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Abortion, Incarnation, and the Place of Children in the Church: All One Cloth

David P. Scaer

On January 22, 1973, the United States Supreme Court issued its 7-2 decision in the *Roe v. Wade* case that, based upon a person's right to privacy, a woman would be allowed to abort her unborn child in the early stages of pregnancy. Today, abortion is often seen as an ordinary surgical procedure and not restricted to the first trimester. An unborn child has no more rights than a set of tonsils. This places an obligation on the church to remind its members that early Christians saw abortion as an offense against the Fifth Commandment and found it just as repulsive as pedophilia, for which a Penn State coach will spend the rest of his life in prison.¹ His victims had their day in court. Abortion's victims must wait for the Day of Judgment. When the defenseless are deprived of life, liberty, and the pursuit of happiness, the distinction between the kingdoms of the left and right hands becomes academic. Pastors must encourage their parishioners to engage in all legitimate action to outlaw the practice, with the proviso that in the past some great things began to happen only first when legal boundaries were disregarded. Political action can lead to a moral good.

On that January day in 1973, the court decision came like a thunderbolt out of the blue. Some things we think will never happen do happen. This is a rule of life we forget to our own disappointment. We think that we will

¹ The *Didache* may be as early as AD 60 and so is coterminous with the late apostolic era. Prohibitions against abortion and infanticide appear as subcategories of the commandments "thou shalt do no murder; thou shalt not commit adultery" (*Did.* 2:2). This ordering may suggest that some Christians were using abortion to resolve an unwanted pregnancy resulting from adultery. The Greek text translated as "Thou shall not commit an abortion" could just as easily be translated "do not murder a child [that had been conceived] in the seduction of a woman." While Matthew had a Jewish audience in view, a later writing like the *Didache* was addressing a similar audience, though one more likely to engage practices common among pagans. Jerry Sandusky, a former Penn State University football coach, was convicted of 45 counts of child sexual abuse on June 22, 2012.

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never contract a life-threatening disease, but we do. Those who, in the face of an unanticipated moral collapse, ask “What is the world coming to?” are not aware that from a biblical perspective the world provides a hospitable habitat for the enemies of God with which human beings are comfortable; often, the world is indistinguishable from the church. By the first century, abortion was replacing infanticide, because the mother did not have to view the results of her decision. Looking at the bodies of dismembered babies causes revulsion. Both Moses and Jesus escaped infanticide at the hands of evil rulers, but some did not and still some do not, and so the words of Jesus still prove true that the devil is “a murderer from the beginning” (John 8:44).²

In the 1950s, The Lutheran Church—Missouri Synod (LCMS) and the predecessor church bodies of the Evangelical Lutheran Church in American (ELCA) were more alike than different. We differed on the lodges and pulpit and altar fellowship, but our members held to a shared belief in biblical inspiration and inerrancy, we saw God as our Father through his Son Jesus, and we all learned Luther’s Small Catechism. No one in either trajectory of American Lutheranism proposed that homosexuals could serve as ministers or that same sex marriages deserved church blessing. Pentecostals had women preachers, but mainline denominations did not. Governments saw marriage as a union between one man and one woman that would soon produce a family. Kingdoms of the left and right hands washed the other’s hands. In those halcyon days, the church influenced the public morality, and in turn the public morality provided external support for church practice. In January 22, 1973, this mutual support began to collapse.

Winters in Springfield, Illinois, were brief and so January 22, 1973, was typically cold, gray, and dismal, but not frigid. I received the news in my second floor office in Wessel Hall opposite the classrooms. James Bauer, a first-year student in the last class to be graduated from the Springfield campus in 1976 and now a pastor in Denver, came across the hall. Faith had to be followed by works and the telephone was the *medium* or *instrumentum gratiae*. We both had faith, but Bauer had the works in making phone calls of protest to various government officials. Following the precedence of Genesis 27:22, Jim introduced himself as me: “The voice is Jacob’s voice, but the hands are [those] of Esau.” In contacting LCMS president J. A. O. Preus, a hypostatic union took place and I was both person and voice asking Jack to make a statement in the name of our

² See John A. Hardon, *The Catholic Catechism: A Contemporary Catechism of the Teachings of the Catholic Church* (Garden City, NY: Doubleday & Company, Inc., 1975), 334–338.

church. Well, he did, but only after some time had passed. The Cardinal Archbishop of Saint Louis was on the ready with a press release. Roman Catholics are more adept at bringing moral issues to the public attention. If congregational autonomy and synodical fellowship mean our presidents must have permission before speaking for the church, then the episcopal system is superior. Flocks do not guard themselves, shepherds do.

