



The Canadian Association of Lutheran Congregations (CALC)

A Crisis of Faith that Requires Action - CALC's Response to the Adoption of the ELCIC's Social Statement on Human Sexuality and Associated Motions

A crisis of faith exists in the Evangelical Lutheran Church in Canada (ELCIC). With the passage of the ELCIC Social Statement on Human Sexuality and three motions based on the same, the ELCIC has paved the way for the performance of same-gender marriages and the ordination of non-celibate gays, lesbians, bisexual and transgendered (GLBT) persons. The discussion which follows describes the ELCIC's new teachings on human sexuality, the policies which these new teaching have produced with respect to marriage and ordination, and CALC's response. We believe that Scriptures and the Lutheran Confessions require individuals and congregations to test these new teachings and if found to be unsound, separate from these leaders.

The ELCIC's New Social Statement on Human Sexuality

The delegates to the 2011 Biennial Convention adopted the "ELCIC Social Statement on Human Sexuality" (the "Statement") which changed the ELCIC's teaching on marriage, family and ordination. The foundation upon which the Statement is constructed is found on Page 5 under the section entitled Law and Gospel.

"God's Word comes to us as law and gospel. Law describes God's expectations. Gospel declares that forgiveness of sin, life, and salvation are free gifts from God through Jesus Christ. ***Matters of sexuality and morality are not salvation issues.*** Law makes us aware of our sin, brokenness or hurt; aware of how a current moment stands in contrast to the will of God. Law also makes us aware of our need for God's forgiveness and God's help, and drives us to Christ. Gospel declares God's loving relationship with us in Christ to be the centre of existence. It assures us that God's salvation is pure gift and that God's love is constant. Faith in Christ informs every dimension of our existence as persons and as communities, including our sexuality."

The Statement's support for the assertion that matters of sexuality and morality are not salvation issues may be described as follows: ***God's love and human love, our changing social context, and Christian freedom.***

God's Love and Human Love: The Statement declares that God's fundamental orientation to the world is self-giving love. The Statement asserts that we are created in the image of God, and are redeemed by the life, death, and resurrection of Jesus. It is God's love that gives the world and its people value and worth. We express God's love every time we have the opportunity to serve a neighbour in need. It goes on to state that when we serve one in need we are serving Christ, and are treating those persons as equal in value because of Christ.

The Statement asserts that Jesus summarized God's law in this way: to love God and to love neighbour. It is not always easy to decide how best to love our neighbour. In our decision-making and consideration of which actions will be most loving and beneficial, the context and life-situation of our neighbour are important. The Statement asserts that Old Testament laws were given for the good of the Israelites. Since then, many of them have been set aside (for example, the purity laws) because they no longer applied to the contemporary context. The Statement asks which laws are no longer applicable today and which ones are still applicable? It asserts that when there is contention within the church regarding these issues, we are called, as St. Paul called the early church, to allow for differences and diversity for the sake of our unity in Christ and the advancement of Christ's mission.

The Statement asserts that "*agape*" is a love that is active, committed, constant, self-giving and caring. It is more than a sense of comfort or good feeling. It is love that gives to another without expecting anything in return. "Love is patient; love is kind; love is not envious or boastful or arrogant or rude. It does not insist on its own way; it is not irritable or resentful; it does not rejoice in wrongdoing, but rejoices in the truth. It bears all things, believes all things, hopes all things, endures all things." Jesus says "no one has greater love than this, to lay down one's life for one's friends." The Statement asserts that such love is made possible by God. We love God with our whole self, body, heart, mind and soul, because God first loved us. We are able to love others because God first loved us. The Statement

asserts that our whole life is lived in relationship with God and relationship with neighbour. “In the expression of human sexuality, it is the integrity of our relationships which determines the meaning of our actions. We do not merely have sexual relations; we demonstrate our true humanity in personal relationships, the most intimate of which are sexual.” The Statement declares that the ELCIC seeks to understand its current context, and the issue of sexuality within the context of God’s love for the world.

The Changing Social Context: The ELCIC’s new Statement is based on the assumption that the church exists in a society that places great emphasis on the individual and on individual freedom in all aspects of life, including the formation of the family and the expression of our human sexuality. The Statement affirms that we live in a world where family is a fundamental building block of society, and is a core factor in the formation of personal identity. However, it asserts that the term “family” is defined and lived in various ways. The definition of family is influenced by cultures, contexts, family histories and personal experiences. The Statement declares that we live in a society where marriage is neither regarded as a prerequisite to sexual intimacy, nor a boundary confining it. The Statement reminds clergy and laity that many couples who come to the church to be married are living together before the wedding.

