Proclamatory Pragmatism

An Investigation into the Lutheran Logic of Law and Gospel

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Abstract

Contemporary American Lutheranism is experiencing a considerable number of long-term, intractable disputes, principally regarding biblical interpretation, that are resulting in an increasingly fractured denominational community. This dissertation seeks to provide the Lutheran community, and possibly others, with a set of tools that can be used to mediate such disputes regarding how Scripture should be interpreted. It does so by means of offering to Lutherans a pragmatic analysis of the logic behind the Lutheran praxis of distinguishing Law and Gospel, and it connects this praxis to the Apostle Paul's own approach to reading Scripture. I develop this logical model, which I call "proclamatory pragmatism," by means of an investigation of early Lutheran thought – primarily that of the Lutheran Confessions – and an analysis of Paul's practice of reading Scripture as witnessed to in Galatians, 1 Corinthians, and Romans. It is highly indebted to and intended to be an extension of Peter Ochs' "scriptural pragmatism" which is itself dependent upon the pragmatism developed by Charles Sanders Peirce. My primary thesis is that competing foundationalisms are present in contemporary Lutheran theology; that both claim roots in the early Lutherans and Paul; that both misunderstand the Lutheran and Pauline project in characteristically foundationalist ways (dogmatist and relativist); that the early Lutherans and Paul were primarily engaged in a reparative project; that charting the logic of both the early Lutherans' and Paul's reparative projects via pragmatic categories offers a normative logical structure for contemporary Lutherans that they might use to mediate the problem of competing foundationalisms; and that the model of "proclamatory pragmatism" is effective in doing so. I offer this logical model to Lutherans (and perhaps other Pauline Christians,

though its extent is unknown) as a way forward out of the impasse which currently

plagues so many theological discussions.

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Abbreviations

AC	The Augsburg Confession
ALC	American Lutheran Church
Ap	The Apology to the Augsburg Confession
AR	Ochs, Peter. *Another Reformation: Postliberal Christianity and the Jews*. Grand Rapids: Baker Academic, 2011.
BDAG	Arndt, William, Frederick W. Danker, and Walter Bauer. *A Greek-English Lexicon of the New Testament and Other Early Christian Literature*. Chicago: University of Chicago Press, 2000.
BoC	Book of Concord
CD	Barth, Karl. *Church Dogmatics*. 14 vols. Translated by G.W. Bromily. Edited by G.W. Bromily and T.F. Torrance. New York: T&T Clark International, A Continuum Imprint, 2004.
Conf	Augustine. *Confessions*. Oxford World Classics. Translated by Henry Chadwick. New York: Oxford University Press, 2008.
CP	Peirce, Charles. *Collected Papers of Charles Sanders Peirce*. 8 volumes. Edited by Charles Hartshorne and Paul Weiss. Cambridge, MA: The Belknap Press of Harvard University Press, 1960.
CWA	Churchwide Assembly of the Evangelical Lutheran Church in America
DeTrin	Augustine. *The Trinity: De Trinitate*. The Works of St. Augustine: A Translation for the 21st Century. Translated by Edmund Hill and edited by John E. Rotelle. Hyde Park, NY: New City Press, 1991.
ELCA	Evangelical Lutheran Church in America
Ep	The Epitome to the Formula of Concord
EP	Peirce, Charles. *The Essential Peirce: Selected Philosophical Writings, Volume 1 (1867-1893) and Volume 2 (1893-1913)*. Edited by Nathan Houser, Christian Kloesel, and the Peirce Project.

	Bloomington & Indianapolis: Indiana University Press, 1992 and 1998.
FC	The Formula of Concord
HA	The Humble Argument
OCD	Augustine. *On Christian Doctrine*. Trans. D.W. Robertson, Jr. Upper Saddles River, NJ: Prentice Hall, 1958.
K/W	Kolb, Robert and Timothy J. Wengert, eds. *The Book of Concord: The Confessions of the Evangelical Lutheran Church*. Minneapolis: Fortress Press, 2000.
L&G	Law and Gospel
LC	Luther's Large Catechism
LCA	Lutheran Church in America
LCMS	The Lutheran Church – Missouri Synod
LSJ	Liddell, Henry George et al. *A Greek-English Lexicon*. Oxford: Clarendon Press, 1996.
LW	Luther, Martin. *Luther's Works, Vols. 1-55*. Eds. Jaroslav Pelikan, Hilton C. Oswald, and Helmut T. Lehmann. Saint Louis and Philadelphia: Concordia Publishing House and Fortress Press, 1958-1976.
NA	The Neglected Argument
PPLS	Ochs, Peter. *Peirce, Pragmatism and the Logic of Scripture*. Cambridge, UK: Cambridge University Press, 1998.
PTS	Short, Thomas L. *Peirce's Theory of Signs*. Cambridge: Cambridge University Press, 2007.
PW	Ochs, Peter. "Philosophic Warrants for Scriptural Reasoning." *Modern Theology* 22, no. 3 (2006): 465-482.
RR	Ochs, Peter. "Reparative Reasoning: From Peirce's Pragmatism to Augustine's Scriptural Semiotic." *Modern Theology* 25, no. 2 (2009): 187-215.
SA	The Smalcald Articles
SC	Luther's Small Catechism
SD	The Solid Declaration to the Formula of Concord

TCT	Commission on Theology and Church Relations. "The Creator's Tapestry: Scriptural Perspectives and Ecclesial Practice." St. Louis: Concordia Publishing House, 2009.
Trigl.	Bente, F., ed. *Triglot Concordia: The Symbolical Books of the Ev. Lutheran Church (German-Latin-English)*. St. Louis: Concordia Publishing House, 1921.
WIC	Commission on Theology and Church Relations. "Women in the Church: Scriptural Principles and Ecclesial Practice." St. Louis: Concordia Publishing House, 1985.

Introductory Matters

This dissertation grew from long consideration of a thought that found voice for me in a 2007 paper on the theological rationality of Wolfhart Pannenberg that I wrote for a doctoral class at Concordia Seminary, a seminary of the Lutheran Church – Missouri Synod (LCMS). In this paper, I said: "The root of foundationalism can be found not so much in any particular set of beliefs but rather in the mode of thinking necessary to produce that set of beliefs."[1] My *Doktorvater* at the time, Joel Okamoto, highlighted the line and wrote, roughly: "This is a big claim. Say more." This dissertation is intended, among other things, to be the "more."

More precisely, I should say that the dissertation is the "more" at least in an introductory sense. I say "introductory" because this project is a pragmatic project. As such, its goal is not to close off discussion or to find "the answer" that corresponds to some form of "absolute truth." If I were to approach it in such a manner, I would be reinscribing foundationalism in my own thought rather than operating according to a pragmatic, reparative rationality. That is, the search for absolute truth is generally a good indicator of a mode of thinking that tends to seek to divorce claims from their contexts and the traditions of thought that give them meaning,[2] and this is indicative of

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[1] Scott Yakimow, "Pannenberg's Relational Rationality," (unpublished paper: Concordia Seminary, 2007), 6.

[2] I say "generally" and "tends to" because I could also see the possibility that someone may seek after what is ultimately or "absolutely" true but places those claims within a particular context, thereby opening up the possibility of their being tested, both in terms of exploring warrants for the claims and in terms of having those claims adopted by other communities. This procedure would not take the claims as universals *per se* but rather as claims whose generality is currently unknown; their actual generality would only be demonstrated in the extent that the claims are actually adopted by communities. Such a search for what is ultimately true would be encouraged by pragmatism.

a rationality I call foundationalism.[3] Instead of doing this, I take the logical tenets of

pragmatism – particularly scriptural pragmatism – as heuristic guides and hypotheses.

They are tested during the course of the dissertation according to whether or not they

helpfully describe the phenomena under investigation and provide fruitful new paths for

investigation. I seek to describe the rationality displayed by Paul and the 16th century

Lutheran Confessors (among other Lutherans) by mapping the contours of how they

read scripture via a pragmatic analysis; the goal is to get a handle on how they reason.

By doing so, I hope that the description I provide is itself a validation of my pragmatic

analysis. The analysis should be judged as being successful for unsuccessful according to

whether it illuminates their reading practices or not and whether it opens new avenues

of investigation or not. It is due to this latter concern that I call the project

"introductory." It is more in the line of providing a substantive framework or a

comprehensive syllabus of a fruitful trajectory of inquiry rather than an attempt to be

the end of inquiry.[4]

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[3] More technically, foundationalism is a Cartesian phenomenon and can be defined as: "the effort to locate some truth claim(s), independent of inherited traditions of practice, on the basis of which to construct reliable systems of belief and practice." (Peter Ochs, "Reparative Reasoning: From Peirce's Pragmatism to Augustine's Scriptural Semiotic," *Modern Theology* 25, no. 2 (2009): 188.)