In the intervening years, the LCMS has increasingly taken on a prophetic role in awakening the conscience of its members to the evil that takes away the lives of defenseless human beings. Abortion is no less a moral issue than it is a political one. LCMS president Matthew Harrison has shown no hesitancy in speaking clearly, promptly, and prominently on social issues. The January 2013 issue of *The Lutheran Witness* tackles abortion head-on, with no less than five articles plus two editorials, the first by Harrison. If previously the Lutherans were in the shadows, now they are coming out of the closet. Lutherans tend to be reticent in getting involved in political issues, but abortion is legalized moral violence against the most defenseless human beings. Reticence or Luther's doctrine of the two kingdoms is not a valid excuse in refraining from political involvement.

Soon after the court decision, I took pen to hand—a metaphor for pounding away on a manual typewriter—and wrote what was probably the first article on the subject in the LCMS, entitled “Abortion: A Moment for Conscientious Reflection.” Only four and a half pages long, it appeared in the December 1972 issue of *The Springfielder*.³ The cover date did not correspond with the date of its publication, so the article appeared in an issue that predated the court decision by one month. Call it proleptic eschatology. Drawing a parallel to the holocaust, it may appear harsh, but without an edge, prophetic voices are no longer prophetic.⁴ As Jesus said, “Ἐὰν δὲ τὸ ἅλας μωρανθῆ, ἐν τίνι ἀλισθήσεται;” (Matt 5:13). Rhetorical etiquette had little place in the preaching of the prophets. In the 2012 vice-presidential debate, Joseph Biden said that he was personally opposed to abortion for religious reasons, but was unwilling to superimpose his beliefs on others. His opponent failed to reverse the argument: if private morality cannot determine public policy, why then should government force individuals to engage in immoral acts, such as paying for pills causing abortions? Separation of public and private morality is a species of

³ David P. Scaer, “Abortion: A Moment for Conscientious Reflection,” *The Springfielder* 36, no. 3 (December 1972): 180–184.

⁴ Matthew C. Harrison makes the same comparison in his editorial, “God’s Gift of Life,” *The Lutheran Witness* 132 (January 2012): 1.

the old argument that science and faith exist in their own autonomous worlds. They do not.

Without the perspective of what was culturally happening in 1973, the legalization of abortion appears as sea change in public thinking. At second glance, cultural, moral, and theological change had been in the air for some time. Like biological evolution, changes in public morality often go undetected until an advanced product evolves. At the end of World War II, extended families living in close knit neighborhoods in cities began to be replaced by the nuclear two-child families of the suburbs. As farms became mechanized, large families became more of financial burden and less of an asset. Children were obstacles to women pursuing careers, and romance rather than procreation was seen as the purpose of marriage.⁵ Today, two-parent families are on the decline and one-parent families could become the norm. One self-described liberal social scientist finds that the arrangement of a mother with no permanent partner is harmful to children. This is hardly a religiously bigoted opinion, since the author opposes one government definition of a family over another.⁶ He acknowledges, as we all should, that though children come with no guarantees, those with one father and one mother fare better. What the world looks like today is a lot different than fifty years ago. Abortion was not legalized in a moral vacuum.

Beginning with the Emperor Constantine, the church was a factor in shaping public morality. New England Congregationalism was a factor in abolishing slavery, and a general Protestant objection to alcohol consumption led to a constitutional amendment outlawing its sale. When Protestant modernism could no longer hold the moral torch, the Catholic Church took over as society's moral guardian, but its own sheep no longer listen to the church's voice. To show how things have changed, consider that as recently as 1961 the Archbishop of Canterbury was consulted by the Lord Chamberlain as to what plays were morally and theologically acceptable for the London stage.⁷ Today, unfavorable presentations of the prophet are

⁵ For a discussion of children as a financial burden rather than an advantage, see Paide Hochschild, "What Are Children For?" *First Things* 229 (January 2013): 39–44.

⁶ Andrew J. Chrelin, "Middle Class Offers Marriage Model," *The Journal-Gazette* (December 28, 2012): 11a. Chrelin argues that those in the middle class, with more education and better paying jobs than the poor, are more likely to have stable marriages. Hence education leading to higher paying jobs will serve as a catalyst for more stable marriages.

⁷ Peter Webster, "The Archbishop of Canterbury, the Lord Chamberlain and the Censorship of Theatre, 1909–49," in *The Church and Literature*, ed. Peter Clarke and Charlotte Methuen (Suffolk, UK, and Rochester, NY: Bowdell & Brewer for the Ecclesiastical Historical Society, 2012), 437–438.

met with outrage, even by government officials, while blasphemous images of Jesus are allowed. Putting dates on when things began to change is inexact, but recently retired Harvard professor Joseph Fletcher gave a push to the rolling ball in 1966 with his *Situation Ethics*.⁸ He created a sensation in proposing that intercourse outside of marriage is wrong one hundred times out of a hundred, but that an exception is still possible. To use biblical language, that one exception brought forth a hundredfold. Today, Fletcher's one-time exception morality is a quaint, outdated curiosity. Apart from substituting situation ethics' vaguely defined concept of love as the standard for concrete moral principles in determining right from wrong, Fletcher's proposal is moral hubris, with each person deciding what is best for him or herself. Satisfactory outcomes and not moral codes determine right from wrong. Referencing the book of Judges, "every man did what was right in his own eyes" (17:6; 21:25).