The Statement asserts that we live in a world aware of orientations other than heterosexual. It declares that simple categories like “heterosexual” and “homosexual” do not describe the lived experience of some. We are reminded that when people are asked to describe their own identity and reality they use a variety of words, including, without limitation: straight, gay, lesbian, bisexual, two-spirited, queer, transgendered, intersexed, and questioning. The Statement reminds us that we live in a society that values equality and human rights. Canadian courts and our federal government have legalized same-sex marriage based on the Charter of Human Rights and Freedoms and principles of equality under the law. The Statement rightly points out that the ELCIC is a church that is divided on how to respond to the reality of our current world. The study asserts that the ELCIC seeks to “engage our current context, and yearns to see how God will be active in our times.”

Freedom: The Statement declares that we are justified by grace through faith and are at one time both saints and sinners. The knowledge that we are sinners keeps us humble and the knowledge we are saints gives us hope, life, identity and purpose. The saint/sinner paradox is at work in all aspects of our lives, including in the expression of our sexuality.

Quoting St. Paul in 1 Corinthians 6:12 the Statement asserts “‘All things are lawful for me,’ but not all things are beneficial. ‘All things are lawful for me,’ but I will not be dominated by anything.” The Statement rightly states that Christian freedom is described by Martin Luther as a paradox: “A Christian is a perfectly free lord of all, subject to none. A Christian is a perfectly dutiful servant to all, subject to all.” The Statement asserts that Christians enjoy both the freedom of Christ and the freedom of privilege. Some Christians enjoy more of this freedom and some less. The question always posed to the Christian is: What will we do with our freedom? The Statement asserts we must use this freedom responsibly, aware of our role as a priest with all other believers, and our duty to fulfill our ministry of witness and service to the church and to the world. The Statement recognizes that with freedom comes power, and the temptation to abuse power. It asserts that the Christian faith provides guidance on how to balance freedom and power in sexual relationships. This always involves each serving the other as equals.

The Statement asserts: “Through the course of the Bible, the understanding of marriage changed as the people of God sought to faithfully follow the word of God given to the prophets of their age, and the new word given by Christ to the apostles. Similarly, the understanding of marriage has changed through the course of history, and as various expressions of church sought to engage local societies. While honouring marriage theologically and liturgically, the Lutheran tradition has long acknowledged that civil authorities have a significant role to play in the administration of marriage. The Lutheran tradition also acknowledges there may be diversity in practice for “ceremonies or ecclesiastical practices that are neither commanded nor forbidden in God’s Word.” By these words the Statement asserts that marriage finds universal expression. People both inside and outside God’s covenant community have married and continue to marry. God’s covenant people have struggled and continue to struggle with marriage, including, the number of wives in a marriage, whether to marry outside the covenant, and the fidelity of spouses. We Lutherans believe that God is active in two kingdoms, His Church and in the world. Marriage is touched by both kingdoms.

The Freedom granted Christians permits the Church to follow Canadian marriage laws, redefine marriage as “a covenant of fidelity – a public, lifelong commitment between *two people* in a personal and sexual union. God, the source of all love, is active in marriage, offering encouragement, forgiveness, healing and blessing. The two spouses

bear the primary responsibility for living out their vows and in recognizing God's activity in their relationship. The church's supportive role is expressed through community, prayer, worship and pastoral care."

The Statement inspired three resolutions which were approved by the delegates to the ELCIC's 2011 National Convention held July 14-17 in Saskatoon, Saskatchewan. The resolutions dealt with unity in the church in the face of differing opinions, same-gender marriage and the ordination of GLBT people. CALC's response to the Statement and each of the three motions will be dealt with in turn below.

CALC's Response to the Statement.

No Christian would disagree that God's orientation to the world is by self-giving love, and that Christians are to aspire to agape love toward one another and we are to love God with our whole being and our neighbour and ourselves. No Christian would disagree that we have freedom. St. Paul declared in his letter to the Galatians: "*You, my brothers, were called to be free. But do not use your freedom to indulge the sinful nature; rather, serve one another in love.*" (Galatians 5:13). The Statement disregards the ***whole counsel of Scripture and the Lutheran Confessions with respect to marriage and the expression of our human sexuality and love for one another***. Contrary to the ELCIC's assertion in the Statement, the Scriptures declare that the ***expression of our human sexuality is a matter of salvation***.

