your own, you can be sure that you will err and that you are not in possession of the true keys.*

#### 4.2.4 What about Wayward Pastors?

##### 4.2.4.1 What a Pastor's Sin Means and Does not Mean

Above we saw that Luther, even after a generation of teaching and preaching God's word in law and gospel, did not feel that the time had come to establish excommunication in matters pertaining to the life of Christians. Here the general sermon would have to do also in the future. However, doctrinal excommunications had to be carried out, in Luther's view, because of the messiness of life. Without pure doctrine, life could not be helped.

While certainly also laymen can be adamant and incorrigible about false doctrine, excommunications based on doctrine will mostly affect those who publicly teach doctrine, that is, people like pastors, theological professors, or religion teachers. There is no reason that here a different process should be followed than the one outlined in Matth. 18. After all, false doctrine is a sin too! And it certainly is "against you," in the words of Christ.

In other words, if someone teaches publicly false doctrine, he should be given the benefit of the doubt in the sense that he should not right away be assumed to do so deliberately. He may simply sin out of weakness or ignorance, as was discussed above. In other words, he should not right away be corrected, either publicly or privately. For that would smack of loveless bickering and fault-finding. However, if it appears that a certain false doctrine is taught persistently or deliberately, he should be dealt with according to the steps outlined in Matth. 18.

It is important to note at this point that the efficacy of the means of grace is not dependent on the personal holiness or faith of the minister. So long as he preaches according to the bible and administers the sacraments according to Christ's institution, these means of grace remain valid and powerful. We read in AC VIII, 1:

Again, although the Christian church, properly speaking, is nothing else than the assembly of all believers and saints, yet because in this life many false Christians, hypocrites, and even open sinners remain among the godly, *the sacraments are efficacious even if the priests who administer them are wicked men*, for as Christ himself indicated, “The Pharisees sit on Moses’ seat” (Matt. 23:2).

This is the case precisely because pastors do not speak for themselves or on the basis of their own holiness or “authenticity.” Due to their call by the church, they speak for Christ as his ambassadors and messengers, as we read in the Apology (VII/VIII, 28):

*When the sacraments are administered by unworthy men, this does not rob them of their efficacy. For they do not represent their own persons but the person of Christ, because of the church’s call, as Christ testifies (Luke 10:16), “He who hears you hears me.” When they offer the Word of Christ or the sacraments, they do so in Christ’s place and stead. Christ’s statement teaches us this in order that we may not be offended by the unworthiness of ministers.*

As far as his moral shortcomings, he therefore certainly enjoys the same benefit as lay members of the church. Love should cover and overlook sins of weakness also in his case, according to the Apology’s interpretation of 1 Peter 4:8 that was already discussed above (IV, 242-243):

*This text therefore speaks not of one’s own sins but of other people’s when it says, “Love covers all offenses,” namely, other people’s offenses and offenses between people. Even though these offenses occur, love covers them up, forgives, yields, and does not go to the limit of the law.*

Peter does not mean that love merits the forgiveness of sins in relation to God; that in place of Christ the mediator it is our propitiation; or that it regenerates and justifies. He means that *in human relations it is not peevish, harsh, or implacable; that it covers up some of the mistakes of its friends; and that it puts the best construction even on the more offensive actions of others*, as the common proverb says, “Know, but do not hate, the manners of a friend.” It is not without reason that the apostles speak so often about this duty of love which the philosophers call “leniency.” *This virtue is necessary for the preservation of domestic tranquility, which cannot endure unless pastors and churches overlook and forgive many things.*

Certainly, if a shortcoming of life turns out to be a mortal sin (as defined above), then, obviously, the pastor should be subjected to church discipline according to Matth. 18, if everything that was discussed above has been put in place already. That is, he should be admonished privately, then with witnesses. Finally, the matter might have to be brought to a public decision which might lead to a pastor’s excommunication.

While such a mortal sin of a pastor mostly impacts his soul, impenitently and deliberately breaking God’s word concerning the Christian life also sets the wrong example for his parishioners. They might think that hypocrisy and unabashed antinomianism – do as I say, not as I do; “we’re not Pietists” – is what Christianity is all about. Clearly, in these latter days of

rampant Epicureanism, according to the analysis of the times we discovered above in the Lutheran confessions, such pastors should be expected.

As for a pastor who, perhaps while he is leading a life of the utmost moral integrity as far as the second table of the Ten Commandments (4-10) is concerned, persistently teaches false doctrine and will not let himself be corrected, the Lutheran Confessions have this clear admonition for us (Ap. VII/VIII, 47-48):

[W]e confess that hypocrites and evil men have been mingled with the church and that the sacraments are efficacious even when evil men administer them, for ministers act in Christ's stead and do not represent their own persons, according to the word (Luke 10:16), "He who hears you hears me." *We should forsake wicked teachers because they no longer function in the place of Christ*, but are antichrists. Christ says (Matt. 7:15), "Beware of false prophets"; Paul says (Gal 1:9), "*If anyone is preaching to you a gospel contrary to that which you received, let him be accursed.*"

This admonition based on Christ's clear warning can only be appreciated by those who value doctrine as much as Christ does and as his apostles and the early Lutherans did. If a focus on love means that we castigate the one pastor who, while being fully orthodox in the performance of his duties, fails here and there like the rest of us, while flocking to the other pastor who, while being heterodox in the performance of his duties, leads a great life of moral uprightness, then we need to adjust our focus.<sup>142</sup>

Of course, pastors are called to be examples in doctrine and life (e.g., 1 Tim. 3:1-7). However, in a sinful world we will see problems in both areas. When forced to choose, we must follow the minister who preaches pure doctrine.

#### *4.2.4.2 The Role of a Church Council*

Obviously, the people who should act first on the mortal sin of their pastor should be his own parishioners (or his own students or their parents). However, these might already have been corrupted by ignorance themselves. Neighboring congregations might have to come to the aid of these ignorantly erring brothers and sisters. People, after all, do talk about what their pastors / teachers preach / teach, also to members of neighboring congregations. Members of neighboring congregations should therefore listen to that pastor teach and preach to become personal witnesses of his doctrinal sin.

Fellow pastors might also get involved here in the first step, if they have first-hand knowledge of persistent doctrinal sinning of a brother, e.g., based on what he stated repeatedly at pastors' conferences, internet forums,<sup>143</sup> etc.

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<sup>142</sup> Cf. LC I, 262, 289.

<sup>143</sup> On the internet, however, there is the problem of anonymity of pseudonymity which may make certain statements difficult to attribute to pastor / professor N.

At some point, after witnesses have been added to give further weight to the rebuke, the matter has to come before the church. What would “church” mean here? Who is to be the judge? Traditionally,<sup>144</sup> this kind of church discipline would fall to the next higher level in the church’s hierarchy, that is, the bishops. The church here would be comprised of the bishop’s “congregation,” that is, the clergy and laity of his diocese who would assemble as a “council” or “church convention” to deal with the emergency of a sinning pastor or teacher.

Unearthing the true meaning of this important element of the traditional polity of the church, Luther wrote in his 1539 book on councils and the church (AE 41:133-134):

*A council, then, is nothing but a consistory, a royal court, a supreme court, or the like, in which the judges, after hearing the parties, pronounce sentence, but with this humility, “For the sake of the law,” that is, “Our office is anathematizare, ‘to condemn’; but not according to our whim or will, or newly invented law, but according to the ancient law, which is acknowledged as the law throughout the entire empire.” Thus a council condemns a heretic, not according to its own discretion, but according to the law of the empire, that is, according to Holy Scripture, which they confess to be the law of the holy church. Such law, empire, and judge must surely be feared on pain of eternal damnation. This law is God’s word, the empire is God’s church; the judge is the official or servant of both. ...*

*Moreover, a council cannot administer this judicial office forever without intermission; for the bishops cannot forever remain assembled together, but must gather only in times of certain emergencies and then anathematize, or be judges. Thus, if an Arius in Alexandria grows too strong for his pastor or bishop, attracts the people, and also urges other pastors and people in the country to join him, so that the pastor in Alexandria is defeated and his judicial office can no longer defend the law of the empire, that is, the true Christian faith—in such an emergency and at such a time the other pastors and bishops should rally with all their might around the pastor of Alexandria and help him defend the true faith against Arius and condemn Arius to save the others, so that this misery does not get the upper hand.*

Church conventions or councils, therefore, were not meant to meet in bureaucratic regularity which eventually bogs them down in a labyrinth of purely administrative matters. Councils are to be called together on an emergency basis, that is, in case a heresy cannot be controlled at the