In 1963 J. A. T. Robinson released his *Honest to God*.⁹ The English bishop and later Cambridge don combined Karl Barth's transcendental God out there with Paul Tillich's immanent God within us to produce a God who was once somewhere but was now nowhere. William Hamilton and Thomas J. J. Altizer followed up with their God-Is-Dead proposals, but were not agreed on the cause of death. The word "God" would still be bantered around, but was no longer useful as a moral authority. Signs of a disintegrating public morality in the 1960s were opposition to the Vietnam War, Woodstock, and the deaths of protesting students at Kent State University by unseasoned national guardsmen. In retrospect, the confident Pelagian morality of the Enlightenment Rationalists and Immanuel Kant's moral imperative look good. If God and a semblance of public morality were no longer in place, it is not surprising that the lives of unborn infants became expendable and were seen as having no more value than that of animals. Modern saints rescue beached whales and assist in animal shelters. Speciesism became the sin of those who think otherwise. Fanatics work to rescue the unborn, but even after death, fanatics get things done. John Brown's attack on the federal facility in Harper's Ferry, Virginia, focused the national attention on the evil of slavery, and the Union forces went off to war singing "John Brown's Body Lies a Smouldering in the Grave."

⁸ Joseph Fletcher, *Situation Ethics: The New Morality* (Philadelphia: The Westminster Press, 1966). In the chapter, "Love Justifies Its Means," Fletcher provides a number of test cases (120-130). Absolute standards of morality have no place. Just as divorce can be done out of love, so can abortion (133).

⁹ J. A. T. Robinson, *Honest to God* (Norwich, UK: SCM Press, 1963).

In the 1930s and 40s, Dietrich Bonhoeffer focused Germany's attention on the anti-Semitic evils of National Socialism and, like Brown, he paid the ultimate price. Annihilation of the European Jewish population and of infants by abortion are more similar than different in that innocent human beings are put to death—which is the point: who is human? Jews were as human as Christians, and unborn infants share in the same humanity as those babies who make it out alive.¹⁰ Ethical decisions are inherently debatable. That is why we have ethics. Bonhoeffer's political and theological views remain a point of contention, especially in the LCMS, but Uwe Simon-Netto has convincingly argued that Bonhoeffer understood his participation in the conspiracy against Hitler as a matter of the left hand to prevent further destruction of the Jewish population and the immanent devastation of Germany by Allied forces. Bonhoeffer's actions might find support in the parable of the Samaritan, for had he, the Samaritan, not stopped, the wounded man would have inevitably died. Luther's explanation of the Fifth Commandment requires helping the neighbor in physical distress.¹¹ Current fascination with Bonhoeffer and a renaissance of his theology have not translated into opposition to abortion among his admirers. Consider that chemicals are instruments of death in both cases. Those who weep over the holocaust but do nothing to stop abortion are the contemporary equivalent of scribes and Pharisees who lavishly decorated the tombs of the prophets whom their fathers killed (Luke 11:48). Penitential sorrow for the sins of others does not compensate for failing to recognize and relieve current moral wrongs. Even though Hermann Sasse would not consent with Bonhoeffer to the Barmen Declaration, he also opposed National Socialism. Bonhoeffer paid the consequences by a gruesome execution; by a strange twist of circumstances, Sasse was forced out of the University of Erlangen by those who said little or nothing against anti-Semitism or even offered theological reasons to support it. Greatly admired Lutherans theologians Werner Elert and Paul Althaus Jr. failed to recognize or ignored the fact that the German Christianity proposed by the National Socialist Party was Nordic-Germanic paganism disguised in Christian clothing.¹² Culture, especially when it is government supported,

¹⁰ Luke uses the same word for both an unborn, τὸ βρέφος (Lk 1:41, 44), and a new born infant, τὰ βρέφη (18:15).

¹¹ This is suggested in Peter Scaer, "Our Littlest Neighbor," *The Lutheran Witness* 132 (January 2013): 11–13.