The Christian Church has believed, taught and confessed that from the very beginning, God created males and females for one another. Marriage was ordained for the solemnization of the union between one man and one woman for the procreation of children, to be brought up in the respect and nurture of the Lord; and for the mutual society, help, and comfort of one another, in both prosperity and adversity. God has put a further hedge around the union of men and women. In chapters 18 and 20 of the Book of Leviticus, God narrowed those who could be joined together in Holy Matrimony. He forbade certain men and women from marrying and/or having sexual relations, despite the fact that some of these forbidden relationships could have been loving, intimate, self-giving and monogamous. God forbade marriage and any sexual relations between a man and: (a) his mother or step mother; (b) female relatives that were close relations of his mother and father (female siblings, two sisters, aunts and female first cousins); (c) another man, and (d) another man's wife. Many of the prohibitions found in Leviticus 18 are based on the fourth commandment, specifically, God's call for His children to honour mother and father and self (Leviticus 18:6-18). Leviticus 20:10-12, decrees that a man who has sexual relations with a close female relative or another man's wife, they will be put to death. Leviticus 20:13, decrees that when two men engage in sexual behaviour, both are to be put to death.

In the New Testament, Jesus upheld the estate of marriage as between one man and one woman and commended it to his disciples (Mark 10:6-9). Jesus condemned sexually immoral behaviour: "He went on: '*What comes out of a man is what makes him 'unclean.'* For from within, out of men's hearts, come evil thoughts, sexual immorality, theft, murder, adultery, greed, malice, deceit, lewdness, envy, slander, arrogance and folly.'" (Mark 7:20-22). The New Testament continues to forbid adultery (Matthew 5:27-28; Mark 10:11-12; Luke 16:18); sexual relations between same-gender couples (Romans 1:26-27; 1 Corinthians 9:6-9); and a man and his close female relative (1 Corinthians 5:1-5, in this case the man's stepmother). In 1 Corinthians 6:6-9, the Apostle Paul specifically states that adulterers, homosexuals and drunkards, among others, "will not inherit the Kingdom of God." In Romans 1:18-32, the Apostle Paul used idol worship and homosexual sexual practices as evidence of God's righteous judgment against our world. Creation reveals the existence of an unseen creative power, yet, the human response has been to worship gods of human making. Creation reveals its Creator's desire for male/female partnerships for society and procreation. Human beings ignore God's intent and engage in same sex relations.

Luther's statement that the Christian is a "free lord subject to none" can easily be misinterpreted. One could be left with the impression that Luther did not believe that a Christian was subject to any moral laws. In 1539 Luther wrote an important theological treatise, "*Against the Antinomians*", to refute the doctrine of antinomianism (Greek *anti*, "against"; *nomos*, "law"), the heretical doctrine or belief that the Gospel frees Christians from required obedience to the moral law. Luther wrote, "Whosoever abrogates the law, must of necessity abrogate sin also...If there be no sin, then *Christ* is nothing...Hence you may see, that the *Devil* intends, by this Ghostly Gambold to take away, not so much the law, as *Christ*, the fulfiller of the law". Accordingly, defining a sin out of existence is tantamount to a denial of the Gospel, saying that "*Christ* is nothing" – an open rejection of Christ's redemptive work on the cross.

Thus, contrary to what is said in the revised ELCIC Social Statement, **matters of sexuality and morality are salvation issues.**

The Confessions Declare that Marriage Can Only Be Changed By an Extraordinary Work of God. The Statement challenges the church's understanding of the institution of marriage and the expressions of human sexuality the church is called to nurture and promote. In Article XXIII of the Augsburg Confession (AC) and Article XXIII of the Apology to the Augsburg Confession (AAC), the reformers laid down general principles to be followed in examining any challenge to the institution of marriage; specifically, that any such change must be proved by an *extraordinary work of God*. Article XXIII of the AC and the AAC were written in response to the Roman Church's canon law, which required all priests to make and keep vows of celibacy. The reformers confessed that the Scriptures testify that God created us male and female, gave males and females a natural attraction for one another together, with reproductive abilities; and made us stewards of and partners with God in the continuation of creation. According to the reformers, the only grounds upon which marriage of a priest could be denied was if an extraordinary act of God was found in the Word of God. The scriptural proof texts given by the Roman Church in support of celibacy of priests were carefully scrutinized. At best, the reformers concluded, the Word of God describes celibacy as a gift given by God that can't be imposed. The reformers concluded that the Roman Church erred in imposing celibacy on priests and requiring a vow of celibacy as a precondition to entering the priesthood. The reformers declared that priests were thus free to renounce their vow of celibacy and enter into a marriage as God ordained it. Based upon Article XXIII of the Augsburg Confession and the Apology, the proponents of the solemnization of the vows of same-gender couples have the burden of proof to produce Scripture passages which show: (a) God created the sexual and emotional attraction between members of the same sex in the same way that God created the sexual and emotional attraction between males and females; (b) God wants to join the couple as one; and (c) God wants the church to pronounce God's affirmative joining of the couple. The Statement does not cite Scripture passages which expressly reveal the creation of same-gender attraction by God, His desire to bind the same-gender couple as one, or the church's mandate to bind the two on God's behalf.