[4] In a recent article, Adams inquires into what he calls the "shared philosophical shapes" of Scriptural Reasoning and Receptive Ecumenism and acknowledges that "this is not an area that has been explored much, and the findings of this inquiry should be treated as provisional." (Nicholas Adams, "Long-Term Disagreement: Philosophical Models in Scriptural Reasoning and Receptive Ecumenism," *Modern Theology* 29 no. 4 [October 2013]: 154.) He then goes on to compare their triadic approach to disagreement with a more familiar, modern binary approach. By speaking of trying to chart "shared philosophical shapes," it seems to me that he and I are engaging in similar types of investigations. This dissertation is an attempt to chart the "shape" or "form" or, as I term it, "logic" of a particular Lutheran *praxis* – that of distinguishing Law and Gospel. The goal is not to argue for any particular propositional statement or to resolve any particular set of propositions that are at the heart of a disagreement; rather, it is to hold up a broader understanding of what it means to reason like a Lutheran in order to solve many different types of problems that confront Lutheranism more broadly. I see Adams undertaking a similar attempt in his article where he proposes a distinction between a triadic philosophical "shape" and a binary one.

Returning to my initial interest in tracing the "mode[5] of thinking" that gives rise to foundationalist beliefs, this concern originated due to very practical problems within contemporary American Lutheranism. There has been a divide between the major Lutheran denominations that has only grown wider since the events that split the LCMS in the 1970's surrounding the interpretation of Scripture, particularly the use of the historical-critical method, that centered upon the teaching of the faculty of the "flagship" seminary of the LCMS, Concordia Seminary. It was a "Battle for the Bible" with those who supported a critical approach to Scripture squared off against those who espoused biblical inerrancy.[6] These debates culminated when the vast majority of faculty and students "walked out" or were "exiled"[7] from Concordia Seminary in St. Louis and formed a "Seminary in Exile," and hence the overall conflict became termed, "Seminex."[8]

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[5] I would now say "mode or modes."

[6] The term "Battle for the Bible" became popular not just in LCMS circles but in evangelical and Baptist circles as well during the 1970s and 80s. It generally refers to the conflict between those who believe in an inerrant Scripture (and therefore use a historical-grammatical approach or some modification thereof) and those who take a historical-critical approach to Scripture. See, for example: Eugene F.A. Klug, "Saving Faith and the Inerrancy of Scripture," *Springfielder* 39, no. 4 (1976): 203-11; Commission on Theology and Church Relations, "A Statement of Scriptural and Confessional Principles" (St. Louis: Concordia Publishing House, 1973); Earl Radmacher and Robert Preus, eds., *Hermeneutics, Inerrancy and the Bible* (Grand Rapids: Zondervan, 1984); Robert Preus, "Notes on the Inerrancy of Scripture," *Concordia Theological Monthly* 38, no. 6 (1967): 363-75; E.D. Hirsch, *Validity in Interpretation* (New Haven: Yale University Press, 1967); John D. Hannah, ed., *Inerrancy and the Church* (Chicago: Moody Press, 1984); Edgar Krentz, *The Historical-critical Method* (Philadelphia: Fortress Press, 1975); Harold Lindsell, *The Battle for the Bible* (Grand Rapids: Zondervan, 1978); Donald Dayton, "'The Battle for the Bible': Renewing the Inerrancy Debate," *The Christian Century* 93, no. 36 (Nov. 10, 1976): 976-80; Donald Dayton, "The Church in the World: 'The Battle for the Bible' Rages On," *Theology Today* 37, no. 1 (1980): 79-84; Howard John Loewen, "Biblical Infallibility: An Examination of Lindsell's Thesis," *Direction* 6, no. 2 (1977): 3-18.

[7] Which term is used still tends to identify an individual with one or the other party in this conflict.

[8] For three of the most recent treatments of this extremely contested history, see: James C. Burkee, *Power, Politics, and the Missouri Synod: A Conflict that Changed American Christianity* (Minneapolis: Fortress Press, 2011); Mary Todd, *Authority Vested: A Story of Identity and Change in the Lutheran Church – Missouri Synod* (Grand Rapids: William B. Eerdmans Publishing House, 2000); and Paul A. Zimmerman, *A Seminary in Crisis: The Inside Story of the Preus Fact Finding Committee* (St. Louis: Concordia Publishing House, 2007). Other accounts abound as well, such as: Daniel Aleshire, "Watching Hope Grow: Distant

Since that contentious time, there was an entrenchment of positions within American Lutheranism regarding how the Bible should be interpreted. In 1988, two of the major Lutheran denominations merged (the American Lutheran Church and the Lutheran Church in America) in order to form the Evangelical Lutheran Church in America (ELCA). This newly formed church was roughly twice the size of the LCMS, and from the beginning, there was tension between the two, particularly over how Scripture should be read. The ELCA tended to embrace historical-criticism as an authoritative method of scriptural interpretation, and the LCMS explicitly eschewed such an approach in favor of a historical-grammatical approach.[9]

Reflections on Seminex, June 2009," *Currents in Theology and Mission* 38, no. 2 (April 2011): 84-9; Board of Control, Concordia Seminary, *Exodus from Concordia: A Report on the 1974 Walkout* (Saint Louis: Concordia Seminary, 1977); Arland J. Hultgren, "Can We Not Afford Seminex?," *Dialog* 18, no. 2 (1979): 146; Frederick W. Danker, *No Room in the Brotherhood: The Preus-Otten Purge of Missouri* (St. Louis: Clayton Publishing House, 1977); James E. Adams, *Preus of Missouri and the Great Lutheran Civil War* (New York: Harper and Row, 1977); Paul Bauermeister, "Seminex: A Spiritual Journey," *Currents in Theology and Mission* 38, no. 2 (April 2011): 128-32; Kurt Marquart, *Anatomy of an Explosion: A Theological Analysis of the Missouri Synod Conflict* (Fort Wayne, IN: Concordia Theological Seminary Press, 1977); Robert L. Conrad, "Seminex: The Hidden Curriculum," *Currents in Theology and Mission* 15, no. 1 (1988): 77-83; John Tietjen, *Memoirs in Exile: Confessional Hope and Institutional Conflict* (Minneapolis: Augsburg Fortress Press, 1990); Arnold Bringewatt, "The Church and Political Involvement," *Currents in Theology and Mission* 6, no. 3 (1979): 144-8; Susan J. Ebertz, "Christ Seminary – Seminex Library: From Concordia Seminary in Exile Library to Seminex Legacy Collection," *Currents in Theology and Mission* 38, no. 2 (2011): 120-25; The Rev. Henry L. Lieske Papers: Research Collection on the Moderate Movement in the Lutheran Church-Missouri Synod (1932-89), 30/143, Evangelical Lutheran Church in America, Elk Grove Village, IL.

[9] These are extremely loaded terms, especially since there is considerable overlap of interpretive *techne* between the two. The principle difference seems to be in the attitude the interpreter takes toward Scripture that can be regarded as a binary opposition: *either* one regards the Bible as fully the Word of God under whose ultimate authority the interpreter resides such that he is just repeating what God has said (LCMS) *or* one regards it as containing the Word of God but requiring historical tools and discernment to see what was applicable back when it was written and what might still be applicable today (ELCA). I do not intend this highly reductive characterization of what is actually a highly technical and nuanced phenomenon to be in any way definitive. I only offer it as a way to begin to understand the conflict between a "typical" ELCA and a "typical" LCMS approach to Scripture. Further, the LCMS adopted a statement elucidating what it took to be the normative principles of valid Scriptural interpretation, called "A Statement of Scriptural and Confessional Principles," (St. Louis: Concordia Publishing House, 1974).

It is this ongoing "Battle for the Bible" that serves as the impetus, the irritant, the cause of doubt for the present investigation. I read the conflict as being a thoroughly modern conflict in that both sides display Cartesian foundationalism whether it is of a dogmatist or relativist stripe.[10] On the one hand, there is a rationality that treats truth claims as simply describing what is real independent from any context or particular viewpoint; this is an example of Cartesian dogmatism. On the other hand, there is a rationality that treats truth claims as only describing particular internal states or private beliefs that are not available for public scrutiny because they lack a connection to any strong concept of what is real; this is an example of Cartesian relativism.