¹² For a historical overview, see David Jay Webber, "Bonhoeffer and Sasse as Confessors and Churchmen," *Logia* 21, no. 4 (Reformation 2012): 13–20. See also John T. Pless, who notes that Werner Elert and Paul Althaus identified themselves with the National Socialists in signing the *Ansbacher Anschlag* in 1934. "Hermann Sasse (1895–1976)," *Lutheran Quarterly* 25, no. 3 (Autumn 2011): 302–303.

has the potential to take the church under its wing and smother its faith. Such was the case in Germany in the 1930s and 40s and such it is here now with the lack of full response from American Protestants to abortion. In our time, Richard John Neuhaus (1936–2009) was an example of a fearless John the Baptist as he plunged into the public square on the abortion debate.¹³

We might find an excuse for our lack of involvement in opposing abortion in the words of Jesus to Peter that those taking up the sword will perish by it (Matt 26:51), but rather than being a prohibition of the use of force to avert evil, they are the promise of the inevitability of death for those engaged in military action. Recruits for the armed services are fully informed of what may be in store for them. If ethics is nothing more than a historical study of how others came to their decisions and does little in promoting actions that carry risks, then such ethics are inherently unethical. In our tradition, monthly Monday morning circuit pastoral conferences still serve to help clergy as they walk the narrow line between right and wrong actions with the risk of uncertainty. Agreeing to an appropriate action in an ambivalent situation and taking the necessary action is a pastor's burden that the apostles also faced. James, the brother of the Lord, came to a decision allowing Gentiles as full members of the church while giving as little offense to the Jewish members as possible (Acts 15:19–20). In his epistles, Paul weaves in and around troublesome issues, remaining faithful to the commandments even as he aims to keep the congregations together.

Two contemporary instances come to mind in distinguishing right from wrong. Some years ago Neuhaus, who was a frequent guest on William F. Buckley's *Firing Line*, was asked by a pious Catholic lady why

¹³ Wesley Smith details how Neuhaus came to oppose abortion: "The culture of death is an idea before it is a deed. I expect many of us here, perhaps most of us here, can remember when we were first encountered by the idea. For me, it was in the 1960s when I was pastor of a very poor, very black, inner city parish in Brooklyn, New York. I had read that week an article by Ashley Montagu of Princeton University on what he called "A Life Worth Living." He listed the qualifications for a life worth living: good health, a stable family, economic security, educational opportunity, the prospect of a satisfying career to realize the fullness of one's potential. These were among the measures of what was called "a life worth living." Neuhaus looked "out at his congregation and saw the very types of people who Montagu denigrated as having lives not worth living; In that moment, I knew that I had been recruited to the cause of the culture of life. To be recruited to the cause of the culture of life is to be recruited for the duration; and there is no end in sight, except to the eyes of faith." "The Moment I Recognized the Culture of Death," *National Review Online* (January 13, 2013), <http://www.nationalreview.com/human-exceptionalism/337567/moment-i-recognized-culture-death>: (accessed October 17, 2013).

Bonhoeffer's opposition to Hitler could not be used as example in preventing abortion. Both Neuhaus and Buckley are rightly remembered as intellectual giants in the field of public morality, but neither could provide an answer. They were caught off guard and said that the reason for eschewing violence should be obvious. But if it was so obvious, the woman would not have asked. There are no wrong questions, but there are only questions from whose answers we retreat because we do not want to face the consequences of our principles. In colloquial terms, we take refuge in saying that this or that situation is not the hill to die on. Bonhoeffer and his co-conspirators asked and answered the question of what should be done with a tyrannical killer. Hitler's life was of less value than the thousands who would still die, so they argued.

A second case was the May 2009 assassination—in a church—of the abortion doctor George Tiller, whose killer was given a near life sentence. After excommunication by a LCMS congregation,¹⁴ Tiller joined an ELCA congregation, from where he was buried. Some saw virtue in his helping women rid themselves of troublesome pregnancies. Whatever issues divide the LCMS and ELCA, differences on abortion should indicate that we are entirely different churches.¹⁵ Both pro-life and pro-choice groups condemned Tiller's assassination, yet, in contrast, President Obama's order to assassinate Osama bin Laden was seen as an act of courage. Had Bonhoeffer's co-conspirators succeeded, the morality of their actions would hardly be questioned. Had an armed teacher in the Sandy Hook school massacre killed the assassin, he would have received the honors given the pilot of the U.S. Air jet who safely landed the plane in the Hudson River.¹⁶ Or consider this scenario: sometime around the year 2030, a person about twenty years old who had been adopted as a child might do the math and conclude that if that Kansas doctor had continued to live, he or she might

¹⁴ The Lutheran Church—Missouri Synod states that “since abortion takes a human life, it is not a moral option except to prevent the death of . . . the mother” (1979 Resolution 3-02A).

¹⁵ The official position of the Evangelical Lutheran Church in America states that “abortion prior to viability (of a fetus) should not be prohibited by law or by lack of public funding,” but that abortion after the point of fetal viability should be prohibited except when the life of a mother is threatened or when fetal abnormalities pose a fatal threat to a newborn. *A Social Statement on: Abortion* (Department for Studies of the Commission for Church in Society, 1991), 10.