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<sup>144</sup> Cf. Ap. XIV, 1: “[W]e have given frequent testimony in the assembly to our deep desire to maintain the church polity and various ranks of the ecclesiastical hierarchy, although they were created by human authority. We know that the Fathers had good and useful reasons for instituting ecclesiastical discipline in the manner described by the ancient canons.” Based on the brief discussion above, one can say the following: The traditional church polity that placed bishops over pastors and their congregations was clearly of human origin. Yet because it was created to serve the godly purpose of maintaining (doctrinal) discipline in the church, it was a genuine adiaphoron Lutherans were more than happy to preserve. It is on the same level as the universal ceremonies of the Christian worship service. Both are, since not commanded in God’s word, protected by Christian love. As self-imposed exercises in Christian love, both ultimately serve, not the sinner’s justification before God, but the preservation of the church’s unity in the faith. God’s word is in both cases the limit for Christian love: While ceremonies in accordance with God’s word are embraced, other ceremonies are rejected. While bishops discharging their God-given duties by God’s word must be obeyed, those who do not must be avoided (cf. AC XXVIII, 21-28).

lowest level, that is, in a congregation or diocese. If it cannot be controlled in a congregation, the first step is to attempt a diocesan solution, as Bishop Alexander of Alexandria attempted against Arius: He assembled all the priests of his diocese to reach a conclusive decision on the Arian heresy. This failed. The problem continued to grow. Eventually, a council was called to address the matter, which it did, condemning Arianism. It also condemned and thereby excommunicated Arius as an impenitent and hardened teacher of his false doctrine that denied the natural, consubstantial divinity of the Son of God.<sup>145</sup>

Luther clearly appreciated this institution from within the traditional church polity he had inherited. While theologically astute and sincere pastors would be the majority of attendees, he spoke also in favor of the participation of a few laymen, who need to meet the same criteria. These strict selection criteria result in a regional analogue to the congregational assembly of those “who desire to be Christian in earnest.” Luther wrote (AE 41:140):

But not all the bishops, abbots, monks, doctors, and worthless riffraff, or the large number of hangers-on, should come to it. ... *On the contrary, it would be necessary to summon from all lands people who are thoroughly versed in Holy Scripture and who are also seriously and sincerely concerned with God’s honor, the Christian faith, the church, the salvation of souls, and the peace of the world. Among them there should also be a few intelligent and reliable laymen (for this is also a matter that concerns them).*

A council thus constituted, then, represents the church of Jesus Christ on earth. Luther described the astounding spiritual power of such a council very well (AE 41:132-133):

What then can a council do, or what is its task? Listen yourself to their own words. *Anathematizamus* is the name of their office—“We condemn.” Indeed, they speak even more humbly and do not say, “We condemn,” but *anathematizat ecclesia*, “The holy Christian church condemns.” *The council’s condemnation would not terrify me, but the holy church’s condemnation would slay me in an instant because of the Man who says, “I am with you always, to the close of the age” [Matt. 28:20]. Oh, this Man’s condemnation is not to be endured. But the councils, since they appeal to the holy Christian church as to the true and supreme judge on earth, testify that they cannot judge according to their own discretion, but that the church, which preaches, believes, and confesses Holy Scripture, is the judge—as we shall hear. Just as a thief or a murderer would be secure from the judge as far as his person is concerned, but law and country are united in the judge, their servant, and of these two he must be afraid.*

Drawing once again on the distinction between the person and office of a judge as an analogy, Luther roots the council’s power, not in the nobility or sanctity of the persons gathered, but in its specific office. As seen above, that office consists in being a judge in God’s empire, the church, whose official duty it is to judge according to the law of that empire, God’s word. Because of Christ’s presence with his Christian church to the end of the age, his judgment coincides with that of the Christian church. Christ’s judgment will coincide with that of a council if the latter

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<sup>145</sup> Cf. Luther’s account of the council of Nicaea in AE 41:54-57.

judges all things according to God's word. What is true on a congregational level is also true on the broader level in view here: "He who hears you hears me."

#### 4.2.4.3 *The Approach of the LCMS*

Comparing this approach to disciplining pastors with what is currently in place in the LCMS is quite instructive. According to the 2010 *Handbook*, one quickly sees that conventions do not have the task of dealing with false doctrine being taught by members of the Synod. In Bylaw 3.1.1 on the national convention, one reads:<sup>146</sup>

*The national convention of the Synod shall afford an opportunity for worship, nurture, inspiration, fellowship, and the communication of vital information. It is the principal legislative assembly, which amends the Constitution and Bylaws, considers and takes action on reports and overtures, and handles appropriate appeals. It establishes general positions and policies of the Synod, provides overall program direction and priorities, and evaluates all such positions, programs, policies, directions, and priorities in order to provide responsible service for and on behalf of its members.*

After all the nice but secondary items mentioned in the first sentence, legislating human rules for the church is the first responsibility of a Synodical convention, not judging doctrine according to God's word.<sup>147</sup> The establishment of "general positions and policies of the Synod" follows only in second place. These include, according to Bylaw 1.6.2, also doctrinal resolutions or doctrinal statements, the latter of which set forth "the position of the Synod especially in controverted matters." This could be referred to as the teaching function of the national convention.<sup>148</sup>

While all these things are certainly good in one way or another, the paragraph also shows at least two important weaknesses: First, it appears that conventions these days are mainly administrative in nature, that is, they deal with the necessary human rules and regulations in the Synod. Establishing some basic human regulations was an important duty of a council also for Luther, to be sure; but this task took the *last* place.<sup>149</sup> On the other hand, dealing with false doctrine is not

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<sup>146</sup> Bylaw 4.2.1 is the corresponding regulation for district conventions: "*Conventions of the districts shall afford opportunities for worship, nurture, inspiration, fellowship, and the communication of vital information. They are the principal legislative assemblies, which amend the districts' Articles of Incorporation and Bylaws, consider and take action on reports and overtures, and handle appropriate appeals.*"

<sup>147</sup> This is stated with this somewhat paradoxical constitutional proviso (art. VII, 1) in mind: "*In its relation to its members the Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to the individual congregation's right of self-government it is but an advisory body.* Accordingly, no resolution of the Synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a congregation is concerned."

<sup>148</sup> E.g., *A Statement of Confessional and Scriptural Principles* was adopted in 1973 by Synod in convention. Modeled on the Formula of Concord, it taught the truth and rejected error.

<sup>149</sup> The ten chief duties of a council listed in AE 41:123-131 are, in order of precedence: 1. No power to establish new articles of faith; 2. Power to condemn new articles of faith; 3. No power to establish new good works; 4. Power to condemn new good works; 5. No power to impose new ceremonies on the church on pain of mortal sin; 6. Power to condemn such ceremonies; 7. No power to interfere in worldly government; 8. Power to condemn such interference; 9. No power to create rules that support the tyranny of men in the church; 10. Power to create some ceremonies provided they do not support tyranny but are useful for the church. – Since the articles of faith and good

the chief purpose, while for Luther, it was the first duty of a church convention. Accordingly, dealing with false teachers was quite germane to the basic tasks of a council when one follows Luther's traditional approach that is in keeping with Matth. 18. Its modern counterpart has nothing to do with it whatsoever.

Instead, false teachers in the LCMS are dealt with in a different venue that is specified in Bylaw 2.14, "Expulsion of Congregations or Individuals from Membership."<sup>150</sup> This is not the place to go into the intricate details of the procedures outlined there, but what is remarkable is that there is, on the one hand, a desire to comply with Matth. 18. Yet, on the other hand, there is also a strong desire to protect "the reputation of all parties."

One has the impression that the latter concern is the overriding consideration, which brings the procedures set forth here into dangerous proximity to what the Lutherans criticized in the traditional medieval practice. While the procedures may result in the expulsion of a member from Synod, the records of the proceedings including the appeals are to remain sealed permanently (unless specially authorized).<sup>151</sup> No appeal to the public convention is possible (Bylaw 2.14.8.2 (a)). This is problematic because the church, like the church in the days before Luther, now cannot know whether an expulsion was truly deserved. Those who make their decision public must be taken at their word, like the bishops in the early 16<sup>th</sup> century.

To be sure, privacy and "the reputation of all parties" need to be protected. This is what the Eighth Commandment is about. Christ's rules in Matth. 18 provide for that on the first two steps. However, they also provide for publicity on the third step. The place for that type of publicity is either a congregational assembly or a church assembly called a church council or convention, not some secretive committee consisting of three voting members (two district presidents and a lay "reconciler") along with a non-voting member, a "hearing facilitator," who is basically a

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works had already been established by God in Scripture in perfect clarity and sufficient detail (cf. SD RN, 3; SA II, II, 15), the council's work is predominately negative-critical: It has no power to add to what God has given there. It has power to condemn what has been elevated to its level by men.