To be clear, my primary thesis is that there are two foundationalist tendencies at work in contemporary Lutheranism, dogmatic and relativist, and both of these tendencies claim sources in classic Lutheranism and, before that, to Paul. However, both of these tendencies as they play out in the life of the church have forgotten the specific character of their reparative roots and how their forbearers in the faith went about such repair. For the Lutheran dogmatist, the assertion of correct doctrine becomes primary because they hold to a propositionalist account of truth where doctrine is understood as unproblematically describing God or life with God. The goal, then, would be to pronounce the correct locutions, to be right doctrinally, and then let the chips fall where they may. The Lutheran relativist, on the other hand, understands doctrine as descriptive of the internal states of particular individuals or communities

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[10] For a definition of "Cartesian foundationalism," see fn. 3 above.

and not bound in any significant way to external realities such that it is possible for Lutherans to assert both X and ¬X at the same time when addressing the same set of circumstances. Both of these approaches would be foreign to Paul and the early Lutherans.[11]

Instead of this, I read both Paul and the early Lutherans as being concerned, in the first place, with repairing Christian thought and life by interpreting Scripture and contemporaneous situations in light of the Gospel of Christ; that is, they were looking for an ongoing reformation that continually keeps Christ at the forefront of thought. They were engaged in a process of identifying sin and error within the church and proclaiming the Gospel into that situation in order to effect redemption, to effect a repair of the person and of the community in light of a particular outcome – the life enabled by faith in Christ. The early Lutherans called this process the practice of distinguishing Law and Gospel and patterned their practice after that of Paul; as for Paul himself, he did not give his practice a name but simply did it and made it his most foundational activity. As will be seen throughout this dissertation, I contend that the logic of this process can be most helpfully understood in terms of the logic of pragmatism that Peirce as read by Ochs describes; in fact, because pragmatic logic so well describes the early Lutherans' and Paul's own scriptural practice, this dissertation can also be understood as aiding in the establishment of an intellectual genealogy of

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[11] I am appealing to Lindbeck's typology of doctrine in: George Lindbeck, *The Nature of Doctrine* (Philadelphia: The Westminster Press, 1984). I clarify how Lindbeck's typology relates in the section of the Introduction entitled "Charting Contemporary Lutheran Divisions."

pragmatism in a manner that is similar to how Ochs has argued traced both

foundationalist and pragmatic tendencies back to Augustine.[12]

I intend to show the pursuitworthiness[13] of this hypothesis by means of

developing a model of a Lutheran scriptural logic that is genealogically rooted in Paul's

scriptural practice and helpfully explicated in pragmatic categories. This Lutheran logic,

which I term "proclamatory pragmatism" and regard as an extension of "scriptural

pragmatism" as it is applies to Pauline and Lutheran thought, is reparative, seeking to

speak God's Word into the world. It is also self-consciously and firmly rooted in the

biblical story and the Christian tradition; it does not seek to speak universally but rather

from the continuing story of the risen and living Christ and his relationship to the

church. In this way, it is non-foundationalist. After having developed such a model, I

can then compare it to the rationalities displayed in particular instances of scriptural

interpretation in Lutheran public theology to see if those instances conform to such a

Lutheran reasoning or if they display characteristics of a foundationalist reasoning. By

doing this, I will have provided some warrants for holding my initial hypothesis to be

accurate even as it allows for further testing to increase the number and strength of the

warrants for regarding the contemporary "Battle for the Bible" between Lutherans as

simply a matter of competing philosophical foundationalisms. If my model of Lutheran

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[12] Cf. Ochs, "Reparative Reasoning," 187-215.

[13] This is McKaughan's term, and he connects it to Peirce's understanding of the role of abductive reasoning in inquiry. He reads Peirce's account of abductive reasoning as describing the process both of hypothesis-formation and that rationality that guides an experienced practitioner of any given art to choose one hypothesis over another as being more likely to yield good results. See: Daniel J. McKaughan, "From Ugly Duckling to Swan: C.S. Peirce, Abduction, and the Pursuit of Scientific Theories," *Transactions of the Charles S. Peirce Society* 44 no. 3 (Summer 2008): 446-68. For more discussion on this, see also chapter one, fn. 47.

logic is persuasive, then it provides a normative way of analyzing the grammar of how Lutherans reason from Scripture, with the result that my initial hypothesis regarding competing modernist foundationalisms being behind the "Battle for the Bible" has itself been productive of new understandings and lines of inquiry. This is the case because it resulted in an entirely novel set of hypotheses that are now themselves open for testing. And, hopefully, so on. This fruitfulness is, again, a goal of pragmatic inquiry, and finding it to be a result of the initial hypothesis should be regarded as a useful indicator of the validity of the process.

Peirce, Paul and Lutheranism: Boon Companions

The novelty of the dissertation does not lie in creating the idea of scriptural pragmatism, and it certainly does not lie in outlining pragmatism in general. Ochs and Peirce, respectively, are to thank for those.[14] Rather, what is novel is how the relevance of scriptural pragmatism is extended beyond its current contexts by being applied to Pauline and Lutheran scriptural logics to develop what I term "proclamatory pragmatism," and how this appeal to "proclamatory pragmatism" as a third, mediating set of tenets that outline a distinctively Lutheran scriptural logic provides a way to heal real-world debates over how to interpret Scripture within Lutheranism. It does not intend to break new ground in the sense of creating novel ideas or concepts from whole cloth as an exercise of my own individual intuition intended to replace what has gone before. Rather, my hope is that the ideas and concepts that arise from the investigation are organically related to Pauline and Lutheran thought as "readings" of that thought or

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[14] This is obviously to take Peirce's side in any debate over who originated the term "pragmatism."

further interpretations intended to provide categories by which to understand what these traditioned[15] progenitors were "up to" when they were themselves reading and applying Scripture. That is, in this dissertation, I do not seek to replace what has gone before; I seek to diagram particular, authoritative instances of scriptural interpretation for contemporary Lutherans (via my analysis of Paul and the Lutheran Confessions) and use that diagram to suggest corrections to particular instances of contemporary Lutheran scriptural interpretation gone awry.

Even so, the question still needs to be asked, why Peirce? What possible relevance could this particular reclusive, ornery, idiosyncratic late 19th – early 20th century American thinker have to the thought of the early 16th century Lutherans, much less that of the Apostle Paul? Peircean pragmatism is itself a philosophy of reformation, of identifying and diagramming problems and then proposing hypothetical means of repair. It is, at heart, a method of inquiry where inquiry is understood to address real problems, problems that actually do bother some community of inquirers, in order to repair that problem and alleviate the doubt which gave it rise. This is what Paul does. Paul's letters are all addressed to particular problems that have arisen in his own ministry or that of particular Christian communities.[16] Whether it is the problem of

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[15] This is to theorize from tradition, not to minimize or to ignore tradition as being unhelpful. In describing his approach to tradition, Adams writes: "I take that there are no tradition-neutral terms; indeed, it is the guiding argument of this book that attempts to transcend tradition *in advance* in theory need to be replaced by more modest enterprises of making sense of instances in which different traditions actually and *already* meet together in practice." (Nicholas Adams, *Habermas and Theology* [New York: Cambridge University Press, 2006], 6.) My goal is to be on the side that Adams calls "modest."
[16] Out of all of Paul's epistles, Romans is perhaps the letter that is least addressed to solve a set of problems within a particular Christian community. Rather, it can be read in this context as an attempt to describe his own ultimate rule of repair – his Gospel – as clearly as he can in the face of what he sees as a general human problem (sin) that has arisen as described by Christian Scripture, what Christians now call the Old Testament. In this way, Romans is still addressed to a particular problem (sin) that is relevant to a

Judaizing Christians in Galatia, libertine Christian activity in Corinth, or confusion over why Christ has not yet returned in Thessalonica, Paul writes in order to clearly identify the problem that is troubling a community (whether they think it is a problem or not), relate this problem to Christ and what he has done, and do so in order to repair the sin and error present in the particular situation. In this way, Paul is a pragmatist. Likewise, the early Lutherans were concerned about what they saw as false teaching that had crept into Western Christianity as well as the various practical abuses of Christian communities that resulted because of it. It was the practice of selling indulgences that Luther saw as particularly odious such that it motivated him to propose an academic debate over the issues involved by posting his famous 95 Theses. In order to remedy the problems they perceived in medieval Catholic teaching and practice, the early Lutherans returned to the roots of what they saw as being consistently taught in the church since the days of Paul and offered up that understanding as way to repair the failings of the contemporary 16th century church. In my reading, they sought reformation of the church, not the division of it; that is, they hoped to heal the church from the problems they believed were plaguing her. Their explicit method of understanding Scripture was by distinguishing Law and Gospel within it in order to determine how it should be applied within a given context to repair a problem that an individual may be having or that may be besetting the entire community. The Lutheran Confessions are particularly authoritative outcomes of this attempt for the Lutheran

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particular community (those who hold the Hebrew Bible to be Scripture) in order to attempt to chart a means of repairing it by pointing people to Christ.

community. In this way, the early Lutherans, too, exemplified the reparative project that Peirce called pragmatism.