¹⁶ On January 15, 2009, US Airways Flight 1549 struck a flock of geese resulting in the loss of engine power. The crew was able to successfully ditch the plane into the Hudson River off midtown Manhattan. At Sandy Hook Elementary School, twenty-year-old Adam Lanza fatally shot twenty children, six adult staff, and his mother before committing suicide on December 12, 2012.

not be alive now. Since the 1973 court ruling, every person adopted as a child in the United States might ponder his or her possible non-existence. Contemplating non-existence might be unprofitable philosophical speculation; the over fifty-four million aborted babies will be spared such useless thoughts. Those children may not exist for those who aborted them, but they live before God and at the judgment will have equal standing with those who aborted them.

Roman Catholics are more likely to speak of sins of omission, but without recognizing sins of omission as serious sins, non-involvement in preventing abortion has no moral consequences. The pericope of the woman caught in adultery might shed some light on this. Typically, the saying that the one without sin should cast the first stone is used to show that we sinners should not judge others (John 8:3-7). In other words, the passage has to do with original sin. This can hardly be right, since Jesus and the apostles do make judgments. Without making moral judgments, law and gospel cannot be preached. A preferable interpretation is that by observing the act and not intervening, the woman's accusers were complicit. If the Samaritan proved to be the neighbor in helping the stricken traveler, the priest and the Levite did the evil thing by not helping (Luke 10: 29-37).

Politically, 1973 would be a tumultuous year for both the nation and the LCMS. That summer, Gerald Ford became the first person to be named vice-president under the provisions of the twenty-fifth amendment—a sign of more troubles to come. American withdrawal from Vietnam was inevitable as our nation was coming to terms with its first major defeat by a foreign power. By January 1973, J. A. O. Preus was in his fourth year as president of the LCMS and was weathering attacks from the right for inaction and from the left for too much action in addressing the synod's ills. Depending where one stood, Preus was guilty of the opposing sins of omission and commission. Delegates that July to the LCMS convention in New Orleans received a report concerning Concordia Seminary, Saint Louis, that led to the seminary board suspending its president, John Tietjen, at its December meeting. This led to the February 1974 faculty walkout and the formation of an alternate theological training institution known as Seminex, for whose support the Association of Evangelical Lutheran Churches (AELC) was formed.¹⁷ So if 1973 is remembered as the year in which abortion became legal, it was also the year in which the LCMS was facing a disruption that in less nimble hands could have led to its disintegration. *The Tale of Two Cities* has the oft quoted line that it was

¹⁷ See Paul A. Zimmerman, *A Seminary in Crisis: The Inside Story of the Preus Fact Finding Committee* (Saint Louis: Concordia Publishing House, 2007).

the best of times and the worst of times, but for the country and the synod it was the worst of times. Formation of the AELC by LCMS dissidents accelerated the process of bringing the American Lutheran Church (ALC) and the Lutheran Church in America (LCA) together to form the ELCA.¹⁸ With vast majority of Lutherans in the U. S. as its members, the ELCA has been on the forefront of promoting a secular, feminist agenda that allows not only women and homosexual clergy but also supports abortion in its insurance program. Its agenda makes it indistinguishable from a political party.¹⁹

Secular and religious events are woven into one cloth or mixed into one cocktail, as suggested by Luke 3:1-2, where the ministries of John the Baptist and Jesus are anchored:

In the fifteenth year of the reign of Tiberius Caesar, Pontius Pilate being governor of Judea, and Herod being tetrarch of Galilee, and his brother Philip tetrarch of the region of Ituraea and Trachonitis, and Lysanias tetrarch of Abilene, during the high priesthood of Annas and Caiaphas, the word of God came to John the son of Zechariah in the wilderness (ESV).

Secular history provides the shell in which *Heilsgeschichte*, the history of salvation, takes place and is so intertwined that completely separating one event from the other might be as difficult as it is artificial. What happens in the world reflects and shapes church life and belief. John preached a message with political overtones and ended up on the wrong side of a precursor of the guillotine. Preaching can never be entirely apolitical. Those Christians who ignore the horror of abortion or even support it have already become intoxicated by breathing in the poisoned air of the surrounding culture. After resisting government pressure, Scandinavian Lutherans allowed for women clergy and adopted the secular agenda.²⁰ This happens and will happen again and again.

If every gray cloud has a silver lining and every dark night is a prelude to a bright dawn, so these events were not entirely without reward. Just as

¹⁸ At least this was the opinion of David Preus, the last ALC president. See David L. Tiede's review of David W. Preus, *Pastor and President: Reflections of a Lutheran Churchman*, in *Lutheran Quarterly* 26, no. 4 (Winter 2012): 452.