<sup>150</sup> This bylaw deals with the issues defined in art. XIII, 1-2 of the constitution and spells out the procedural details referenced in that article: "Members who *act contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI or persist in an offensive conduct shall*, after previous futile admonition, be expelled from the Synod. *Expulsion shall be executed only after following such procedure as shall be set forth in the Bylaws of the Synod.*"

<sup>151</sup> Cf. Bylaw 2.14.7.8 (g): "While the matter is still undecided or while an appeal is contemplated or pending, publicity shall not be given to the issues in the matter by any of the persons involved during any part of the procedures outlined in this bylaw. However, at his discretion and as the needs dictate in order to "promote and maintain unity of doctrine and practice" (Constitution, Art. XI B 3) and in order to provide counsel, care, and protection for all the members of the Synod (Article III 8, 9), the President of the Synod or the district president in consultation with the President of the Synod, as the case may be, may properly advise or inform the involved congregation(s) and/or the district or the Synod." And Bylaw 2.14.7.8 (j): "All panel records in which the panel has rendered a final decision shall be placed in the custody of Concordia Historical Institute. All such records shall be sealed and shall be opened only for good cause shown and only after a panel of three district presidents, selected by blind draw for that purpose by the Secretary of the Synod and audited by witnesses, has granted permission."

specially trained reconciler (cf. Bylaw 1.10.12) and who is to “administrate the hearing” and serve as an advisor “on the form but not the substance of the decision” (Bylaw 2.14.7.2).<sup>152</sup>

A second, equally far-reaching shortcoming of the paragraph on the purpose of the national convention quoted above appears: While a church convention or council, according to Luther’s view, reestablished pure doctrine on behalf of the whole Christian church on earth on the basis of God’s word, LCMS conventions simply establish “the position” of the human religious organization called LCMS.<sup>153</sup>

This shortcoming reappears in the church disciplinary procedures: They only lead to the expulsion of an impenitent violator from membership in that human organization. This means that the procedure, unlike that envisioned by Luther, does not automatically lead to excommunication. It is, then, simply a measure of that human organization to enforce conformity to its particular rules and regulations which certainly include a “doctrinal article,” but are not limited to it.<sup>154</sup>

The duty to excommunicate<sup>155</sup> is passed down to the congregation where a given public teacher holds membership. Given the secrecy of the proceedings – only the final decisions are made public (Bylaw 2.14.7.9 (b) and 2.14.8.2 (d)) – one does wonder once more whether here Synod has not returned to those perilous times before the reformation, against which Luther asserted (AE 40:371-372):

*[A] Christian congregation is not to play the part of a servant girl in the court of the bishop’s deputy, or of the jailer to the bishop, so that either one of them can say: “Hey there, Gretel and Hans, keep this or that person under the ban.” The congregation need not respond, “At your service, dear deputy.” This perhaps might make sense in secular government, but in this case, where souls are at stake, the congregation shall have a place as judge and helper.*

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<sup>152</sup> LCMS reconcilers are (exclusively?) trained by Ambassadors of Reconciliation, Inc. According to an article by Ted Kober published on the website of Ambassadors of Reconciliation, Inc. (and written for the *President’s Leadership News* in the March 2010 issue of *The Reporter*), there is a difference between conflict resolution and reconciliation: “Conflict resolution focuses on resolving the material or substantive issues in a dispute, while reconciliation seeks to restore relationships by addressing the personal or relational issues.” The article, while stating that most conflicts involve a mixture of both substantive and personal issues, suggests strongly that reconciliation – addressing the fact that “we sin against one another” – is the most important step toward resolving a conflict. Once “trust” is “rebuilt through mutual confession and forgiveness,” any substantive issues almost resolve themselves. – The two reconcilers are therefore of central importance in this process.

<sup>153</sup> Therefore, even though doctrinal statements such as *A Statement* referenced earlier may imitate the phraseology of the Confessions, they do not reach their catholicity. At the end of the day, statements adopted by the LCMS in convention are nothing more than that: statements of the LCMS.

<sup>154</sup> Cf. art.s II and VI.

<sup>155</sup> It is not entirely clear if excommunication is indeed meant in art. XIII, 3 of the constitution, where it states: “If the member expelled is a pastor or teacher in a congregation of the Synod, such congregation, unless it has already done so, is held to depose him from office *and to deal with him in accordance with the Word of God*, notwithstanding an appeal. *If it persistently refuses to do so, the respective district is to deal with it. If all negotiations and admonitions fail of their purpose, such congregation forfeits its membership in the Synod.*” Dealing with a persistent heretic “in accordance with the Word of God” would be to excommunicate him. But is this meant?

However, if excommunication from the holy Christian church is not a possible outcome of a given procedure, then it cannot claim support in what Christ teaches in Matth. 18. For a possible outcome of what Christ laid out for his church is that an impenitent sinner is indeed excommunicated. If that is not a possible outcome, then we are talking about an altogether different matter.

At the bottom of this problematic appropriation of Matth. 18 in the current Synodical rules and regulation seem to be two things: There is, first of all, the old question of whether Synod is a church in the proper sense of the word. That is to say, the issue is about whether the LCMS is *primarily* a member of the holy Christian church, an assembly of believers among whom the word is preached rightly and the sacraments are administered according to that word (cf. AC VII, 1), or whether it is *exclusively* a non-for-profit organization incorporated under the state of Missouri. Only if it is a church can it legitimately use Matth. 18, where the last step consists in bringing the matter before the *church*, not the officers of some human corporation.

Much could and should be said about this. At this point, I limit myself to just this comment: Based on what Luther had to say about the duties of a council, that is, an assembly of bishops, pastors, and laymen from a number of congregations, it appears that he would say: yes, it is just such a thing. When it assembles in the form of a council, it speaks, not just for itself as a human organization, but for the holy Christian church on earth. When it excludes one of its own<sup>156</sup> from itself, then it excludes that person not just from its organizational roster; it also removes him also from the holy Christian church.<sup>157</sup> The positive aspect of being church in this way is equally clear: People not only can be restored to membership in a human organization by that organization according that organization's bylaws, which really means nothing in God's kingdom of grace. People can actually be forgiven by that church according to God's word, which really means everything in God's kingdom of grace.

There is, secondly, also the attempt to implement Matth. 18 without having the right people. In other words, because the spiritual state of the LCMS is judged to be such that many or most lack the maturity required for this procedure so that it might be both public *and* in keeping with the Eighth Commandment, a more secretive route is taken, which, just like in the church before Luther, does nothing to decrease divisions in the church but only lead to more vitriol and sectarianism. This is why it might be best to heed Luther's warning and discontinue such practice until such a time when we once again have the right people.

## **5 Discipline and Participation in the Lord's Supper**

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<sup>156</sup> "One of its own" is, accordingly, broader than an individual or congregational member of the legally incorporated non-for-profit organization. It is every single member of every single congregation belonging to that organization.

<sup>157</sup> Evidently, this does not mean that the Christian church on earth thereby becomes coterminous with the LCMS.

Finally, after all this preparatory work, we come to the actual topic of this presentation: church discipline in view of participation in the Lord's Supper. The Lord's Supper requires special attention here because of what Paul writes in 1 Cor. 11:27-29:

Whoever eats this bread or drinks this cup of the Lord in an unworthy manner will be guilty of the body and blood of the Lord. But let a man examine himself, and so let him eat of the bread and drink of the cup. For he who eats and drinks in an unworthy manner eats and drinks judgment to himself, not discerning the Lord's body.

### *5.1 1 Cor. 11 in Context: Division in the Church*

First off, a few remarks on the context:<sup>158</sup> As is well known, "the issue" at Corinth was a lack of unity in the congregation that showed itself in a lack of love and togetherness in the celebration of the Lord's Supper. Paul writes in 1 Cor. 11:18: "when you come together as a church, I hear that there are divisions [σχίσματα] among you." In the following verse, he calls those divisions "factions" [αἱρέσεις].

In 1 Cor. 1:10-13 Paul offered the following plea and foundational analysis of the situation in Corinth:

Now I plead with you, brethren, by the name of our Lord Jesus Christ, that you all speak the same thing, and that there be no divisions [σχίσματα] among you, but that you be perfectly joined together in the same mind and in the same judgment. For it has been declared to me concerning you, my brethren, by those of Chloe's household, that there are contentions [ἔριδες] among you. Now I say this, that each of you says, "I am of Paul," or "I am of Apollos," or "I am of Cephas," or "I am of Christ." ***Is Christ divided?*** [μεμέρισται ὁ Χριστός;] Was Paul crucified for you? Or were you baptized in the name of Paul?

This is restated and analyzed further in 1 Cor. 3:1-7:

And I, brethren, could not speak to you as to spiritual people but as to carnal, as to babes in Christ. I fed you with milk and not with solid food; for until now you were not able to receive it, and even now you are still not able; for *you are still carnal. For where there are envy, strife, and divisions [ζῆλος καὶ ἔρις καὶ διχοστασίαι] among you, are you not carnal and behaving like mere men? For when one says, "I am of Paul," and another, "I am of Apollos," are you not carnal? Who then is Paul, and who is Apollos, but ministers through whom you believed, as the Lord gave to each one? I planted, Apollos watered, but God gave the increase. So then neither he who plants is anything, nor he who waters, but God who gives the increase.*

It seems, then, that these party divisions caused by a carnal and overzealous allegiance to various teachers (Paul, Peter, Apollos) have led the congregation to split up into various little groups

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<sup>158</sup> Cf. the 1999 CTCR study *Admission to the Lord's Supper*, 7-12. Its lengthy discussion of the "social" setting (the contemporary Corinthian culture of pride and boasting) could have been augmented or replaced by a careful study of Paul's theological evaluation of dissent and strife in the congregation.

even during the celebration of the Lord's Supper, as Paul points out in 1 Cor. 11:21: "For in eating, each one takes his *own supper* [τὸ ἴδιον δεῖπνον] ahead of others; and one is hungry and another is drunk." Consequently, Paul judges in verse 20: "Therefore when you come together in one place, it is not to eat the *Lord's Supper* [κυριακὸν δεῖπνον]."