I first noticed this correlation between pragmatism and the Lutheran *praxis* of distinguishing Law and Gospel (which Lutherans hold is modeled throughout Scripture and particularly in the practice of Paul) when I began studying non-foundationalist thought. It started for me as a hypothesis that there may be a useful connection between pragmatism and Lutheranism in that pragmatism is a method of inquiry that neither seeks for universal foundations for thought (Cartesian dogmatism) nor does it abandon the search for publicly accountable truth claims altogether (Cartesian relativism) but rather is interested in repairing problems that arise in particular situations according to (what I now understand to be) a habit of interpretation. This seemed to map onto Lutheranism quite well. As I continued to study pragmatism, the sensibility became stronger that there may indeed be a connection between Lutheran attempts at addressing problems by distinguishing Law and Gospel and pragmatism as a way to diagram or to chart the logic of those attempts. It is this that gave rise to the present dissertation where I propose that there is indeed a connection between Peircean pragmatic logic and Pauline and Lutheran logic such that the logic of Peirce is endemic to Paul and the early Lutherans and, perhaps (though I do not investigate this explicitly), the logic of Paul and the early Lutherans could be offered to Peirce as a way to improve his own project. The warrants for this will be found in the dissertation itself such that, I hope, in the end the reader will be convinced that using Peircean pragmatism as a way to explain Pauline and Lutheran categories is better than using,

say, the Aristotelian categories so prevalent among the Lutheran dogmaticians or medieval scriptural interpreters post-Aquinas. Again, however, those warrants cannot be made clear before the performance of the investigation itself; rather, at this point, I simply offer up the hypothesis that Peirce is indeed relevant to reading Paul and the early Lutherans and that relating Peirce to Paul and the early Lutherans will yield fruitful results for additional inquiries after the present one.

In particular, Peirce's phenomenology,[17] semiotic, and logic of vagueness were the aspects of his thought that I found best suited to describing the Lutheran practice of distinguishing Law and Gospel. Peirce's distinction between Firsts (qualia), Seconds (resistance), and Thirds (law-like interaction) helps to understand what it means according to my Lutheran understanding to be formed with the "mind of Christ" (a First) in order to interrupt daily life by speaking an appropriate word (a Second) according to a principle of re-orienting people to a life lived in Christ (a Third). Peirce's triadic view of signs suggested to me a way to escape the modern Either/Or, the binaries that inhabit so much of Western intellectual thought since Descartes, such that I could envision a more flexible, more helpful approach to theology and what it means to proclaim Christ as a Lutheran. And Peirce's logic of vagueness allowed me to conceive of how one could be faithful to a particular habit of thought even as that faithfulness might entail speaking sentences that are propositionally contradictory when viewed from an (attempted) universal perspective yet are what is needed to be said given a context in a manner very much like that encouraged by the Lutheran *praxis* of distinguishing Law

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[17] Which he called "phaneroscopy."

and Gospel. While there are many other aspects of Peirce's thought that I find helpful (and deploy within this dissertation), I take these three as most crucial to understanding what a pragmatic, reparative project might look like, a project that could be described as one of reformation.

I am not the first to notice that Peirce's thought has relevance for the scripturally-minded, though I am the first, to my knowledge, to apply it to the Apostle Paul and Lutheranism. Rather, Peter Ochs has argued further that even as the Bible can be offered to Peirce as a way to repair failings in his own practice, so, too, can Peirce be offered to Scripture when he writes at the end of *Peirce, Pragmatism and the Logic of Scripture*:

> My point, in sum, is not that the Bible alone will save Peirce, but that pragmaticism[18] offers one workable way to save the Bible for a community of philosophers, just as biblical reading offers one workable way to save their philosophy. The operative model of pragmatic reading remains this: that it is stimulated by some failing of plain-sense reading (or everyday practice), but that through the activity of repairing what appears to be a troubled text (or practice), the reader (or artisan) begins to discover that he or she has been comparably troubled, because her community's practice is comparably troubled, and that, through repairing the plain-sense reading, the communal practice is repaired as well. So, if I offer scripture to Peirce, it is because there is reason today to offer Peirce to scripture. Redescribed as a rule of corrective reading, Peirce's pragmatism itself serves as an existential graph of the logic of scriptural reading, particularly as it is exemplified, for me, in the practice of rabbinic midrash or, for Peirce, in Jesus' injunction, "Ye may know them by their fruits." Understood this way, pragmatism offers scriptural theologians a voice in the pragmatic logic of contemporary theoretical science and practical art: wherever pragmatism has a voice, scriptural logic has a voice.[19]

Besides its analysis of contemporary problems in Lutheranism and its proposal of "proclamatory pragmatism" as a model of problem-solving appropriate to Lutherans

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[18] There is a difference between pragmatism and pragmaticism for Ochs in that Peirce's early pragmatism tends to display foundationalist tendencies that his later pragmaticism helps to alleviate. However, for the purposes of this dissertation, I largely leave this distinction behind for the sake of understandability.
[19] Peter Ochs, *Peirce, Pragmatism and the Logic of Scripture* (Cambridge, UK: Cambridge University Press, 1998), 324-5. Hereafter "PPLS."

and perhaps Pauline Christians more generally, this dissertation seeks to add the

scriptural reading practices of Paul and the early Lutherans to the list of those things

that Peirce's pragmatism helps to graph as one of its implied sub-themes.

Charting Contemporary Lutheran Divisions

Others have attempted to characterize contemporary Lutheran divisions in the

past. A relatively recent attempt was that by Erik Samuelson in his article, "Roadmaps

to Grace: Five Types of Lutheran Confessional Subscription."[20] Here, Samuelson charts

out five separate models of how 20th and early 21st century Lutherans view the Lutheran

Confessions.[21] The first of these types views the Confessions as an unconditional

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[20] Erik T.R. Samuelson, "Roadmaps to Grace: Five Types of Lutheran Confessional Subscription," *Dialog* 45, no. 2 (Summer 2006): 157-69. Confessional "subscription" entails a pledge regarding how one should teach, and the character of this pledge is precisely what is at issue for Samuelson and for which he provides five models. Others that have performed similar types of analyses include the following: Timothy Wengert and Robert Kolb, "The Future of Lutheran Confessional Studies: Reflections in Historical Context," *Dialog* 45, no. 2 (Summer 2006): 118-26; Werner Klän, "Aspects of Lutheran Identity: A Confessional Perspective," *Concordia Journal* (April 2006): 133-46; Robert Kolb, "The Formula of Concord as a Model for Discourse in the Church," *Concordia Journal* (April 2006): 189-210; Martin R. Noland, "Lutheranism's Concern for Doctrine and Confession," *Logia* 16, no. 1 (2007): 19-27; John G. Nordling, "The Catechism: The Heart of the Reformation," *Logia* 16, no. 4 (2007): 5-13; Charles Arand, *Testing the Boundaries: Windows to Lutheran Identity* (St. Louis: Concordia Publishing House, 1995); Hans Frei, *Types of Christian Theology* (New Have: Yale University Press, 1992); Lindbeck, *Nature*; David G. Truemper, "Confessional Writings and the Future of Lutheran Theology," in *Gift of Grace: The Future of Lutheran Theology*, eds. Niels Henrik Gregerson, Bo Holm, Ted Peters, and Peter Widmann (Minneapolis: Fortress, 2005); E. Clifford Nelson, *Lutheranism in North America 1914–1970* (Minneapolis: Augsburg, 1972); James A. Nestingen, *The Faith We Hold: The Living Witness of Luther and the Augsburg Confessions* (Minneapolis: Augsburg, 1983).

[21] Here is an overview of what the Lutheran Confessions comprise in the form of the Book of Concord: "The Book of Concord contains documents Christians have used since the fourth century to explain what they believe and teach on the basis of the Holy Scriptures. First, it includes the three creeds that originated in the Ancient Church: the Apostles' Creed, the Nicene Creed, and the Athanasian Creed. Second, it contains the Reformation writings known as the Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Treatise on the Power and Primacy of the Pope, Luther's Small and Large Catechisms, and the Formula of Concord. The Catechisms and the Smalcald Articles came from the pen of Martin Luther; the Augsburg Confession, its Apology, and the Treatise were written by Luther's co-worker, the scholarly Philip Melanchthon; the Formula of Concord was given its final form

doctrinal authority. Samuelson takes Robert Preus as representing this view and characterizes it as one that "fram[es] the theological questions of today in terms of the 16th century debates and arguments in the Lutheran Confessions, as well as seeing the doctrine of the Confessions as presenting authoritative theological conclusions in the current context."[22] Type two's representative is James Nestingen, and it takes the Confessions as historically conditioned authorities such that they still are doctrinally valid but need to be reinterpreted to be applicable to current contexts.[23] Samuelson's own view is portrayed in type three which he terms "Confessions as roadmaps to grace," though he takes David Truemper and Dietrich Bonhoeffer as its advocates. In this view, the Confessions become exemplars of how theological problems should be solved within the church, such that "subscription to the Lutheran Confessions means taking up again and again the messy and uncertain theological task with which we are charged so that we might best proclaim Christ at this time and place."[24] They are understood as "problem-solving literature."[25] Type four (the "Finnish School") takes the Confessions as primary theological sources and does not reject the idea of doctrinal authority in general, and type five (Marcus Borg) takes them as one historical source among many such that one is free to use them or not in that the concept of doctrinal authority is not recognized but rather a perceived wisdom in the Confessions is what becomes important.