¹⁹ A helpful overview of the formation of the ELCA is provided by Arthur J. Clement, *Lutheranism from Wittenberg to the U. S. A.* (New Haven, MO: Lutheran News, Inc, 2012), 842-855. It was legally constituted on April 30, 1987, in Columbus, Ohio, and became the legal successor to the constituting churches on January 1, 1988.

²⁰ See Jan Bygstad, "Can There Be Peace? Violence in the Name of Religion," *Concordia Theological Quarterly* 76 (2012): 348-358.

the practice of ordained women clergy led the church to reflect on what it means that God has created us male and female, so the court's decision on abortion directed the church to focus on what constitutes a human being and, subsequently, on how Jesus as a human being can also be God.²¹ Abortion and incarnation are related subjects. Opposition to abortion in the public sphere must proceed for non-religious reasons, but in the church theological and biblical reasons must be offered. Preaching that is not theological is no preaching at all. With few exceptions, Christians in the tradition of ancient and Reformation churches are agreed that a human being consists of a body and soul, with the personhood of the individual residing in the soul that comes from God, relates to God during life, and returns to God at death (Eccl 1:13; 3:11; 12:7). This is called dichotomy. Trichotomy holds that a human being has three parts, body, soul and spirit. A variation of trichotomy is that one is born with a body and soul and given a spirit when he becomes a Christian. This view opens the door to the error of perfectionism because of the belief that in that part called "the spirit" a Christian can overcome sin.²² The Athanasian Creed assumes dichotomy in that Jesus Christ is described as "perfect God and perfect man, of a reasonable soul and human flesh subsisting." Just as Jesus is God and man, so as a man he has a body and a soul.

Without a soul, an unborn child is arguably not a human being; Christians, however, are not agreed on the soul's origin.²³ Origen (c. AD 185–254) held that souls existed in eternity and were placed in the body at conception. Mormons believe something like this. A now long-deceased, confessional, and dear colleague argued that birth control prevented pre-existing souls from assuming bodies. These are Platonic variations. Popular among Roman Catholics and the Reformed is creationism, the view that God creates each individual soul and places it into the body. Reformed theologians say this happens by a special action of God at the time of conception. Roman Catholic theologians are not agreed as to when this takes place; supposedly, Thomas Aquinas said it happened three

²¹ Francis Pieper's *Christian Dogmatics*, 3 vols. (Saint Louis: Concordia Publishing House, 1950–53), 1:476–477. This view resembles those of the Gnostics and hardly fits Luther's understanding of man *simul iustus et peccator*. How this view understands abortion is unclear. Aborted children would lose their souls in death, but not their spirits which they never had.

²² For a fuller discussion of this and other matters related to anthropology, see Wayne Grudem, *Systematic Theology: An Introduction to Biblical Doctrine* (Grand Rapids: Zondervan Publishing House, 1994), 472–489.

²³ Monism holds that a human being has only a body and that the soul is the mind as an extension of the body and, in contrast to animals, is more highly developed.

months after conception.²⁴ Since souls take on the character of sin by being placed into sinful bodies, this view borders on Platonic dualism.²⁵

Traditionally, Lutherans favor traducianism, the view formulated by Tertullian and held by Augustine and Luther, that the soul is derived from the parents along with the conception of the body.²⁶ In one act, a person is conceived as body and soul as a totality, a position that is the most satisfactory in opposing abortion and understanding Christ's incarnation. In one act, God assumed not only a human body but a human soul from his mother. This was a complete, not partial, incarnation. In the moment of conception Mary was fully *theotokos*, the mother of Jesus, who is both God and man with a body and soul (Luke 1:43).²⁷ His soul was not added later. Differences on these matters are not reasons for separating ourselves from others in opposing abortion, but our opposition to abortion is an opportunity to reflect on the nature of being a human being on the and incarnation. The Son of God became a human being at his conception, not at his birth. Theologically and liturgically, the Annunciation (March 25), which celebrates the conception of the Son of God, takes precedence over Christmas (December 25), the commemoration of his birth. Theology does not have the market on how a human being is defined. Man can be understood physiologically, psychologically, and philosophically. From a physiological perspective, what makes a person a human being, what he or she will be, emotions, personality, intellect, and hair and skin color, already are in place at conception. Before they are born, children are linguistic, intellectual, and emotional beings. They can recognize the mother's voice and distinguish one language from another, respond to music, and be adversely affected by a tumultuous environment. They experience pain

²⁴ Hardon, *The Catholic Catechism*. See also *Catechism of the Catholic Church* (Liguori, MO: Liguori Publications, 1994), 93, para. 366.

²⁵ Creationism, the doctrine that a soul was created by God for each infant, is problematic. Creation came to a completion on the sixth day. God no longer creates *ex nihilo* but through multiplication of what has already been created. This view puts God in the position of creating sinless souls to be placed into sinful bodies. In the Reformed tradition, Grudem is a creationist and gets around this problem of children having bad dispositions by holding that God, in creating souls, fashions them according to the dispositions of the parents. *Systematic Theology*, 485–486. This is an innovative idea, but results in God being directly involved in creating sinful souls.