CALC's Official Statement: This Association regards homosexual desires and behaviour as sinful and contrary to God's intent for His children (Lev. 18:22; 20:13; Deut. 23:18; Rom. 1:27; 1 Cor. 6:9-11). It rejects the contention that homosexual desires, behaviour and/or lifestyle are simply another form of sexuality equally valid with the God given male/female pattern. We acknowledge that each person may have a tendency or predisposition to a particular sin, or temptation to which he or she is especially prone. Being tempted is not a sin; acting on the temptation, by indulging in wrongful thoughts, words, or deeds is sinful (James 1:12-15). We urge Pastors and Congregations to initiate Scriptural teaching in appropriate situations so as to counter the growing social and cultural approval of homosexual attitudes and mindset. At the same time, we encourage pastors and congregations of this Association to minister redemptively with homosexual persons with whom they come in contact, realizing that each one is a person whom God loves and for whom His Son died. Also, we encourage congregations and pastors to show love and compassion to those who have facilitated, encouraged, enabled or participated in homosexual activities or in its lifestyle, and assure them of God's complete forgiveness to all who repent (2 Cor. 6:11).

Based upon the foregoing, and the discussion which follows, we believe that the Statement thus lacks the Scriptural and Confessional support necessary for its endorsement by CALC's congregations.

The ELCIC's Motion on the Unity of the Church. (Referred to as "Motion 1")

The ELCIC's Motion 1: An Affirmation Concerning the Unity of the Church

As a confessional Lutheran Church which bases its life and teaching on the Scriptures, the Ecumenical Creeds and the Confessions of the Evangelical Lutheran Church, the ELCIC affirms with the confessors at Augsburg in 1530 that "it is enough for the unity of the church to agree concerning the teaching of the gospel and the administration of the sacraments." (AC - VII).

We affirm that the church ought not be divided because of disagreement over moral issues, no matter how distressing such disagreement might be. We believe that any attempt to divide the church because of disagreements over morals, polity or liturgy is an unacceptable confusion of Law and Gospel, which will lead inevitably to a distortion of the Gospel of Jesus Christ.

We encourage ELCIC members, congregations and synods and churches who share our commitment to the scriptures, creeds and confessions and who disagree with one another over issues of morals, polity (including standards for ordination or consecration) and/or liturgy to remain in dialogue and unity with one another and maintain unity in the gospel and the sacraments as St Paul recommends in 1 Corinthians 1:10-17. We encourage all Lutherans to work for and nurture the unity of the confessional witness to the Gospel which is essential to the Lutheran tradition. We ask those persons, congregations, synods and/or churches who are in disagreement to refrain from actions that will divide the body of Christ.

Assumptions Underlying and Implications of Motion 1: Motion 1 was put forward by the leadership of the ELCIC presumably in anticipation of the grief, anger and disappointment that individuals and congregations will experience in the wake of the passage of the motions which permit same gender marriage and the ordination of non-celibate GLBT people. They anticipate those shaken by the new teachings on human sexuality will take steps to sever ties with the ELCIC. Relying on the Statement, Motion 1 attempts to make the case that: (a) the rite of blessing/marriage and the rite of ordination are services instituted by men; (b) the marriage of a same-gender couples and the ordination of non-celibate GLBT people are moral matters upon which Christians can disagree; (c) because same-gender marriage and the ordination of non-celibate GLBT people involve man-made rites and morals on which we may disagree, there need not be unanimous agreement among Christians as to how the rite is conducted and who is blessed in the rite. The language used in Motion 1 may cause some to believe that the passage of said motion could legally bar a congregation from taking steps to sever its ties with the ELCIC. For the reasons set forth below, the congregations of CALC believe, trust and confess that the passage of Motion 1 cannot be bar to a congregation from considering severance of its ties with the ELCIC; rather the Scriptures mandate that congregations test the teachings of their leaders and respond to false teachings.

Response to Motion 1: In response to these assumptions, the congregations of CALC believe trust and confess that:

(1) The discussion herein below under Motions 2 and 3 will demonstrate that the rites of marriage and ordination are not ceremonies instituted by men; rather, they are rites instituted by the church in response to a command and a promise found in God's Word.

(2) The sexual identity of the partners to a marriage solemnized by the church; and the sexual orientation and expression of candidates for ordination to the office of the Ministry of Word and Sacrament are not matters of morality upon which Christians can disagree. The Old and New Testament define marriage between one man and one woman in a lifelong monogamous loving partnership. The same Scriptures discourage and label as sinful other forms of sexual expression, including same-gender sexual relations. The Church cannot bless sexual partnerships the Scriptures do not condone, and/or ordain those who actively participate in sexual relationships the Scriptures do not condone.