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chiefly by Jacob Andreae, Martin Chemnitz, and Nicholas Selnecker." (Paul Timothy McCain, ed., *Concordia: The Lutheran Confessions* [St. Louis, MO: Concordia Publishing House, 2005], xxx.)

[22] Samuelson, "Roadmaps," 161.

[23] Cf. Ibid., 162.

[24] Cf. Ibid., 159.

[25] Truemper, "Confessional Writings," 143.

Of Samuelson's five types, the position taken in this dissertation is closest to his description of the Confessions as "roadmaps to grace" where they function primarily as exemplars of a particular method of approaching doctrinal issues such that one is invited to continue the difficult dialog regarding contested issues and get "messy" in so doing. As mentioned earlier in this introduction, I do take them as "problem-solving literature." In this way, I am happy to largely agree with Samuelson's position and take it as an indicator that I am not alone in approaching the Confessions in this fashion. However, my overall project diverges from Samuelson's in at least six crucial ways. First, my methodology differs from that of Samuelson. Rather than creating a typology based on particular substantive views exhibited by Lutherans, I seek to characterize the rationalities that would give rise to the particular views that I treat. That is, my concern is not so much to characterize what is present on the surface but rather the shape or form of theological thinking that would empower holding the particular view in the manner it is held. Second, I portray *how* the Confessions can be understood as problem-solving literature, demonstrating a reparative rationality in their approach to reading Scripture for their time. I do this by going into extreme detail to chart their logic and connect my claims to the text of the Confessions themselves as well as other early Lutherans in order to indicate their rationality. Third, I do this by utilizing Peircean pragmatism which is itself a philosophy dedicated to inquiry, to determining how to repair real problems in the real world. In this way, by the performance of my analysis I suggest that pragmatic categories are best suited to describe a Lutheran logic of repair, of problem solving. Of course, whether this aspect of the project works is up to the

reader to decide as I do not engage in polemics against other philosophies (primarily Aristotelian) that have been used to describe Lutheran thought in the past but rather simply portray what I think is a better approach throughout. In my portrayal, philosophical pragmatism is present *in nuce* in the Lutheran reparative *praxis* of distinguishing Law and Gospel. Fourth, by connecting this reparative approach back to Paul, I claim that the early Lutherans are not idiosyncratic in their desire to effect reformation in their demonstration of a reparative rationality but rather say that this is implicit in Paul's project, too. Again, it is the performance of this dissertation that gives warrants for this claim. In this way, I portray the Lutherans as expanding upon a Pauline theological methodology in their approach to repairing the problems of their day. Fifth, I hope to offer the model I develop throughout as a normative logic of Lutheran scriptural practice in order to repair a particular set of problems that Lutherans are encountering presently. That is, the point here is that I am re-reading the early Lutherans (principally the Confessions) and Paul in order to address real-world concerns that are dividing contemporary Lutheranism, and to do this, I am suggesting that there is a characterizable form of Lutheran logic that Lutherans should use in order to solve these problems. Sixth, the article by Samuelson is extremely brief and lacks any significant interaction with the literatures outside of using certain people to quickly illustrate the positions he attributes to them. This is appropriate for what he was trying to do. However, this dissertation goes into considerably more depth regarding the issues involved and engages in significant interaction with source materials and secondary scholarship throughout.

As I mentioned earlier, I am suggesting that the problems in contemporary Lutheranism as evidenced in the "Battle for the Bible" should be understood as those between two competing foundationalisms – one dogmatic and propositional and the other relativist and intuitionist – and how they deploy both Lutheran teaching and Scripture. This is to use a modified version of Lindbeck's typology where he distinguishes between a cognitivist-propositionalist model of doctrine and an experiential-expressivist view.[26] Rather than offering up a Lindbeckian cultural-linguistic approach as an alternative (though I do graph doctrines as negative rules of discourse), I use the tools offered by Ochs' scriptural pragmatism to chart scriptural logics as a way to both connect genealogically to Lindbeck's typology but to offer better categories than he was able to offer given his reliance upon Wittgenstein.[27]

Both sides of the Lutheran debate appeal to early Lutheran sources and to Scripture; the difference comes in the character of their appeals and the logics they employ when interpreting their sources. On the LCMS side,[28] there is a strong tendency to take prior Lutheran doctrinal formulations and Scripture as directly describing eternal verities such that, for example, once a doctrinal statement is adopted, it is applicable universally with little to no connection to the context of its adoption. In Lindbeck's words, "if a doctrine is once true, it is always true, and if it is once false, it is always

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[26] Lindbeck, *Nature*.

[27] For more on this, see: C.C. Pecknold, *Transforming Postliberal Theology: George Lindbeck, Pragmatism and Scripture* (New York: T&T Clark, 2005).

[28] While I attribute one tendency or the other to particular denominations, it is important to note that this is shorthand to say that the tendency is characteristically demonstrated by members of that denomination when in conflict with others over interpreting the primary materials of Lutheranism and Scripture. To be clear, I am not arguing that all members of either denomination demonstrate the tendency that I apply to the denomination, only that the tendency is characteristic of such an approach in general. All the dangers associated with such a reductive description apply.

false."[29] To use a Lindbeckian example, it would be to say that the phrase "Jesus is

Lord" when spoken by a Crusader who is smashing in the head of an infant with a mace

remains a true statement.[30] On the other hand, there is a strong tendency within the

ELCA toward privatizing doctrine according to the dictates of one's own conscience or

the sensibilities of a particular sub-group. In this case, doctrine becomes expressive of

personally-held beliefs that are usually based upon personal experiences, and it

becomes more and more difficult for doctrine to play any publicly-accountable role.

Rather, there is a tendency to find ways around given doctrinal statements in order to

carve out space for a particular individual's or sub-group's sense of what is best in the

world. In this case, doctrine becomes privatized and more expressive of one's

experience than anything that could be publicly debated or could serve as a guide for

public discourse.

I go into depth on this difference in the conclusion to this dissertation in order

test out my hypotheses regarding the model of "proclamatory pragmatism" that I

develop via an investigation of Paul and the early Lutherans and see if it is helpful in

diagnosing problems in contemporary Lutheran theology and in suggesting a means to

conduct a discussion within which they could be repaired. In that chapter, I seize upon

two concepts – that of the ELCA's "bound conscience" and the LCMS's "the order of

creation" – as paradigmatic cases of how these two conflicting modernisms that came

to a head in the "Battle for the Bible" continue to play out.

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[29] Lindbeck, *Nature*, 16.
[30] The view I portray in this dissertation is that such a phrase used in such a context fundamentally misconstrues who Christ is as well as the nature of the Gospel message and so is not in any substantive way a proper confession of Christian belief.

The "bound conscience" is a doctrine to be found in the ELCA's recently adopted social statement (2009) on human sexuality called "Gift and Trust." The document explicitly bases it both on Luther's theological approach (particularly his response at the Diet of Worms) and on Pauline teaching regarding meat sacrificed to idols. The adoption of this statement led to a change in the expectations of ordained ministers within the ELCA in that beforehand, they were required to only engage in sexual relationships within the context of male-female marriages. Following the logic of the statement, the document outlining the ministerial code of conduct, called "Visions and Expectations," was modified to allow for people to be ordained who are in sexually active, same-sex relationships that are publicly accountable, lifelong, and monogamous. The "publicly accountable" clause would entail the need for a same-sex couple being married in states where same-sex marriage is legal or to otherwise engage the community in recognizing their relationship. This change in policy led to a precipitous decline in denominational membership in terms of baptized membership as well as congregational membership and so can be considered a legitimate problem worthy of pragmatic investigation.[31]

The doctrine of the "bound conscience" within "Gift and Trust" enabled the social statement to recognize that there is no unanimity within the ELCA regarding same-sex sexual relationships. It also officially recognized four separate positions as being acceptable, ranging from outright rejection of same-sex sexual behavior as being

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[31] Please see my "Conclusion" for details on these numbers, but between the end of 2009 and the end of 2012, the ELCA had lost 815 of 10,348 congregations (7.9%) and 591,944 of 4,542,868 baptized members (13.0%).

sinful to celebrating it, along with a recognition of two mediating positions. The explicit terms of my analysis for why and how such a procedure is problematic from the perspective of the Lutheran logic I construct must wait until I actually develop them in the course of the dissertation, but by way of signposting, it is problematic because adopting four positions that contradict each other not only in their plain sense but in their practical application as well renders a document intended to be a guide for discussion and action no guide at all. If the "bound conscience" understood in this way permits for simple contradiction within the same context at the same time, I argue that it is no longer playing any role of importance as a guide to the denomination, and it is this guiding function that is crucial for doctrine to perform in my reading of the early Lutherans and Paul, the sources to which the architects of the "bound conscience" appeal. Further, to make one's own intuition of the truth equivalent to the truth is to engage in idolatry. Rather than worshipping something outside oneself in the sense of making that thing the arbiter of truth, the result in this case is that it is an internal state that is idolized.