For Christ is not divided, one could say, answering Paul's rhetorical question in 1 Cor. 1:13. Divisions at the altar actually destroy the Lord's Supper, making it into the Christians' supper, because they are truly counter to the nature of this sacrament that can rightly be called the "sacrament of unity."<sup>159</sup> For, as Paul explains in 1 Cor. 10:16-17:

The cup of blessing which we bless, is it not the communion [κοινωνία] of the blood of Christ? The bread which we break, is it not the communion [κοινωνία] of the body of Christ? For we, though many, are one bread and one body [εἷς ἄρτος ἐν σώμα οἱ πολλοὶ ἐσμεν]; for [γὰρ] we all partake of that one bread.

Now, in the case of the Corinthians, their teachers were all faithful. The divisions that broke out, therefore, were not based on doctrine per se, but on a lack of love caused by their flesh, their sinful nature, taking control of their actions. Now, even as we believe in justification by faith alone, such a lack of love in the congregation is no harmless matter. Paul states in Gal. 5:19-21 that persistence in the kinds of works of the flesh he observed in Corinth – "hatred, *contentions*, jealousies, outbursts of wrath, selfish ambitions, *dissensions*, *heresies* [ἔχθραι, ἔρεις, ζῆλοι, θυμοί, ἐριθείαι, διχοστασίαι, αἰρέσεις]" – exclude a person from salvation. Such works, therefore, must exclude a person from partaking in Christ's body and blood in the sacrament of the altar.

Moreover, as we can learn from the Lutheran Confessions based on Col. 3:14, a lack of love in the church can quickly lead to divisions in the faith itself (Ap. IV, 231-232):

In the Confutation our opponents have also cited against us Col. 3:14, "love, which is the bond of perfection." From this they argue that love justifies since it makes men perfect. *Though we could give many answers about perfection, we shall simply present Paul's meaning. He is obviously discussing love of our neighbor. We have no right to suppose that Paul would ascribe either justification or perfection before God to the works of the Second Table rather than the First. If it is love that makes men perfect, Christ, the propitiator, will be unnecessary. Only faith takes hold of Christ, the propitiator. Paul would never permit Christ, the propitiator, to be excluded, and hence this view is far removed from his intention. So he is talking not about personal perfection but about fellowship in the church. He says that love is a bond and unbroken chain linking the many members of the church with one another. ... Paul commands that there be love in the church to preserve harmony, to bear, if need be, with the crude behavior of the brethren, to cover up minor mistakes, lest the church disintegrate into various schisms and the hatreds, factions, and heresies that arise from such schisms.*

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<sup>159</sup> This is also why, as stated above, excommunication from the church excludes automatically and chiefly from participation in the Lord's Supper.

Clearly, this explains why Paul is so vigorous in dealing with the lovelessness he perceived in the congregation in Corinth that had found its way to the communion table. The unity of the church in doctrine was at stake.

In Rom. 16:17, Paul discusses another form of division caused by allegiance to teachers. The teachers he has in mind here did bring different teachings. For he writes: “Now I urge you, brethren, note those who cause divisions and offenses [τοὺς τὰς διχοστασίας καὶ τὰ σκάνδαλα ... ποιοῦντας], contrary to the doctrine which you learned, and avoid them.” In other words, Paul urged the Christians in Rome to stay away from such divisive teachers lest the prediction in his sermon to the Ephesian elders came true. For there he had said (Acts 20:28-30):

Therefore take heed to yourselves and to all the flock, among which the Holy Spirit has made you overseers, to shepherd the church of God which He purchased with His own blood. For I know this, that after my departure savage wolves will come in among you, not sparing the flock. *Also from among yourselves men will rise up, speaking perverse things, to draw away the disciples after themselves.*

In other words, dissent and lack of unity in the congregation can have two reasons: first, a carnal lack of love for other members of the congregation that shows itself in inconsiderate behavior especially to the weak and poor brethren (cf. 1 Cor. 1:26-31; 8:7-13; 11:21-22); second, a lack of unity in the faith, when some members follow teachers that espouse heterodox doctrines. As seen, the former can lead to the latter, in that people that are treated lovelessly are more likely to embrace heterodox teaching. In either case, partaking of the sacrament of unity, the Lord’s Supper, is ruled out, because the “dissenters” are unworthy of the sacrament.

### 5.2. 1 Cor. 11:27-33: *Worthiness, Discernment, Judgment, and Self-Discipline*

First of all, if dissent and disunity makes one unworthy of the Lord’s Supper, this seems to give undue weight to love, sanctification, and, perhaps worst of all, *doctrine*. Did not Luther say that faith in Christ’s words of promise alone makes us “worthy” to partake in Christ’s body and blood (SC VI, 9-10):

Who, then, receives this sacrament worthily?

Answer: Fasting and bodily preparation are a good external discipline, but *he is truly worthy and well prepared who believes these words: “for you” and “for the forgiveness of sins.”* On the other hand, he who does not believe these words, or doubts them, is unworthy and unprepared, for the words “for you” require truly believing hearts.

Of course, it is worthwhile to ask: what is this kind of faith Luther is talking about here? Is it the kind of faith that can coexist with simply remaining in the kinds of sins militating against God’s moral law, the Ten Commandments? When we consider that God’s moral law not only forbids

fornication, adultery, and theft, but also false doctrine,<sup>160</sup> this question becomes especially relevant for our current discussions on “closed communion.”<sup>161</sup> We have already established above that genuine faith does not exist with impenitence. As a refresher, let us just take a brief look at these few paragraphs from the Apology (Ap. IV, 141-145):

In fact, we add that *it is impossible to separate faith from love for God, be it ever so small*. For through Christ we come to the Father; and having received the forgiveness of sins, we become sure that we have a gracious God who cares about us, we call upon him, give thanks to him, fear and love him. So John teaches in his first epistle (4:19); “We love,” he says, “because he first loved us,” that is, because he gave his Son for us and forgave us our sins. So he indicates that faith precedes while love follows. *The faith of which we are speaking, moreover, has its existence in penitence; that is, it is conceived in the terrors of a conscience that feels God’s wrath against our sins and looks for forgiveness of sins and deliverance from sin. This faith ought to grow and be strengthened in these terrors and in other afflictions. And so it cannot exist in those who live according to the flesh, who take pleasure in their lusts and obey them.* Therefore Paul says (Rom. 8:1), “There is therefore now no condemnation for those who are in Christ Jesus, who do not walk according to the flesh, but according to the Spirit.” And in Rom. 8:12, 13 he says, “We are debtors, not to the flesh, to live according to the flesh — for if you live according to the flesh you will die, but if by the Spirit you put to death the deeds of the body, you will live.” Receiving the forgiveness of sins for a heart terrified and fleeing from sin, therefore, such a faith does not remain in those who obey their lusts, nor does it exist together with mortal sin.

In other words, while faith in Christ alone justifies and begets love, such faith cannot coexist with impenitence, that is, following one’s sinful nature, the flesh mentioned by Paul several times in First Corinthians. For that would be Epicureanism, in the language of the latter confessions. And the flesh is precisely what causes divisions in the church, be it out of lack of love or out of lack of unity in the faith. Yet this means that a lack of unity in the church always

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<sup>160</sup> False doctrine is prohibited not only by the First Commandment in general but also by the Second and Eighth Commandments in particular, cf. LC I, 54-55, 64, 262. This is why Christians pray against it in the First Petition of Lord’s Prayer, cf. SC III, 5; LC III, 41. For it, as well as unholy living, disgraces God’s holy name.

<sup>161</sup> Consider here the 1996 document, *A Declaration of Eucharistic Understanding and Practice* (DEUP). In 1997, the piece was adopted by the Florida-Georgia District of the LCMS. This caused the 1998 national convention to charge the CTCR to write a rebuttal, the 1999 *Admission to the Lord’s Supper* cited above. The 2001 convention declared the 1997 adoption of DEUP by the Florida-Georgia District to be null and void. While DEUP did state that repentant faith was necessary for communicants, it stated that “Scripture imposes no denominational requirement on baptized Christians who accept the Real Presence and are able to examine themselves and desire to receive the Body and Blood of Christ offered in the Lord’s Supper” (the document, with its introductory study of scripture and confessions, is available online: [http://www.trinitydowntown.org/worship/Cel\\_P96.htm](http://www.trinitydowntown.org/worship/Cel_P96.htm), accessed 2011-12-20). If we consider that denominations are not simply doctrinally neutral sociological entities but church bodies gathered around a shared confession based on a true or false interpretation of God’s Word, then we can see DEUP’s inconsistency clearly: Repentant faith would also include a Christian’s desire to rebuke according to Matth. 18 those who, by confessing false doctrine, persistently dishonor God’s name by breaking God’s Second Commandment. If all else fails, he would desire to disassociate himself from them and to associate with those who honor God’s name in faith and love. Such desire and action would greatly contribute to the peace and unity in the church in general and in particular in the congregation where one desires to partake of the sacrament.

points to a lack of genuine faith among its members, even to the point of suggesting the total absence of faith in certain individuals. Participation in the Lord's Supper with what can be no more than a "complacent Epicurean delusion" (SD IV, 15) will lead to God's judgment.