We believe that the ELCIC's national and synodical leadership are teaching and advocating doctrines which are contrary to the Holy Scriptures, our Lutheran Confessions of faith and our stated congregational policy. We must ask how Scripture and our Lutheran Confessions teach us to respond to teaching which goes against the sound teaching doctrine of the church. We believe the following Scriptures are relevant:

We should not accept and endorse any new teaching solely on the high academic credentials of the teacher and/or the wisdom, sensibility and acceptability of the teaching. Jesus said: *"Not everyone who says to me, 'Lord, Lord,' will enter the kingdom of heaven, but only he who does the will of my Father who is in heaven. Many will say to me on that day, 'Lord, Lord, did we not prophesy in your name, and in your name drive out demons and perform many miracles? Then I will tell them plainly, 'I never knew you. Away from me, you evildoers!'"* Matthew 7:21-23). We

believe, teach and confess that the Scriptures and Confessions teach that it is God's will for human sexuality to be expressed in heterosexual marriage and that same-gender relationships are contrary to God's intent and on that ground oppose same-gender marriage/blessing and the ordination of non-celibate homosexuals. It is incongruent that the ELCIC's motion on the one hand declares, as per its constitution, that the ELCIC "bases its life and teaching on the Scriptures, the Ecumenical Creeds and the Confessions of the Evangelical Lutheran Church" and then, on the other hand, so blatantly acts in opposition to these foundational documents.

The Scriptures teach us that we are to avoid being in constant arguments and quarrels about matters of faith and life, especially when we believe God's will is clearly expressed on the matter. The Apostle Paul in his letter to Titus and to the church at Rome warned: "***But avoid foolish controversies and genealogies and arguments and quarrels about the law, because these are unprofitable and useless. Warn a divisive person once, and then warn him a second time. After that, have nothing to do with him. "You may be sure that such a man is warped and sinful; he is self-condemned."*** (Titus 3:9-11) "***I urge you, brothers, to watch out for those who cause divisions and put obstacles in your way that are contrary to the teaching you have learned. Keep away from them. For such people are not serving our Lord Christ, but their own appetites. By smooth talk and flattery they deceive the minds of naive people."*** (Romans 16:17-18). The Apostle Paul warns us to avoid, keep away from and separate from those who persistently move forward with false teaching. Paul calls these debates and arguments unprofitable and useless. If one looks back over the debates on same-gender blessings/marriage and the ordination of non-celibate homosexuals, the arguments made are always the same. One can predict what will be said on both sides. Public debates on the issues haven't changed many hearts and minds. In addition, the worst by-product of extended debate is that it takes energy and resources away from other areas of ministry of the church.

Martin Luther in his 1523 treatise entitled "***That a Christian Assembly or Congregation has the Right and Power to Judge All Teaching and to Call, Appoint and Dismiss Teachers, Established and Proven by Scripture,***"¹ declared that a Christian congregation "not only has the right and power but also the duty – on pain of losing the salvation of its souls and in accordance with the promise made to Christ in baptism – to avoid, to flee, to depose, and to withdraw" from authorities "that teach and rule contrary to God and his Word". Luther wrote:

"Human words and teaching instituted and decreed that only bishops, scholars, and councils should be allowed to judge doctrine. Whatever they decided should be regarded as correct and as articles of faith by the whole world, as is sufficiently proven by their daily boasting about the pope's spiritual law.² One hears almost nothing from them but such boasting that they have the power and right to judge what is Christian or what is heretical. The ordinary Christian is supposed to await their judgment and obey it. Do you see how shamelessly and foolishly this boasting, with which they intimidated the whole world and which is their highest stronghold and defense, rages against God's law and word?

Christ institutes the very opposite. He takes both the right and the power to judge teaching from the bishops, scholars, and councils and gives them to everyone and to all Christians equally when he says, John 10[:4], "My sheep know my voice." Again, "My sheep do not follow strangers, but flee from them, for they do not know the voice of strangers" [John 10:5]. Again, "No matter how many of them have come, they are thieves and murderers. But the sheep did not listen to them" [John 10:8]."