On the other side, there is a doctrine within the LCMS that has been operative for some decades called "the order of creation." Like the "bound conscience," it, too, is based upon both early Lutheran sources and also Scripture, particularly Paul in that the terminology is adopted from his language found in 1 Timothy 2,[32] though in defending it, LCMS scholars regularly appeal across the Pauline corpus and also to Genesis. While

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[32] There is little to no public debate within the LCMS over the authorship of 1 Timothy; rather, it is simply accepted as being written by Paul. So whether or not that is actually the case is immaterial for my purposes because in holding to "the order of creation," LCMS Lutherans believe that they are holding on to Pauline teaching.

this doctrine *per se* has not caused a social disruption that mirrors that found in the ELCA's "bound conscience," the rationality behind it led to the events of the 1970s I mentioned above.[33] Unlike the relativistic foundationalism demonstrated in the "bound conscience," I argue that in "the order of creation" we find a dogmatic foundationalism that reifies the idea that there is an ontological ordering between men and women such that men are "higher" in the way that God has created this world. This ontology does not entail a spiritual superiority or an inequality of salvation before God, but it does entail an ordering of essence with implications for how men and women should interrelate that is rooted in the very being of what it means to be a man or a woman. The practical result of this ontological ordering is that since women are ontologically subordinated to men, their position in church and world should reflect this ontological structure. If applied consistently,[34] this would entail not just that women should not be ordained ministers but that they should not have any position of authority in the church, should not read the lessons publicly if men are present, should not be behind the altar, etc. For life outside the church and in the world, this would mean that women could not have any position that manages men but may only seek those positions where they are subordinate to men in the power structure and never superordinate, that is if women are to have any role in the public sphere at all.

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[33] The rationality that supports "the order of creation" did cause such a disruption in the early 1970s in the events surrounding Seminex and the formation of a new denomination, the American Evangelical Lutheran Church (AELC), that eventually merged with the ALC and LCA in 1988 to become the ELCA when ~250,000 people left the LCMS. In fact, the point of this dissertation is to argue against the disruptive rationality towards Scripture that was displayed in those events. All I am claiming here with respect to the particular doctrine of "the order of creation" is that this doctrine *itself* as a proposition has not caused social disruption, though the rationality that funds it has.

[34] As will be shown in the Conclusion, few do apply this consistently when speaking of how this teaching should affect practice.

One problem that results from asserting this doctrine is the fact that few people who actually defend such an understanding of "the doctrine of creation" consistently apply it when it comes to practice. This indicates that, like the ELCA's "bound conscience," it fails to provide the guidance expected of a doctrine as I argue in my portrayal of the early Lutherans and Paul. Further, to reify this doctrine as describing an external, universally-applicative ontological structure as determinative of behavior and the foundation of a particular truth outside of a commitment to problem-solving and repair is to engage in idolatry. Unlike the idolatry implicit within the "bound conscience," this idolatry is not to make one's own internal appropriation of the truth an idol but rather a supposedly biblical, eternal, and universally relevant teaching the idol. Such a teaching becomes decoupled from the biblical narrative and that of the Lutheran tradition and operates alongside and independent of that tradition. That is, in the end, it is independent of an inherited tradition of practice and therefore foundationalist. In that it is logically separable from the biblical narrative and Lutheran tradition, the doctrine of "the order of creation" commands obedience on its own terms and so functions as a type of idol. In both cases, that of the "bound conscience" and of "the order of creation," idolatry is involved though the form it takes differs. The former is relativistic and intuitionist, and the latter is dogmatic and propositionalist.

Again, it is my concern regarding competing foundationalisms within contemporary Lutheran theology that motivates this dissertation. It is the lens I use to construct my portrayal of Paul's scriptural reading style and of the early Lutherans' approach to Scripture; in the Peircean semiotic terms, it functions as my primary

interpretant. Because of my desire to avoid replaying the Cartesian conflict I see to be present within Lutheranism, in this dissertation I construct what I call "proclamatory pragmatism" as a logic of both the early Lutherans and of Paul by analyzing their scriptural practice in pragmatic categories and using Ochs' scriptural pragmatism as a guide in the construction of such a model of Lutheran and Pauline scriptural logic. I hold this model to be, strictly speaking, hypothetical in that its utility can only be demonstrated in the event of repair. However, once created, this model can then function heuristically to analyze problems within contemporary Lutheranism and suggest avenues for their repair just as would be expected of a hypothesis that is being submitted for testing. I should note that it cannot provide the content of such a repair – that will only take place, God willing, in the discussion that proceeds along the lines I recommend. Rather, what I hope the logical model of "proclamatory pragmatism" that I construct can do is to suggest the form such a discussion should take. In this way, I hope that it would set the boundaries for what a Lutheran discussion would "look like" rather than dictating the substantive outcome for that discussion.

Plan of Attack

The dissertation is broken up into an introduction, three chapters plus a conclusion. In the first chapter, I lay out the terms of scriptural pragmatism, analyze its dynamics, and probe it for ways that it is open to further development along creedal lines. This foundational chapter serves to align my approach with that of the pragmatic

tradition, and it provides the necessary conceptualities to understanding my analysis of Paul and Lutheranism in the following chapters.

Chapter two focuses on an analysis of Paul's reading practice of what, to him, was simply "Scripture" – what Christians now term the "Old Testament." His focus on the transformation of the reader / hearer via an encounter with the Word of the living Christ in his Gospel message and his use of creedal formulation to explicate this Gospel become the basis for what I term a distinctively Pauline approach that privileges proclamation. It is for this reason that I term his practice of scriptural reasoning "proclamatory pragmatism." In my reading, he also serves as an authoritative progenitor for Lutheran thought as Lutheranism has historically placed considerable weight upon Pauline Christological thought as being the key that opens the Scriptures. Therefore, in the argument I develop, it is necessary to treat Paul in order to understand the genealogy of the early Lutherans' scriptural practice.[35] I read the Lutherans as not striving for novelty; rather, I see them seeking to say what Scripture said, and in doing this, they put considerable emphasis upon replaying Pauline thought. I place my

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[35] I realize that E.P. Sanders, Heikki Räisänen, and others who hold to the (now old) "New Perspective on Paul" would contest this connection. I do not intend to try to decide the question beforehand, however. Rather, I propose to hypothesize that Luther and the Lutheran Confessors were, in fact, heavily influenced by Pauline thought and relied upon Paul's writings, perhaps even disproportionately, to guide their theological reasoning. My treatment will show whether or not this hypothesis can be maintained at the level of the logic of their scriptural reasoning. If it does, then this procedure itself becomes an additional warrant to regard the sundering of Luther from Paul that has been popular among some "New Perspective" scholars as being itself questionable. In short, I think that Härle's is correct when he writes: "Compared with Paul, Luther faced a completely different front. He engaged critically with his Christian church and her teaching, not with Judaism or Paganism which were yet to be drawn to faith in Jesus Christ. But if one takes these differences into account and keeps them in mind, then one can surely say that Luther has learned his key insights concerning the doctrine of justification and view of humanity from Paul [and, I would add, his theological logic]. And these insights are too important for the church and for theology to be forgotten or denied." (Wilfried Härle, "Rethinking Paul and Luther," *Lutheran Quarterly* 20 (2006): 316.)

treatment of Paul before my treatment of the early Lutherans not to say that I am simply giving the "real" Paul as he should be interpreted; rather, I am providing a reading of Paul that I believe to be relevant to an analysis of the Lutheran logic of distinguishing Law and Gospel in order to solve the problem between competing foundationalisms that I describe in this introduction. By doing this, I intend to appeal to what most Western thinkers would be a more "logical" approach by proceeding from progenitor to inheritor, though this raises pragmatic problems that I detail below.