Second, it is remarkable how Paul uses the root κρινω six times in 1 Cor. 11:27-33:

Therefore whoever eats this bread or drinks this cup of the Lord in an unworthy manner [ἀναξίως] will be guilty of the body and blood of the Lord. But let a man examine [δοκιμαζέτω] himself, and so let him eat of the bread and drink of the cup. For he who eats and drinks in an unworthy manner [ἀναξίως] eats and drinks judgment [κρίμα] to himself, not discerning [διακρίνων] the Lord's body. For this reason many are weak and sick among you, and many sleep. For if we would judge ourselves [ἑαυτοὺς διεκρίνομεν], we would not be judged [ἐκρινόμεθα]. But when we are judged [κρινόμενοι], we are chastened [παιδευόμεθα] by the Lord, that we may not be condemned [κατακριθῶμεν] with the world. Therefore, my brethren, when you come together to eat, wait for one another.

The range of meaning covers God's present and chastening or disciplining judgment – disease and physical death – among those who eat and drink Christ's body and blood unworthily. It includes the discerning of the body (and blood) of Christ. It also covers repentance ("judging ourselves"). And it finally also includes God's future judgment and, in fact, condemnation of those who will not be moved to repentance by God's physical discipline in this life.

After what has been said above about suffering as God's chastening discipline, not much needs to be added here. It is clear that temporal penalties are imposed by God in his mercy to avoid the greater and eternal punishments for the impenitent in hell.<sup>162</sup> The purpose of these "measures" is again to lead the sinner to repentance and faith in the gospel.

These measures are to be avoided by a self-critical approach to the Lord's Supper. Self-judging here means no less than to lead the repentant life of a Christian, as this is explained in Ap. XII, 163-164:

They quote Paul against us (1 Cor. 11:31), "If we judged ourselves truly, we should not be judged" by the Lord; but *the word "judge" refers to the whole process of penitence and the fruits that are due*, not to "non-obligatory works." Our opponents are paying the penalty for their neglect of grammar when they explain "judge" as "to make a pilgrimage to St. James dressed in armor or to perform similar works." "*Judge" means all of penitence; it means to "condemn sins."* Such condemnation really happens in contrition and in a changed life. *The whole process of penitence — contrition, faith, and good fruits — brings about the mitigation of public and private punishments and calamities*, as Isa. 1:16–19 teaches: "Cease to do evil, learn to do good. Though your sins are like scarlet,

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<sup>162</sup> Physical punishments, including death, inflicted by God need not automatically be considered to be tantamount to being confined to hell, cf. Luther's remarks on the death of Lot's pious but weak wife recorded in Gen. 19:26 in AE 3:299-300, where he even quotes 1 Cor. 11:32.

they shall be white as snow. If you are willing and obedient, you shall eat the good of the land.”

In other words, participation in the Lord’s Supper is open to those who lead the life of self-discipline described earlier. In the power of the Holy Spirit, they roll back the influence of the old Adam on their lives and train their bodies so that they might more fully glorify God and serve their neighbors by leading a life of increasing holiness according to the Ten Commandments.

This does not negate the crucial importance of faith in Christ for one’s worthy participation in the Lord’s Supper. Faith is that by which man lays hold of Christ’s righteousness and salvation (justification) so that we are worthy, not by virtue of faith’s inherent quality as a good work, but by virtue of Christ’s merits (cf. SD VII, 71). Yet this faith is inseparably also that which begets love in the Christian (sanctification). Therefore, we read in the Solid Declaration (SD VII, 69):

*True and worthy communicants ... are those timid, perturbed Christians, weak in faith, who are heartily terrified because of their many and great sins, who consider themselves unworthy of this noble treasure and the benefits of Christ because of their great impurity, and who perceive their weakness in faith, deplore it, and heartily wish that they might serve God with a stronger and more cheerful faith and a purer obedience.*

The worthy are, then, those who “consider themselves unworthy” because they believe the law and therefore judge themselves correctly according to God’s law as “unworthy of this noble treasure.” Yet at the same time they, because they believe in the gospel, “heartily wish that they might serve God with a stronger and more cheerful faith and a purer obedience.”

This is in keeping with what Luther wrote in the Large Catechism (LC V, 61):

*[I]t is the highest wisdom to realize that this sacrament does not depend upon our worthiness. We are not baptized because we are worthy and holy, nor do we come to confession pure and without sin; on the contrary, we come as poor, miserable men, precisely because we are unworthy. The only exception is the person who desires no grace and absolution and has no intention to amend his life.*

This is why Luther is correct in writing: “Fasting and bodily preparation are certainly fine outward training. But that person is truly worthy and well prepared who has faith in these words: ‘Given and shed for you for the forgiveness of sins.’” It would be a confusion of justification and sanctification if we made our progress in sanctification, to which both “fasting and bodily preparation” contribute, as seen above, the decisive condition for attendance in the Lord’s Supper. However, it would also be a confusion of justification and sanctification to believe that genuine faith and true worthiness exist without any sanctification in body and soul.

### *5.3 The Role of Pastors: Teaching and Examining, Admitting and Excluding*

#### *5.3.1 The Relationship between Self-Examination and Pastoral Examination*

After what has been stated in the previous section about the role of pastor and congregation in punitive church discipline, only a few remarks are necessary at this point to apply what was said there to the case of the Lord's Supper.

If Paul here in 1 Cor. 11 calls for self-discipline in the wake of self-examination, are then those justified who say that the church or the pastor has no business in interjecting themselves between the self-searching soul and Christ's body and blood in the Lord's Supper?<sup>163</sup> Obviously, they are not. Because when considering participation in the Lord's Supper, we cannot just limit ourselves to looking at the participants. We also have to look at those who are charged to administer the sacrament. These are not just blind cookie dispensing machines. They are stewards of the mysteries (1 Cor. 4:1), charged to tell some to come forward and others to abstain.<sup>164</sup>

When it comes to participating in the Lord's Supper, there are, as seen, the worthy and the unworthy participants. That is to say, a distinction must be made among sinners. There are repentant sinners who believe in Christ and struggle daily against their sins. And there are impenitent sinners who proudly follow their own choices in life, even at the expense of unity in the church.

The former must be encouraged to come to the Lord's Supper, as this sacrament has been established by Christ for repentant sinners. The latter, however, are the ones to whom Matth. 18 applies. Therefore, they must be told to stay away, as their faithless, and hence loveless (cf. 1 Cor. 11), eating of the sacrament will only bring God's judgment upon them as it did in the case of the Corinthians who had done away with loving their neighbor in their worship services because they had previously lost faith in the gospel. In fact, Paul, by writing what he does in 1 Cor. 11, exercises from a distance his duties as a steward of the mysteries.

Luther wrote (LC V, 58-59, cf. 69-70):

For this reason we must make a distinction among men. *Those who are shameless and unruly must be told to stay away, for they are not fit to receive the forgiveness of sins since they do not desire it and do not want to be good.* The others, who are not so callous

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<sup>163</sup> Cf. again DEUP: "We reject and condemn ... the belief and practice that the congregation, the celebrating pastor ... presume the right of examination clearly imposed upon each believer (I Cor. 11:17-34)." This seems to be one of the self-contradictions of this declaration. First, it quotes from the Large Catechism that the impenitent are to be told to stay away from communion. Then, it states in the text just quoted that the pastor should not "presume the right of examination clearly imposed upon each believer." Does the catechism really have no more in mind than a general statement that tells those in attendance: "Do not come if you are impenitent"? In other words, how is self-examination related to an examination by the pastor? Are they mutually exclusive, the former being the only biblical option?

<sup>164</sup> AC XXIV, 34-39 is about the fact that Lord's Supper is not primarily a sacrifice but a communion. These paragraphs are therefore chiefly about giving the sacrament to those who ask for it. Interestingly, to describe their own practice of communion, they approvingly summarize the end of Chrysostom's third homily on Ephesians – there he admonished those who live in impenitence not to come forward to touch with unclean lips the body and blood of God – by saying (36): "Chrysostom reports how the priest stood every day, *inviting some to Communion and forbidding others to approach.*"

and dissolute but would like to be good, should not absent themselves, even though in other respects they are weak and frail.