The ELCIC appeals to Article VII of the Augsburg Confession to support their 'unity' motion. Article VII does say: (a) "It is sufficient for the true unity of the Christian church that the Gospel be preached in conformity with a pure understanding of it and that the sacraments be administered in accordance with the divine Word," and (b) "It is not necessary for the true unity of the Christian church that uniform ceremonies, instituted by human beings, be observed everywhere." However, as will be revealed below, the ELCIC distorts what is said in this article. Motion 1 interprets Article VII of the Augsburg Confession to mean that that "human traditions or rites and ceremonies" totally divorced from any Scriptural constraints would be totally acceptable for church unity. Article VII must be read in light of the provisions of Article XXIV of the Augsburg Confession - The Mass. Article XXIV states "It is not safe to institute an act of worship in the church without the authority of Scripture." It is thus incumbent upon the authors of the Statement to state by what authority they: (a) change the rite of marriage to include same-gender couples; and (b) authorize a congregation to call and administer the rite of ordination to a non-celibate GLBT person. The discussion under Motion 2 below reveals that: (1) the Statement provides no Scriptural support for the solemnization or blessing of a same-gender marriage, and (2) said rite is contrary to the Scriptures and the Lutheran Confessions. The discussion

¹ <http://www.covenanter.org/Luther/thatachristianassembly.htm>

² Canon law.

under Motion 3 reveals that: (1) the Statement provides no Scriptural support for the ordination of non-celibate GLBT people; and (2) Scriptures warn and admonish God's people to avoid same-gender sexual relations. Thus, it is inconceivable that the Reformers would endorse the introduction of a rite such as the blessing of a same-sex union into the church given that such a rite would undermine the Holy estate of marriage and be in conflict with Scripture. Nor would the Reformers ordain a non-celibate homosexual involved in a relationship God does not condone or allow for Christians. Article X, Epitome – Formula of Concord) allows that certain rites would fall into the realm of adiaphora. Adiaphora are “ceremonies or ecclesiastical practices that are neither commanded nor forbidden in God's Word.” The thesis of this paper is that the marriage of same-gender couples and the ordination of non-celibate GLBT people are forbidden by God's word and could thus never be viewed as adiaphora. The use of such a rite by congregations or synods would indeed affect “the true unity of the Christian church”.

In the final analysis every Christian must ask if they hear their Good Shepherd's voice in these new teachings. If they hear their Shepherd's voice in this new teaching, then they must follow the leaders of the ELCIC. However, if you, like the member congregations of CALC, cannot hear the Shepherd's voice in the new ELCIC teachings regarding marriage and ordination, you must flee the leadership of the ELCIC.

Motion on Presiding at or Blessing Marriages

(Referred to as “Motion 2”)

MOVED that the Evangelical Lutheran Church in Canada in convention adopt the following policy statement:

It is the policy of the Evangelical Lutheran Church in Canada that rostered ministers may, according to the dictates of their consciences as informed by the Gospel, the Scriptures, the Ecumenical Creeds and the Confessions of the ELCIC, preside at or bless legal marriages according to the laws of the province within which they serve. All rostered ministers in the ELCIC are encouraged to exercise due diligence in preparing couples for marriage. All rostered ministers serving congregations are encouraged at all times to conduct their ministry in consultation with the lay leaders in the congregation and with sensitivity to the culture within which the congregation serves.

CALC's Belief's Regarding the Rite of Marriage: We believe, trust and confess the Scriptures and the Lutheran Confessions testify that God commanded marriage and continues to command marriage.

So God created man in his own image, in the image of God he created him; male and female he created them. God blessed them and said to them, “Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish of the sea and the birds of the air and over every living creature that moves on the ground.” (Genesis 1:27-28)

Then the LORD God made a woman from the rib he had taken out of the man, and he brought her to the man. The man said, “This is now bone of my bones and flesh of my flesh; she shall be called ‘woman,’ for she was taken out of man.” For this reason a man will leave his father and mother and be united to his wife, and they will become one flesh. (Genesis 2:22-24)

Jesus said: “But at the beginning of creation God ‘made them male and female.’ ‘For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh.’ So they are no longer two, but one. Therefore what God has joined together, let man not separate.” (Mark 10:6-9)

The Lutheran Confessions, specifically Article XXIII of the Apology to the Augsburg Confession³ testify that: “Genesis 1:28 teaches that men were created to be fruitful and that one sex should have a proper desire for the other. We are not talking about sinful lust but about so-called ‘natural love,’ the desire which was meant to be in uncorrupted nature. This love of one sex for the other is truly a divine ordinance. Since this ordinance of God cannot be suspended without an extraordinary work of God, it follows that neither regulations nor vows can abolish the right to contract marriage.” Lenten fasts and the celebration of Saint's Days are ceremonies instituted by men. The rite of Christian marriage communicates: (1) God's desire for men and women to form monogamous lifelong partnerships; (2) God's blessing on the couple being married; and (3) begins a lifelong process whereby God binds the couple together as one flesh (Mark 10:6-9). The marriage rite is no ceremony instituted by men.