After investigating Paul and using what I have gleaned from Paul's scriptural practice of proclamatory pragmatism, I then apply this to Lutheran thought in chapter three to see if it supplies the appropriate categories to explicate what Lutherans seek to accomplish in reading and applying Scripture. To do this, chapter three lays out a series of interconnected theses that are rooted in Paul's approach in order to descry the logical rules governing Lutheran scriptural reasoning. I argue that there is certainly a development of thought when it comes to Lutheranism vis-à-vis Paul, but there is also considerable continuity. In the end, I read Lutheran logic as a faithful extension of Paul's scriptural practice.

The burden of the concluding section is to show the usefulness of this model in settling particular instances of conflict in scriptural interpretation. To this end, I seize upon the ELCA's doctrine of the "bound conscience" and the LCMS's appeal to the doctrine of "the order of creation." Both of these are tested to see if they reflect the logic of Lutheranism as it has been developed via my logical model of "proclamatory pragmatism." By doing this, I return to the practical concern that spawned the

dissertation: how might Lutheran conflicts over scriptural interpretation be healed? My

answer is: by analyzing their logic in terms of proclamatory pragmatism.

As I mentioned above, at first glance it would appear that chapters two and

three are in the wrong order for a pragmatic investigation. By beginning with Paul

instead of the early Lutherans, it seems as if I think that I could simply read Paul in a

vacuum and then apply the "real Paul" to Lutheranism. If this was what my

investigation actually did, such a procedure would be foundationalist because I would

not be making the lens with which I read Paul explicit until later thereby concealing

what Peirce calls the interpretant of my investigation. Rather, pragmatically what would

make more sense would be to state the problem as I see it (which I have done in this

introduction), introduce the philosophical *techne* of the investigation (currently ch. 1),

and then work backwards by applying the language found in ch. 1 to the early Lutherans

to see how they base their arguments in Paul's scriptural logic (currently ch. 3), and only

then treat of Paul now that the context of my treatment has been made clear (currently

ch. 2). I would then use that data to more fully flesh out my statement of the problem

that I give in this introductory section in the conclusion as I test my model to see if it is

up to the task for which I offered it.

Instead of this ordering, I have chosen to place the chapter on Paul before the

chapter on the early Lutherans not for the sake of pragmatic accuracy but rather for the

sake of appealing to the patterns of reasoning present in a more general, non-pragmatic

audience; i.e., for those who are not specialists in Peircean pragmatism.[36] That is, in

choosing this ordering of the chapters, I am making an explicit choice in favor of public

accountability over technical accuracy. This is a continuing tension when dealing with

Peircean pragmatism in particular as it can involve extremely difficult and foreign

conceptualities, and it is one that Jacob Goodson highlighted in his dissertation,

Narrative Theology after William James. There, in distinguishing the approach of Peirce

from that of William James, Goodson offers the following hypothesis that seeks to get

"at the heart of" the different approaches exemplified by William James and Peirce:

"…the real difference between James and Peirce is found in Peirce's commitment to

technicality and drive toward precision and James' strong passion for public

accountability."[37] As far as the hypothesis goes, I think that Goodson is correct that

Peirce and James prioritized different societal goods – respectively, precision for Peirce

and public understanding for James. Attaining both at the same time is extremely

difficult. So my procedure involves a compromise between the precision of Peirce and

the public understanding advocated by James in that while I develop Peirce's thought in

great detail, I proceed in my investigation in a way more familiar to modern scholarship

in that I trace the progenitor first and only then proceed to how his thought has been

appropriated over history. This implies a risk in that the procedure can be read as

foundationalist, but this risk should be greatly ameliorated in that I repeatedly seek to

keep the concern that gave rise to this dissertation in view throughout as the not-so-

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[36] There is already a considerable amount of complexity that arises from my Peircean language, particularly in chapter one, such that adding in an unfamiliar methodological approach could compound this problem to too high a level.

[37] Jacob Goodson, *Narrative Theology after William James: Empiricism, Hermeneutics, and the Virtues* (unpublished dissertation: University of Virginia, 2010), 13-14; for the full discussion, see 13-19.

hidden rule of reading that authorizes my own presentation of Paul's reasoning and also that of the early Lutherans.

To repeat, my primary thesis in this dissertation is to argue that competing foundationalisms are present in contemporary Lutheran theology, that both trace their roots to the early Lutherans and Paul, that both misunderstand the Lutheran and Pauline project in characteristically foundationalist ways (dogmatist and relativist), that the early Lutherans and Paul were primarily engaged in a reparative project, that charting the logic of both the early Lutherans' and Paul's reparative projects via pragmatic categories offers a normative logical structure for Lutherans that they might use to mediate this dispute, and that this model is effective in doing so. I call this logical structure "proclamatory pragmatism" and offer it to Lutherans (and perhaps other Pauline Christians, though its extent is unknown) as a way forward out of the impasse which currently plagues so many theological discussions.

And so this is an opening, not an ending...

Chapter One: Introduction to Scriptural Pragmatism

This investigation into the logic behind the theological methodology of Paul and the Lutheran Confessions[38] is, in the first place, a work of scriptural pragmatism which self-consciously identifies itself with Peircean pragmatism[39] and so with the medieval scholastic semiotic tradition.[40] The term "scriptural pragmatism," however, is of relatively recent coinage and can be attributed to the work of Peter Ochs, particularly in the taxonomy of pragmatists found in his monograph, *Peirce, Pragmatism and the Logic of Scripture* (PPLS).[41] For reasons that I hope will become clear throughout the course of

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[38] A group of documents collected into a single book and subsequently approved by the Lutheran estates in Germany as comprising their understanding of the Christian faith. The Book of Concord includes the following documents: The Three Ecumenical Creeds (The Apostle's Creed, The Nicene Creed, and The Athanasian Creed); The Augsburg Confession (1530); The Apology to the Augsburg Confession (1531); The Smalcald Articles (1537); Treatise on the Power and Primacy of the Pope (1537); The Small Catechism (1529); The Large Catechism (1529); and The Formula of Concord (1577).

[39] Here I use the term "Peircean pragmatism" in order to refer to what Peirce called "pragmaticism," a term "ugly enough to be safe from kidnappers." (EP 2:335) The latter is a term Peirce created to set apart his own thought from those who called themselves "pragmatists" but had a tendency toward an anti-realist position and, most specifically, denied the reality of possibilities. Pragmaticism, on the contrary, affirmed the reality of possibilities such that: "…the pragmaticist does not attribute any different essential mode of being to an event in the future from that which he would attribute to a similar event in the past, but only that the practical attitude of the thinker toward the two is different." (EP 2:344) What this dissertation does is analyze the past practice of Paul and the Lutheran Confessors in order to describe a logic whose utility is that it can yield a series of hypotheses as to how they might approach theological questions that are unique to the present day. That is, it is a composite study of Paul's and the Confessors' logic of abduction in order to descry its outlines such that it can be used to determine what may be a more or less faithful way of responding to theological problems in the contemporary world.

[40] John Deely has written extensively on the topic of semiotics and its connection to the medieval scholastic tradition, and he places Peirce's insights as being fully within this tradition. Cf. such works as: John Deely, *Four Ages of Understanding: The First Postmodern Survey of Philosophy from Ancient Times to the Turn of the Twenty-First Century* (Toronto: University of Toronto Press, 2001); John Deely, *New Beginnings: Early Modern Philosophy and Postmodern Thought* (Toronto: University of Toronto Press, 1994); John Deely, *Augustine & Poinsot: The Protosemiotic Development* (Scranton, PA: University of Scranton Press, 2009); John Deely, *Descartes & Poinsot: The Crossroads of Signs and Ideas* (Scranton, PA: University of Scranton Press, 2009).

[41] Ochs' full taxonomy of the various subgroups within pragmatism can be found in PPLS (listed from highest level of generality to the least): pragmatists -> common-sense pragmatists -> pragmatic logicians -

the dissertation, this means that it is not solely a work of philosophy, nor of scriptural

exegesis, nor even of theology where "theology" is understood to be an investigation

into eternal, propositional statements that are true for all times and all places as words

about God and creation in relation to God. Rather, it is best taken as a piece of

theological reasoning that employs philosophy, exegesis and propositional descriptions

of humanity's life with God (from a distinctively Lutheran Christian perspective) in order

to diagrammatically display, for a particular context,[42] the theological *habitus* of the

apostle Paul alongside the 16th century Lutheran Confessors[43] and recommend this

composite *habitus* to Lutherans (at least) as a way to gauge the faithfulness of their

theology.[44] As will become clear, such a procedure also entails a re-visioning of the

relation of philosophy and theological inquiry if Paul and the early Lutherans' theological

praxis is to be taken as authoritative for later Lutherans and, possibly, other Christian

communities.[45] While this initial chapter will begin to clarify the relation between

philosophy and theological inquiry, a more complete picture will not be possible until

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> theosemioticians -> scriptural pragmatists (which is further subdivided into Christian and Rabbinic varieties; assumedly, Muslim thought would fit in here as well). PPLS, ch. 8.