²⁶ Hardon, *The Catholic Catechism*, 106

²⁷ Yves M. J. Congar notes that we can affirm that Christ "is ontologically the Son of God because of the hypostatic union from the moment of his conception," and still "respect the successive moments or stages in the history of salvation in which the virtue or effectiveness of the Spirit in Jesus was actuated in a new way." *I Believe in the Holy Spirit*, 3 vols., trans. David Smith (New York: The Seabury Press, 1983), 3:171.

and flee in anticipation of an abortionist's knife. Unborn infants possess the characteristics of human beings.

Recently released are the results of research with children as young as three to ten months conducted by the Yale University Infant Cognition Center. It finds that a moral sense can be detected in the youngest infants.²⁸ In other words, children are born as moral creatures. The choices they make for their own advantage seem to affirm what the church calls original sin. They differ from the rest of the animate world in being able to distinguish right from wrong. Jonah Lehrer goes into even more detail in his *Boston Globe* article "Inside the Baby's Mind."²⁹ The distinction between the law and the gospel assumes everyone is in some sense moral, including children. Voltarie followed Pelagius in assuming that a child came into the world with a *tabula rasa*, a clean slate. Learning good and evil was similar to learning facts. B. F. Skinner's behaviorist psychology saw things the same way. The recent research at Yale is not that dissimilar to Immanuel Kant's moral argument for the existence of God by which he posits that we intuitively can recognize moral injustices that will be rectified by God in the afterlife when he rewards the good and punishes the bad. The Yale study leans in the direction of seeing morality as intuitive rather than learned behavior.³⁰

While scientific and biblical data are not identical, they can correspond. Before their births, John the Baptist and Jesus recognized one another (Luke 1:44). That was an act of faith. The account of Jacob grabbing the foot of his brother Esau during birth might be more fact than tale (Gen 25:26). Fraternal dislike that first appeared in the Cain and Abel account (Gen 4:8) exists before birth. Twins are known to be combative before birth. As natal and prenatal research advances, accumulated evidences will

²⁸ Abigail Tucker, "Born to be Mild," *Smithsonian* 43 (January 2013): 35–41, 76–77.

²⁹ http://www.boston.com/bostonglobe/ideas/articles/2009/04/26/inside_the_baby_mind/ (accessed October 17, 2013).

³⁰ These studies were the subject of a November 11, 2012, feature on CBS's "60 Minutes." See <http://www.cbsnews.com/video/watch/?id=50135408n> (accessed October 17, 2013) and published in the *Smithsonian* with the title of the article on its cover as "Born to be Bad?: The New Science of Morality? With the article the title was changed to "Born to Be Mild" with the subtitle in uppercase "ARE WE BORN KNOWING RIGHT FROM WRONG? NEW RESEARCH OFFERS SURPRISING ANSWER TO THE AGE-OLD QUESTION OF WHERE MORALITY COMES FROM." Researchers attribute this innate moral sense to evolution, but it corresponds to the biblical doctrine of original sin, i.e., not only are we born sinners but we know it. If children on this side of womb have a moral sense, do they have it in the womb itself? Should it be established that children at birth have an innate moral sense, they must have had it before they were born.

suggest that the “what” being aborted might actually be a “who,” i.e., a human being. Abortion is not the destruction of a thing, the cessation of an accumulation of living cells and body parts, but a human being who consists not only of a body but also a soul. An argument for abortion might be that before birth, the fetus or the child is not a human being because it has not reached its full potential. Such an argument assumes that in life there exists an optimum moment when all our mental, emotional and physical capacities reach their full potential, ideally at the same time. If this is so, when is this? Certain potentials like physical strength and intellectual and linguistic capacities are reached early in life, perhaps the late teens and early twenties, but wisdom comes later in life, and for some it never does. Is there any stage of life when we are more human than another? Should reaching a certain potential determine our humanity, then some of us have long since reached our peak and are on downhill slide. Solomon also spoke about this in Ecclesiastes (12:1–5).

So the arguments for abortion are easily reversed into ones for euthanasia for the non-functioning aged.³¹ *The Boston Globe* article goes so far as to say, “In fact, in some situations it might actually be better for adults to regress into a newborn state of mind. While maturity has its perks, it can also inhibit creativity and lead people to fixate on the wrong facts.”³² Of course Jesus said something like this first when he spoke of becoming like little children in order to receive the kingdom, i.e., to have a part in him. Over against the Baptists, we might want to say that we have no concerns about baptizing infants. They believe. We are not so sure about adults.