### 5.3.2 *The Importance of Teaching*

The question now is: How is this telling to be done? And who is to do it? Given the importance of common preaching and teaching, it is crucial that the pastor in particular preach faithfully about the Lord's Supper when it comes to both worthy and unworthy participants. In this way, both hypocrites and open sinners are given a clear warning, while timid believers are encouraged to come forward, trusting not in their timidity or faith, but in Christ's blood shed and in Christ's body given for their sin. Since self-judging encompasses the entire life of the Christian in faith and love, the importance of teaching the whole counsel of God is immediately clear.

Of course, in today's situation there might be an actually decent and nice relative from the ELCA who visits our church. They do not appear to be "shameless and unruly." And they might also be ignorant about the importance of the differences between the Lutheran Church and the ELCA. What about them?

First of all, it was stated above that "shamelessness" does not only consist in impenitence when it comes to crass sins such as adultery, drunkenness, and homosexuality. Shamelessness can also consist in impenitence when it comes to false doctrine. Therefore, if we assume the clarity of Scripture and of the Small Catechism, then those decent folks from the ELCA might have already noticed: not all is well in their church body! And since not all is well, then they might have already found the fortitude to speak up according to Matth. 18 or to look for a different church home. If they have not found that fortitude, we should wonder about the genuineness of their faith, i.e., about their worthiness.

Second, if we, perhaps more realistically, assume ignorance on the part of the visitor, we should heed Luther's injunction, from the beginning of his discussion of the Lord's Supper in the Large Catechism (LC V, 1-2):

As we treated Holy Baptism under three headings, so we must deal with the second sacrament in the same way, stating what it is, what its benefits are, and who is to receive it. All these are established from the words by which Christ instituted it. So everyone who wishes to be a Christian and go to the sacrament should be familiar with them. *For we do not intend to admit to the sacrament and administer it to those who do not know what they seek or why they come.*

In other words, communicants need not only have faith in the words of promise connected to the bread and the wine of the sacrament of the altar. To have such faith, they also need to know the words of institution and their correct meaning which is set forth, e.g., in the Small Catechism. Since their faith needs to be repentant, as seen above, they need to know the proper understanding of God's law, the Ten Commandments. Since the promise of the Lord's Supper merely distributes what Christ won on the cross of Golgotha, they need to know about this

Christ, as he is confessed by the Apostles' Creed. Knowledge of the Creed, and of true prayer, is also needed so that God's law might be more and more fulfilled in the life of the repentant believer. Since the Lord's Supper is not the first and only sacrament they encountered in their lives as Christians, clearly, there is a need for instruction in baptism.

You get the drift: when Luther speaks here of the need to instruct prospective communicants in the meaning of the Lord's Supper, he clearly had more in mind than a vague or even wrong communion statement about the nature and the benefits of the Lord's Supper. He had in mind careful and patient instruction in the basics of the Christian faith, as set forth, e.g., in the Small Catechism. In other words, teaching the catechism prepares for worthy communion attendance. This is why Luther writes, in the Preface to the Small Catechism (10-11):

Begin by teaching them the Ten Commandments, the Creed, the Lord's Prayer, etc., following the text word for word so that the young may repeat these things after you and retain them in their memory. *If any refuse to receive your instructions, tell them that they deny Christ and are no Christians. They should not be admitted to the sacrament, be accepted as sponsors in Baptism, or be allowed to participate in any Christian privileges.*

As seen above, the last sentence is actually a precise description of what excommunication is all about.<sup>165</sup> Yet this is clearly not the first step. The first step, especially when people of a different denomination are attending communion already, would be to instruct them and the congregation. If they are willing to be instructed, fine. If not, well, then they have shown their lack of faith by refusing to be instructed in Christ's Word. A pastor must then do his duty<sup>166</sup> and not admit them any longer to the sacrament of the altar.

As to the "spiritual" status of those visitors prior to careful instruction, it would best to class them with the baptized children of the congregation who have not begun their catechism instruction. Walther placed these folks in "suspended" status,<sup>167</sup> but, as we will see below,

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<sup>165</sup> Cf. AE 39:7 as a reminder: Excommunication's "*principal, real function and power is to deprive a sinful Christian of the holy sacrament and to forbid it to him. That is why the one cannot be understood without the other as long as they stand in opposition to each other.*" The Latin word *communio* means 'fellowship,' and this is what scholars call the holy sacrament. Its opposite is the word *excommunicatio*, which means 'exclusion' from this fellowship, and this is what scholars call the ban."

<sup>166</sup> Cf. Tr. 60-61 as a reminder: "*The Gospel requires of those who preside over the churches that they preach the Gospel, remit sins, administer the sacraments, and, in addition, exercise jurisdiction, that is, excommunicate those who are guilty of notorious crimes and absolve those who repent.*" By the confession of all, even our adversaries, it is evident that this power belongs by divine right to all who preside over the churches, whether they are called pastors, presbyters, or bishops."

<sup>167</sup> Cf. his 1870 *Theses on Communion Fellowship*, Thesis XI: "We do not place members of heterodox fellowships under excommunication or declare them to be heretics or damned by our refusal to allow them to participate in the celebration of communion within the fellowship of the Lutheran Church. Instead, they are merely suspended until such time as by their separation from the false fellowship they are reconciled with the orthodox church." See also *Pastoraltheologie*, 161-162. There, Walther calls for a suspension in cases such as when a person announcing their intention to go to communion lives in manifest impenitence. As this appears to be a case of what jurists call *periculum in mora* or exigent circumstance, a pastor could act without the formal excommunication by the whole congregation to avoid sin on his part, danger to the prospective communicant, and offense to the congregation before the steps prescribed in Matth. 18 could be followed. However, is such manifest impenitence always given when a

“suspension” from communion is itself a questionable category and should therefore be avoided. Therefore, so long as they willing to be instructed, they should be told to abstain from communion for that reason alone, while they are assured that, by virtue of their faith and baptism, they are indeed a child of God.

If we can take a lesson here from Luther’s own practice, then we see that this kind of instruction can take place in preaching and in other forms, e.g., adult instruction class. If we want to put a timeline on it, three years is what Luther allotted: the time between his first “Lutheran” teachings on the sacrament in 1520<sup>168</sup> and the 1523 liturgical reforms in Wittenberg. Since at that early time the medieval consensus concerning the nature of the sacrament (“It is Christ’s body and blood under bread and wine”) was still unshaken, he focused especially the benefits of the Lord’s Supper based on the words on institution. By the time he preached his Maundy Thursday sermon in 1523,<sup>169</sup> he pointed out to his parishioners that there is a vast difference between merely believing that Christ’s body and blood are given in the sacrament and believing also the “for you” of Christ’s death that would later feature prominently in the Small Catechism.

He also told the congregation that the time of instruction had come to an end. Now they would be admitted to communion only if they could tell the pastor what they had learned concerning the nature, benefits and use of the sacrament. For, as Luther pointed out, there was not only the concern for the communicant’s knowledgeable and worthy reception of the sacrament. There was moreover the reality that the sacraments function not only in man’s relationship to God; they also have a function as practical confessions of the Christian faith.<sup>170</sup>

### *5.3.3 The Lord’s Supper as Public Confession of the Christian Faith and Individual Absolution*

All this Luther restates in the remarks included in the 1523 Order of Mass and Communion for the Church at Wittenberg. There Luther writes about the communion of the people:

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person, perhaps in ignorance, is a member of another church body? Should Matthew 18, therefore, not be followed in every case and not be overridden by the pastor’s scrupulousness?

<sup>168</sup> Cf. only his *Treatise on the New Testament, that is, the Holy Mass* (AE 35:79-111) and his *The Babylonian Captivity of the Church* (esp. AE 36:19-57).

<sup>169</sup> Cf. WA 12:481.

<sup>170</sup> Cf. AC XIII, 1: “It is taught among us that the sacraments were instituted *not only to be signs by which people might be identified outwardly as Christians*, but that they are signs and testimonies of God’s will toward us for the purpose of awakening and strengthening our faith.” Clearly, the sacraments’ outward function as a mark of the Christian church is secondary, but it is still an important function of the sacraments which the Lutheran Confessions affirm (see also Ap. VII/VIII, 3-5; XIII, 1; XXIV, 69). Strangely, while featured prominently in Walther’s 1870 theses on communion fellowship with those who believe differently (thesis VII), this aspect is totally absent not only from DEUP but also from the CTCR document written in response, even though the latter speaks a great deal about “Christians as confessors.” At any rate, it should have been pointed out: as church fellowship is based on an agreement with Scripture concerning the external, faith creating and sustaining marks of the church set forth in AC VII – the preaching of the gospel and the administration of the sacraments – so communion fellowship is based on that same agreement. Worthiness is based on *fides qua* (faith in the gospel); fellowship is based on *fides quae* (the gospel and all its articles). *Fides qua* rests on the *fides quae*. The former is therefore in serious danger where the latter is not preserved intact. “Anonymous Christians” are those individuals who, by God’s grace, maintain *fides qua* in the midst of a damaged public teaching of the *fides quae*.