Rostered pastors of the ELCIC are currently called by their congregations to marry “in accordance with the teaching of the church and laws of the province” in which the marriage takes place. Marriage laws of Canada's provinces and territories permit the marriage of same gender couples. Rostered ELCIC pastors have specifically not been permitted

³ Tappert, T. G. (2000, c1959). *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, Article XXIII of the Apology to the Augsburg Confession. (240). Philadelphia: Fortress Press.

to marry same gender couples on grounds that such marriages are contrary to the historic witness and teaching of the church. Motion 2 permits a rostered ELCIC pastor to marry couples based upon the law of the relevant province and the conscience of the pastor. In making the decision to solemnize unions of same gender couples the pastor is called to balance: his or her personal beliefs; the historic witness of the church which is opposed to same gender marriage; contemporary re-interpretations of the teachings of the which have opposed same gender marriage (including the Statement), the attitude of his/her community to same gender marriage; and the attitude of his/her congregation toward same gender marriage. Motion 2 effectively gives the power to change the church's teaching on marriage to each rostered pastor of the ELCIC. The congregation is neither invited into the discussion or asked to affirm or bless the pastor's decision. All prior motions put forward by the ELCIC required the pastor and his or her congregation to make a decision together on whether to bless or marry same gender couples.

Martin Luther, appearing before Emperor Charles V in April 1521 to defend what he had taught and written, declared, "my conscience is captive to the Word of God". Luther's assertion that his conscience was captive to the Word of God and that he could not go against conscience was not, however, a modern plea for the supremacy of the individual conscience or for religious freedom.

Luther's writings on marriage found in the Smallcald Articles (SA) speak against Motion 2. Article XI of Part III of the SA, states that marriage must remain free and as God ordained it (between a man and a woman) and that the church is powerless to stop any man who qualifies, from marrying his wife. He went on to say: "*As little as the power has been given to us and to them to make a woman out of a man or a man out of a woman or abolish the distinction of sex altogether, so little have they had the power to separate such creatures of God or forbid them to live together honestly.*" The solemnization of the vows between same-gender couples represents a church ordinance that seeks to permit marriage between couples and abolishes the distinction between the sexes, and is therefore in opposition to SA Part III, Article XI.

Motion on Ordination - Homosexuality No Longer a Bar

(Referred to as "Motion 3")

3. Motion on Standards for Ordination and Consecration

MOVED that convention actions NC-1993-16 and NC-1989-96 be rescinded and that the ELCIC in convention adopt the following policy:

It is the policy of the ELCIC that sexual orientation is not in itself a factor which disqualifies a candidate for rostered ministry or a rostered minister seeking a call. Candidates and rostered ministers are in all cases expected to adhere to the qualifications and standards as set out in the constitution and bylaws of the ELCIC and of the synod within which they serve. Synods and congregations are expected to evaluate candidates for ordination or consecration and rostered ministers for call in accordance with a conscience informed by the Gospel, the Scriptures and the Lutheran Confessions.

National Church Council recognizes that there are other areas of exploration that arise from the proposed statement which may require further study or action such as: "Stewardship of Media", "Oppose Sexual Exploitation", "Act for Justice" and "Create Safe Spaces" (items drawn from the third section of the Statement).

The convention action referred to above (NC-1993-16) adopted at the 1993 National Convention was as follows: "That since this has been the practice of the bishops, and since it was reported to the National Church Council and received by the 1989 ELCIC convention without alteration, it remains the practice of the church". In 1989 the ELCIC bishops issued the following statement concerning the ordination of homosexual persons: "A self-declared and practicing homosexual is not to be approved for ordination and, if already ordained, is not to be recommended for call."

CALC's Belief's Regarding the Rite of Ordination: We believe, trust and confess that God instituted the office of the ministry for the purpose of bringing the Word and the Sacraments to His people in order that they may come to saving faith (Matthew 28:19; 1 Corinthians 11:23-25; 2 Corinthians 5:18; Acts 20:28). It is only through these two means that the Holy Spirit works faith where and when He pleases in only those who hear and do not reject the Gospel (John 5:52; Romans 10:17; 1 Thessalonians 1:5). "*It was he who gave some to be apostles, some to be prophets, some to be evangelists, and some to be pastors and teachers, to prepare God's people for works of service, so that the body of Christ may be built up.*" (Ephesians 4:11-12). These Scriptures declare that it is God who calls, gifts, equips and makes pastors. While ordination is a rite instituted by the church; the ordination rite is a public affirmation of God's divine call of a candidate to the Ministry of Word and Sacrament which is mediated by a congregation. The ordination rite flows from God's promise that He calls and equips pastors.