While we can take heart that the movements to abolish abortion have outperformed pro-choice movements and that this success is recognized in a one-third decline in abortions since their peak in the early 1980s,³³ nevertheless, the pro-life movement has suffered political setbacks. Where at one time the nation was evenly divided on the issue, 59 percent of the electorate hold that it should be legal in all or most cases.³⁴ Several attitudes and philosophies fuel the pro-abortion movement, but feminism is a major engine making inroads in the church where women are ordained and God

³¹ British National Health Care hospitals are already doing this. See “The Week,” *National Review* 64/24 (December 31, 2012), 13. Comas are induced for both the aged and for babies with congenital defects, who are then deprived of sustenance.

³² Lehrer, “Inside the Baby’s Mind.”

³³ Jon A. Smith, “Roe’s Pro-Life Legacy,” *First Things* 229 (January 2012), 23.

³⁴ Ramesh Ponnuru, “A Pro-Choice Surge,” *National Review* 64, no. 24 (December 31, 2012): 15–16.

is addressed as "Our Mother who is with us when we celebrate your many names."³⁵ In parenting, the mother holds the trump card in determining whether the unborn child shall live or die and so the man's right to fatherhood is subordinated and actually annihilated.³⁶

One reason given for my undertaking a dissertation on what nineteenth-century Lutheran theologians thought about infant baptism was my desire to provide background material that showed if and how baptized children differed from unbaptized children in receiving Christian education.³⁷ This goal may remain elusive, but our defense of the lives of unborn children may have a side benefit in reflecting and assessing the place of children in the church. Arguably, their subordinate state in the household of God is evident at the communion rail, where they can receive a blessing of Baptism with hands but not the second sacrament because they are said to lack the *fides reflexa*, a faith that reflects on sins, set forth as a requirement for a worthy reception (1 Cor 11:28). Claiming that infants do not have *fides reflexa*, i.e., they cannot reflect on their own faith, may be one of those "of course" doctrines, something which we believe but cannot prove. The Yale clinical study and others, however, call into question the assumption that children do not have the mental powers of reflections. We cannot base a case on a child's inability for moral reflection on a Yale clinical study, but it is hard to ignore, especially since we do not have evidences for the traditional understanding. It might be that the inability of children to have *fides reflexa* may be hardly more than a pietistic and rationalist relic without biblical or evidential support. We baptize children because, like the rest of us, each child is *simul iustus et peccator*. Studies show that children have intellectual advantages over adults. Perhaps the most notable advantage is that they have not developed the pious hypocrisy that comes with maturity. In the Roman church, the Rites of Christian

³⁵ Words used by an ELCA bishop at the celebration of Holy Communion with Rite of Reception, St. Mark's Lutheran Church, San Francisco, CA, Sunday, July 25, 2010, prayed at a "'Rite of Reception' for partnered gay and lesbian pastors." Taken from "Afterword: Staying Lutheran in Changing Church(es): Why We Still Need Lutheran Theology," in *Changing Churches* by Mickey L. Mattox and A. G. Roeper (Grand Rapids; MI: William B. Eerdmans Company, 2012), 312.

³⁶ Amy L. Way, review of *Why Have Children? The Ethical Debate*, by Christine Overall in *First Things* 228 (January 2012): 51-53.

³⁷ David P. Scaer, *Infant Baptism in Nineteenth Century Lutheran Theology* (Saint Louis: Concordia Publishing House, 2011).

Initiation for Adults assumes that adults are the better Christians than children.³⁸ Is this not the old Baptist argument to refuse infant baptism?

At the death of an infant, pastors often have to face the question of what age the child will be in heaven or at the resurrection. Though we might be tempted to say that the grieving are asking the wrong question, we can still provide the right answer that we adults will become like children, listening to and totally depending on the voice of their Father who has spoken once and for all time through his Son and our Brother, who gives us his Holy Spirit to be his children. Maybe for this reason the writer of First John addressed his hearers as little children six times.

Are unborn children human beings? Ask a married couple awaiting the birth of their first child. Ask any Englishman who awaited the birth of Kate Middleton's first child who is already regarded as the future sovereign.³⁹ We should defend the lives of all children, if for no other reason than the truth that God became a child not in Bethlehem but in the womb of his mother. The final stanza of "Once in Royal David's City" says it all.

Not in that poor, lowly stable
With the oxen standing by
Shall we see Him, but in heaven,
Set at God's right hand on high.
Then like stars His children crowned,
All in white, His praise will sound.³⁹

³⁸ For a summary of the current situation in the Roman church, see *Infant Baptism*, 12, n. 43.

³⁹ On July 22, 2013, George Alexander Louis was born to Prince William and Catherine Elizabeth, Duke and Duchess of Cambridge. George holds the official title: *His Royal Highness Prince George of Cambridge*.

³⁹ *Lutheran Service Book* 376:5.