*Here one should follow the same usage as with baptism, namely, that the bishop be informed of those who want to commune. They should request in person to receive the Lord's Supper so that he may be able to know both their names and manner of life. And let him not admit the applicants unless they can give a reason for their faith and can answer questions about what the Lord's Supper is, what its benefits are, and what they expect to derive from it.* In other words, they should be able to repeat the Words of Institution from memory and to explain that they are coming because they are troubled by the consciousness of their sin, the fear of death, or some other evil, such as temptation of the flesh, the world, or the devil, and now hunger and thirst to receive the word and sign of grace and salvation from the Lord himself through the ministry of the bishop, so that they may be consoled and comforted; this was Christ's purpose, when he in priceless love gave and instituted this Supper, and said, "Take and eat," etc.

*But I think it enough for the applicants for communion to be examined or explored once a year. Indeed, a man may be so understanding that he needs to be questioned only once in his lifetime or not at all. For, by this practice, we want to guard lest the worthy and unworthy alike rush to the Lord's Supper, as we have hitherto seen done in the Roman church. There they seek only to communicate; but the faith, the comfort, the use and benefit of the Supper are not even mentioned or considered. Nay, they have taken pains to hide the Words of Institution, which are the bread of life itself, and have furiously tried to make the communicants perform a work, supposedly good in itself, instead of letting their faith be nourished and strengthened by the goodness of Christ. Those, therefore, who are not able to answer in the manner described above should be completely excluded and banished from the communion of the Supper, since they are without the wedding garment [Matt. 22:11–12].*

*When the bishop has convinced himself that they understand all these things, he should also observe whether they prove their faith and understanding in their life and conduct. For Satan, too, understands and can talk about all these things. Thus if the pastor should see a fornicator, adulterer, drunkard, gambler, usurer, slanderer, or anyone else disgraced by a manifest vice, he should absolutely exclude such person from the Supper—unless he can give good evidence that his life has been changed. For the Supper need not be denied to those who sometimes fall and rise again, but grieve over their lapse. Indeed, we must realize that it was instituted just for such people so that they may be refreshed and strengthened. "For in many things we offend all" [Jas. 3:2]. And we "bear one another's burdens" [Gal. 6:2], since we are burdening one another. But I was speaking of those arrogant people who sin brazenly and without fear while they boast glorious things about the gospel.*

When mass is being celebrated, those to receive communion should gather together by themselves in one place and in one group. The altar and the chancel were invented for this purpose. God does not care where we stand and it adds nothing to our faith. The communicants, however, ought to be seen and known openly, both by those who do and by those who do not commune, in order that their lives may be better observed, proved, and tested. *For participation in the Supper is part of the confession by which they confess before God, angels, and men that they are Christians.* Care must therefore be taken lest any, as it were, take the Supper on the sly and disappear in the crowd so that one cannot tell whether they live good or evil lives. On the other hand, even in this matter I do not

want to make a law, but simply want to demonstrate a decent and fitting order to be used in freedom by free Christian men.

Here it is important to distinguish between the Lord's institution and "a decent and fitting order" Luther here suggested for adoption "in freedom by free Christian men." The "decent and fitting order" applies to assembling around the altar and the chancel. These architectural features of a traditional church building were "invented for this purpose," namely, that the communicants are "seen and known openly."<sup>171</sup> One could even add *the form* of the examination of prospective communicants as to their faith and life (weekly; once a year; once in a lifetime) to this category. However, *the necessity* for such examination is given with the duties of the pastoral office in view of the danger of unworthy reception of the Lord's Supper set forth in God's Word that was discussed above based on 1 Cor. 11.

Moreover, the confessional character of one's participation in the Lord's Supper as one of the marks of the Christian Church is also given with the Lord's institution of this sacrament as a form of *individual* absolution.<sup>172</sup> Due to the *public* nature of this absolution, those who step forward to receive it confess that they are worthy in the sense described above: painfully conscious of their inherent unworthiness due to their sin, desirous of Christ's forgiveness, and eager to increase in the new life of the baptized in faith and love. Even though the Lutheran Confessions count all the means of grace among the marks of the Christian Church on earth, what distinguishes the Lord's Supper and baptism from preaching is that preaching is heard by a multitude of people, while the sacraments are received as an absolution by individuals who step forward out of the mixed multitude of those attending a given service.<sup>173</sup>

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<sup>171</sup> Administering the Lord's Supper to those seated in the pews typically goes hand in hand with open communion and the denial of the divine duties of the public ministry.

<sup>172</sup> This consideration is found neither in the CTCR document *Admission to the Lord's Supper* nor in DEUP, the original text that occasioned this document. However, it is found in Luther who, along with Melancthon, wrote in 1533 (AE 50:76-77): "*The preaching of the holy gospel itself is principally and actually an absolution in which forgiveness of sins is proclaimed in general and in public to many persons, or publicly or privately to one person alone.* Therefore absolution may be used in public and in general, and in special cases also in private, just as the sermon may take place publicly or privately, and as one might comfort many people in public or someone individually in private. ... one has to instruct consciences that the comfort of the gospel is directed to each individual particularly; therefore, as you people who understand these matters know, *the gospel has to be applied through Word and sacrament to each individual particularly, so that each individual in his conscience is tossed about by the question whether this great grace, which Christ offers to all men, belongs to him too.*" As specific forms of "the preaching of the holy gospel," the sacraments, then, are "principally and actually an absolution in which forgiveness of sins is proclaimed ... publicly or privately to one person alone."

<sup>173</sup> In the above-mentioned 1523 Maundy Thursday sermon Luther makes that point when he states (WA 12:485): "Christ too did it this way: he let the sermon go out to the multitudes, to everyone, as was done later by the apostles, so that all heard it, believers and unbelievers alike. He who got it, got it. We have to do it likewise. But the sacrament one is not to throw among the people like this, as was done by the pope. When I preach the gospel, I do not know whom it hits. Yet here I should be certain that it has hit him who comes to the sacrament. There I must not be doubtful but certain that he to whom I give the sacrament has laid hold of the gospel and believes it honestly, just as when I baptize someone. Just as that person who partakes or is baptized should also not doubt." Similar thoughts are found in his 1526 sermon against the fanatics, cf. AE 36:348-349.

This is why Luther's opening reference to baptism is important. When we consider the customary order of baptism, we realize right away that the baptism itself is not the first thing that happens. Instead, the candidate is asked – today as well as in the days of Luther<sup>174</sup> – a number of questions concerning his faith and his willingness to renounce the devil, all his works, and all his ways.<sup>175</sup> This is also why, in the case of adult baptisms, instruction in the faith ordinarily *precedes* participation in the sacrament of baptism. This instructional requirement is ordinarily satisfied in the case of infant baptism by the custom of having sponsors who are well instructed in the Christian faith and who also lead a Christian life who take the place of the child by answering for the *infans*, the speechless.<sup>176</sup>

One could therefore say: Just as there is no “open baptism,” there is also no “open communion.” This is due to the confessional character of the sacraments. It is not because Lutherans believe that baptism or the Lord's Supper is somehow less powerful than the Word when it comes to converting unbelievers: The Word of God, and hence the almighty power of God, is the same in each of the means of grace. But the sacraments also have a public sign character.<sup>177</sup>

At any rate, just as in the 1529 Large Catechism, Luther here in 1523, after teaching his congregation for three years, moves from the examination of the faith of prospective communicants to the examination of their way of life. The second step is necessary because, as Luther points out, “Satan, too, understands and can talk about all these things.”

As pointed out in section 2, teaching God's Word in its truth and purity in law and gospel is a form of discipline. Specifically in view of the Lord's Supper, one could say, this discipline needs to hold sway in a congregation lest unworthy communicants are disciplined more severely by the Lord himself. However, even the latter form of discipline serves the salvation of the Christian and is therefore not to be despised or avoided.

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<sup>174</sup> Cf. again the 1523 sermon (WA 12:478): “One should do here as one does in the case of a child or an adult who is baptized. When he is brought to baptism, it is not enough that he believes that this is baptism and a sacrament instituted by God. It is also not enough to inquire whether he wants to be baptized, which is done just before the actual baptism. Rather, first of all, he is asked as follows: ‘Do you renounce the devil and all his works and ways?’ Then: ‘Do you believe in God the Father, the Son, and the Holy Spirit?’ Thereby the baptizer inquires whether the candidate has a right faith and knows what he seeks and why he is there and why he uses the sacrament.”

<sup>175</sup> Cf., e.g., *LSB*, p. 270.

<sup>176</sup> This is why excommunication excludes a person from acting as sponsor in baptism, cf. SC Pref., 11, quoted above: “If any refuse to receive your instructions, tell them that they deny Christ and are no Christians. They should not be admitted to the sacrament, *be accepted as sponsors in Baptism*, or be allowed to participate in any Christian privileges.” See also Luther's 1537 sermon (WA 47:281): “The small ban . . . surely is the gravest and greatest. For it destroys the soul when *I forbid a person to serve as a godparent and bring children to be baptized* or to be admitted to the Lord's Supper or to enjoy the common prayer of the church, or to have any other office in Christendom.” As Walther, *Pastoraltheologie*, 136-138, pointed out, this does not automatically exclude all those who are not members of the Lutheran Church. For only few who are not members of the Lutheran Church have been excommunicated from the church. Those in other church bodies, as pointed out above, are often erring in weakness without openly contradicting God's word in faith and life.