CALC's rite of ordination asks the ordinand to profess and affirm: "Before almighty God, to whom you must give account, and in the presence of this congregation, I ask: Will you assume this office, believing that this congregation's call is God's call to the ministry of Word and Sacrament?" We believe, trust and confess that the act of choosing, electing or appointing a man or a woman to the office of the Ministry of Word and Sacrament is referred to as "the *divine call*." The divine call is much more than an inner conviction or belief held by a man or woman that God wants him or her to be a pastor. The inner conviction does not make that man or woman a pastor; rather, it is the external election or call of the church that makes any man or woman a pastor. Without the mediation of a call by a congregation, a man or woman serving as a pastor would be engaged in self-appointed service to God and that can be a form of idolatry. Only the Apostles and the Prophets received an immediate call from God Himself. Pastors are neither Apostles nor Prophets; their call is mediated through the congregation. It is a congregation, acting in obedience to the will of God, who has the command from God to call qualified men and women to the Ministry of Word and Sacrament. A call from a congregation to serve, as their pastor is a call from God like the call of Apostles and Prophets, the difference is that the pastoral call is mediated. God's call to public ministry cannot be accepted by the candidate out of a spirit of voluntarism, a sense of familial duty or obligation, a desire to achieve social justice, a desire for self-fulfillment, and/or a desire for intellectual attainment. The call of God binds the pastor to obedience to God's will.⁴ Because a congregation's call is God's call to an ordinand or pastor, the calling congregation is given the most solemn duty, and must approach any call to a pastor with humility, reverence and fear of the Lord.

The current policy of the ELCIC states that non-celibate GLBT people may not be ordained to the Ministry of Word and Sacrament. The existing policy of the ELCIC is based upon this line of reasoning. In his letter to Titus 1:5-9, Paul spoke of the qualifications of the elder (pastor) of the congregation. The elder must be: a believer, a good spouse and the parent of good and believing children. The elder must not be overbearing, quick-tempered, given to excesses in drinking and/or dishonest in business and personal life. The elder should be hospitable, good, upright, self controlled and disciplined. The elder must also have a good grasp of the Scriptures and the fundamentals of faith so that, through the elder's teaching, preaching and ministration, the people of God are built up in their faith and those who oppose sound doctrine are soundly refuted.

A church member found worthy of the high office of elder was conferred the office by the other elders laying hands on the candidate. Paul admonished the young preacher Timothy, who like Titus, was called to organize congregations, to be careful in appointing elders. Paul specifically admonished Timothy: "Do not be hasty in the laying on of hands, and do not share in the sins of others" (1 Timothy 5:22). Timothy, Titus and any other persons who were responsible for appointing elders were to be careful to investigate each candidate and pray fervently for the help of the Holy Spirit in the discernment process. If those charged with discerning whether to call and appoint an elder acted impetuously in the selection process, the new elder could cause much damage to the flock and his or her self.

These Scriptural references implicitly and explicitly state that the elder could not live a life which is at odds with the Scriptures he or she is to teach. God's Word does not bless or condone same gender relationships; on the contrary, Scriptures warn and admonish God's people to avoid them. (Leviticus 18:22, 20:13, Romans 1:26-27, and 1 Corinthians 6:9-10). 1 Corinthians 6:9-10, declares that those who engage in sexually-immoral behavior, which includes homosexual behavior, will not inherit the Kingdom of God. Thus, clearly the salvation of those who engage in homosexual behavior is at stake. For this reason, neither those who engage in homosexual behavior or condone and encourage the same may occupy leadership positions in the church, including ordination to the Ministry of Word and Sacrament. While Motion 3 declares that synods and congregations are expected to evaluate candidates for ordination or consecration and rostered ministers for call in accordance with "the Gospel, the Scriptures and the Lutheran Confessions", remarkably it pre-empts that task by declaring at the outset, in opposition to the clear guidance of the Scriptures and the Lutheran Confessions, that "sexual orientation is not in itself a factor which disqualifies a candidate for rostered ministry or a rostered minister seeking a call".

Conclusion: In the final analysis, CALC does not hear the Good Shepherd's voice in the ELCIC's new teachings regarding the expression of human sexuality, marriage and ordination. The Statement and Motions 1, 2 and 3 are contrary to Scripture and the Lutheran Confessions. If you cannot hear the Shepherd's voice in the new ELCIC teachings regarding marriage and ordination, you must flee the leadership of the ELCIC.

⁴ Wollenberg, George F., Pieper Lectures 2005 – Volume 10: Call and Ordination in the Lutheran Church, - Call, Ordination and the Preaching Office (2005 Concordia Historical Institute and Luther Academy) page 56