<sup>177</sup> Folks on the mission field in predominantly non-Christian countries such as India understand this basic truth: It is one thing to go to church with a few or even many others; it is quite a different matter to come forth and be baptized as an individual confessor.

Therefore, the duties of pastors in relation to the Lord's Supper are threefold: First, they need to teach the whole counsel of God. Second, they need to examine the faith and life of their students before admitting them to the Lord's Supper. Third, they need to admit those who are worthy and refuse admittance to those who are unworthy. As Luther put it in his 1533 letter to those in Frankfurt:<sup>178</sup>

*Since we intend to raise and leave behind us Christians and since we administer Christ's body and blood in the sacrament, we do not want to, nor can we, give the sacrament to anyone but to him who is previously examined as to what he has learned from the Catechism, and whether he wants to abstain from sins done against it. For we do not wish to turn Christ's church into a pig's pen and to let anyone rush to the sacrament without examination like a sow to the trough.*

#### 5.3.4 Registration and Suspension

Two questions related to the pastor's duties are these: What about the custom of registration for communion? What about the custom of suspension from communion? Answering these two questions will shed further light on the duties of pastors and on the place of discipline when it comes to the Lord's Supper.

The older Missouri Synod practice of *registering for communion* served the purpose of aiding the pastor's regular examination of the faith and life of his flock. Walther wrote in his pastoral theology:<sup>179</sup>

Since a preacher is to be not only teacher, but also shepherd, bishop, and watchman (Eph. 4:11; 1 Tim. 3:1; Hebr. 13:17; Ez. 3:17-21), not only distributor of the holy sacraments but also a steward of the same (1 Cor. 4:1), and since he has the serious command not to give what is holy to the dogs and to throw his peals before the sows, he has the holy duty to insist on prior personal *registration* of those who wish to receive the holy Supper, and to use it faithfully and wisely for the purpose of an *examination*.

Walther saw the necessity of registration for communion "especially where private absolution is not practiced."<sup>180</sup> In this way, the pastor was able to speak to a prospective communicant. And the communicant had the opportunity to share with the pastor any questions or problems in his or her private life.

Practically speaking, registration was not to be a "rigorous examination and torture" but a friendly conversation along the lines of the "Christian Questions and Answers" contained in the Synodical catechism. That is, it should not be used to *pry* into the lives of Christians. In other words, the examination should take place without giving the examinee the impression that he is being examined. When the prospective communicant is known to be knowledgeable and solid in

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<sup>178</sup> WA 30.3:567.

<sup>179</sup> *Pastoraltheologie*, 142.

<sup>180</sup> *Pastoraltheologie*, 150.

the faith, examination may also be omitted. After all, as Walther rightly noted, “it is not based on a law, but only on the need of souls.”<sup>181</sup>

After all that has been said, it is evident that before there can be an examination, even in the form of a friendly conversation in a member’s living room, there has to be teaching. While registration affords the opportunity also for individual instruction, the need for such will be seen only if and when the importance of instruction has been realized by the congregants. Here too, then, applies what Luther wrote (AE 28:62): “the pulpit can and must alone preserve Baptism, Sacrament, doctrine, articles of faith, and all estates in their purity.”

Furthermore, it is also evident that, since “Satan, too, understands and can talk about all these things” (AE 53:33), the pastor will need to acquaint himself with the daily lives of his parishioners to ascertain whether they also begin to live in as Christians. This has been discussed above. The purpose of this is to avoid giving communion to those who openly lead an unchristian life and who are therefore unworthy.<sup>182</sup>

In classic Missouri Synod pastoral theology,<sup>183</sup> *suspension* refers to a pastor’s right and duty to refuse to commune a congregational member when that member, upon registering for communion, is found to remain impenitent in a public mortal sin. One may add to this the case that the pastor, as he becomes acquainted with the life of his flock, discovers parishioners living in mortal sin. While, according to that theology, a pastor may not excommunicate a parishioner, he does have the power to suspend a person from communion.

Even though this practice has the commendable purpose of protecting both the pastor and the communicant, as well as avoiding offense in the congregation, it is problematic because it does not do justice to the nature of the Lord’s Supper as *communion* with the body and blood of Christ, as it was discussed above (cf. 1 Cor. 10:16). When a person is excluded from communion *due to sin* (and not simply due to ignorance like a baptized child), even on a temporary basis (“suspension”), he is *de facto* excommunicated. As Luther noted, excommunication is to be seen in correlation to communion or the Lord’s Supper and vice versa (cf. AE 39:7).

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<sup>181</sup> Cf. *Pastoraltheologie*, 151-152.

<sup>182</sup> Cf. Walther, *Pastoraltheologie*, 192: “It is well to note that regarding those whom the preacher should and would admit to the holy Supper, he need not be certain that they are Christians with a living faith – for who could do so? – but *only that their being non-Christians must not be evident or apparent.*”

<sup>183</sup> Cf. Walther, *Pastoraltheologie*, 162-163. See also the 1646 Westminster Confession XXX, 4: “The officers of the Church are to proceed by admonition; *suspension from the sacrament of the Lord’s Supper for a season*; and by excommunication from the Church; according to the nature of the crime, and demerit of the person.” The Reformed tradition, therefore, sees suspension as the second degree of church discipline that is administered based on some inherent gravity of sin. This is clearly not compatible with the Lutheran understanding of mortal sin that was unfolded above.

This is why the Reformer did not advocate unilateral pastoral suspension from the Lord's Supper; instead, he excommunicated them where warranted according to Christ's order.<sup>184</sup> This is also why some of those early Lutheran theologians (e.g., J. Gerhard) who, contrary to the Lutheran Confessions, denied the power to excommunicate to the pastor, also denied that he has the power to suspend people from communion.<sup>185</sup>

In other words, we are back to Matth. 18 where excommunication marks a possible outcome of a longer process including individual rebuke and witnesses. In other words, it is no longer based on a pastor's hunch as to the spiritual condition of a parishioner. That condition has to be ascertained carefully. Therefore, if a pastor happens upon a person whom he suspects to live in mortal sin, he should, instead of suspending the person from communion, immediately suspend his interaction with that person lest there be a conflict of interest if and when "the case" comes before him as judge (cf. LC I, 259). He should therefore seek to enlist the help of other parishioners to begin dealing with the sinner in the manner prescribed by Christ.

These other parishioners should have first-hand knowledge of the matter in question, and they should engage in this process willingly, not coerced by the pastor. If they are not mature enough spiritually to do so of their own volition, then they should not be offended by certain acts of a fellow member. They certainly should not slander that person in private even though they, due to their immaturity, are likely to do just that. However, if there is no one willing to take up the matter in the right order, then there is nothing the pastor can do in a given case other than continue to teach and preach God's word vigorously, also concerning worthy and unworthy participation in communion.

## 6 Summary

The issue of church discipline is a powerful diagnostic tool. It shows both the state of an individual and the state of a congregation or church. Where it is practiced properly, sinners are helped in the way God intended it. Where it is not practiced, sinners are often left to their own devices; and even if a church building is full and programs seem to be thriving with relational vitality, one might be looking at a slaughterhouse or even a graveyard, spiritually speaking.

The problem is, obviously, how do we get from a situation where church discipline is often no longer practiced or even known to a situation where it is practiced? Not to be repetitive, but the importance of teaching cannot be overemphasized. As Luther noted, for there to be church discipline according to Matth. 18 in the congregation and the church at large (also in relation to the Lord's Supper), one first needs the right people. These people do not grow on trees. These people are created by God's word when it is faithfully taught in law and gospel – in these last days especially in view of prevailing antinomianism crass and subtle. First God's word needs to

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<sup>184</sup> In order to get close to Luther, Walther had to introduce Nicholas von Amsdorf as "Luther's close friend," whom the Reformer counted among the "highest and most preeminent theologians," *Pastoraltheologie*, 162. No quotes from Luther and the Lutheran Confessions are offered.

<sup>185</sup> Cf. Walther, *Pastoraltheologie*, 163-164.

exert its disciplining power in general, then sinners will take up their cross in the power of the Holy Spirit and follow Christ in self-discipline by putting to death their old Adam and training their body for neighborly service by fasting, watching, and laboring. Only then may we begin to implement church discipline as our Lord taught us.

In the meantime, it will bring a pastor many a conflict of conscience when he out of love must commune those who ought not to be communed. The only thing that might be possible for a pastor at first is the clear preaching of God's word concerning worthy and unworthy participation in Christ's body and blood. By God's grace and in God's time, this preaching will bear much fruit.

Preaching and teaching are, therefore, of paramount importance, also when it comes to reintroducing godly church discipline in the congregation in general and in view of the Lord's Supper in particular. Luther put it best, and therefore gets the last word (AE 28:62): "the pulpit can and must alone preserve Baptism, Sacrament, doctrine, articles of faith, and all estates in their purity."

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