[42] I clarify this context below.

[43] Though the main goal is to diagrammatically or analytically display the tendencies of Paul and the Lutheran Confessors, by doing so I am also performing a type of rationality that I implicitly recommend to others, given that any act of writing is itself an instance of a *praxis* and so a performance of some mode of reasoning.

[44] Of course, I hope that this performance of theological reasoning will have a wider appeal than just to Lutherans; indeed, I hope that many Christians and perhaps those of other religious or philosophical communities might find something of interest herein. However, gauging the extent of this interest can only occur in the event itself, so I offer up these reflections as a gift without knowing precisely who will appreciate the gesture.

[45] For many Lutheran communities, a rendition of Paul's and the Confessors' theological practice is self-evidently normative with Lutheran denominations requiring that teaching conform to Scripture and some or all of the Lutheran Confessions. This is because, for the purposes of this dissertation, the Confessions serve as an explication of Scripture and a symbol of what is held to be most aesthetically pleasing by a particular tradition of thought (i.e., Lutherans), and what is most aesthetically pleasing also functions as what is most normative for that tradition.

after the work of chapter three is completed as the tenets of scriptural pragmatism

itself provide warrants for the claim that understanding the practical outworking of any

given reasoning is necessary to apprehend that reasoning.[46] This is the case for

pragmatists because reasoning and *praxis* are inextricably interrelated such that one is

best able to apprehend a given reasoning by observing its practical ramifications. These

practical ramifications, in turn, provide fodder for reflection that might yield

hypothetical,[47] yet conceivable,[48] outcomes in new contexts that can be observed to

test the validity of a line of reasoning.[49]

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[46] Gadamer describes understanding as a "fusion of horizons": "In fact the horizon of the present is continually in the process of being formed because we are continually having to test all our prejudices. An important part of this testing occurs in encountering the past and in understanding the tradition from which we come. Hence the horizon of the present cannot be formed without the past. There is no more an isolated horizon of the present in itself than there are historical horizons which have to be acquired. *Rather, understanding is always the fusion of these horizons supposedly existing by themselves*. We are familiar with the power of this kind of fusion chiefly from earlier times and their naïveté about themselves and their heritage. In a tradition this process of fusion is continually going on, for there old and new are always combining into something of living value, without either being explicitly foregrounded from the other." (Hans-Georg Gadamer, *Truth and Method*, 2nd revised ed. [New York: Continuum, 2004], 305.) Peirce would surely agree that the diachronic conventions of a community are crucial to understanding; one can trace genealogically the life of a concept or a logic. However, he would also emphasize the future, subjunctive character of understanding in predicting what *would* occur, what *would-be* the case if the concept were true. In this way, Peirce can be seen as enriching Gadamer's own conception of what it means to understand.

[47] The role of hypothesis-construction or abduction as a mode of reasoning is crucial in creating new knowledge. Abduction allows one to create more or less reasonable hypotheses and to evaluate each as to their merits in possibly guiding inquiry into what is yet unknown. There is no guarantee in pursuing such an inquiry into the unknown (if there were, it would already be known); however, the process of abduction by an experienced inquirer can help to winnow down multiple possible avenues of inquiry to those that will most likely have the best outcomes. McKaughan characterizes Peirce's view of abduction in terms of "pursuitworthiness": "According to the Pursuitworthiness Interpretation, abductive reasoning is the label Peirce gives to his systematic attempts to think about the qualities that factor into decisions about whether investigating an idea looks promising or seems worthwhile. *Abductive reasoning makes practically grounded comparative recommendations about which available hypotheses are to be tested*." (Daniel J. McKaughan, "Ugly Duckling," 452.)

[48] In his much re-written 1907 article "Pragmatism", one of the primary ways that Peirce distinguishes his conception of the pragmatic maxim from William James is in the use of the term "conceivable" to indicate that one's understanding of a concept is not only expressed "in the shape of conduct to be recommended or of experience to be expected," which is Peirce's citation of James' position. Rather, it consists in how those concepts "would-be" or "would-act" under a certain set of *conceivable* circumstances and what their application "would-be": "…the *total* meaning of the predication of an intellectual concept consists in

The goal of this dissertation is to chart the logic of the Lutheran scriptural reading *praxis* of Law and Gospel. This occurs via a genealogical analysis of Lutheranism's claimed chief progenitor – Paul the apostle – and Paul's own scriptural practice. By investigating Paul first, I hope to show the roots of the Lutheran's desire to mimic his scriptural practice in their own theological methodology. That is, for an analysis to be a pragmatic analysis, it is important to acknowledge that methodologies are not cut out of whole cloth but rather are developed in conversation with what has gone before within particular communities of discourse. The primary community that Lutherans hope to draw upon is that formed by Pauline exegesis, and so proceeding from a presentation of the methodology of scriptural pragmatism (chapter one) to an analysis of Paul's own scriptural practice which I call "proclamatory pragmatism" (chapter two) to displaying Lutheranism's own elemental logics or habits of reasoning (chapter three) is a natural progression of understanding. The final chapter which I term "Conclusion" is the pragmatic proof of concept by showing how the model of Lutheran

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affirming that, under all conceivable circumstances of a given kind, the subject of the predication would (or would not) behave in a certain way, – that is, that it either would, or would not, be true that under given experiential circumstances (or under a given proposition of them, taken *as they would occur* in experience) certain facts would exist, – *that* proposition I take to be the kernel of pragmatism. More simply stated, the whole meaning of an intellectual predicate is that certain kinds of events would happen, once in so often, in the course of experience, under certain kinds of existential circumstances." (EP 2:402; emphasis original)

[49] Peirce's understanding of pragmatism as clarifying concepts in light of their conceivable practical implications has roots in his doctrine of synechism – the claim that all things that can be experienced are in a continuous relation to each other. For example, he writes in his 1893 article "Immortality in the Light of Synechism": "I carry the doctrine [of synechism] so far as to maintain that continuity governs the whole domain of experience in every element of it. Accordingly, every proposition, except so far as it relates to an unattainable limit of experience (which I call the Absolute), is to be taken with an indefinite qualification; for a proposition which has no relation whatever to experience is devoid of all meaning." (EP 2:1) While heuristic hypotheses have value and will be offered at the appropriate times, I take this statement of Peirce as indicating that hypotheses arise best out of an analysis of a practice and become most understandable through that analysis. Hence, I take an inductive approach throughout this dissertation.

logic that I develop herein is fruitful in analyzing improper deployments of one aspect of Lutheran logic – how to understand and utilize doctrine.

Returning to this first chapter, it has a dual purpose. In the first place, it seeks to offer a set of categories by which a pragmatic investigation might be conducted and, in the process, to provide both a starting point and warrants for the genealogical and pragmatic analysis of the subsequent chapters. In the second place, given that Peircean pragmatism arose in response to what Peirce perceived to have been failings in Cartesian philosophic practice, it clarifies what might be described as characteristic or, in Ochs' terms, "elemental" habits of so-called Cartesianism and therefore of modernism more broadly. These two aspects are intertwined within pragmatism insofar as one of the chief habits of pragmatists generally is to acknowledge the situatedness of reasoning. Given that a corollary of this observation is that the inherited habits of thought and action of the pragmatist herself are also situated historically, pragmatic claims need to be situated in the milieu out of which they arose, and that milieu is explicitly described by Peirce as Cartesian modernism. Cartesianism provided the irritant that caused Peirce to engage on his pragmatic project in the first place. Therefore, even as I seek to clarify the conceptualities and logic employed by pragmatism, I will be, at the same time, engaging in characterizations of the elemental habits of Cartesianism.

Before entering into a discussion of pragmatic terminology and the elemental habits of Cartesianism, a word is necessary regarding Peirce's conception of clarity. In his 1897 article, "The Logic of Relatives," Peirce details three "grades of clearness":

Now there are three grades of clearness in our apprehensions of the meanings of words. The first consists in the connection of the word with familiar experience. In that sense, we all have a clear idea of what reality[50] is and what force is – even those who talk so glibly of mental force being correlated with the physical forces. The second grade consists in the abstract definition, depending upon an analysis of just what it is that makes the word applicable... The third grade of clearness consists in such a representation of the idea that fruitful reasoning can be made to turn upon it, and that it can be applied to the resolution of difficult practical problems. (CP 3.457)

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[50] In his early 1878 article, "How to Make Our Ideas Clear," Peirce offers the following descriptions of truth and reality: "Different minds may set out with the most antagonistic views, but the progress of investigation carries them by a force outside of themselves to one and the same conclusion. This activity of thought by which we are carried, not where we wish, but to a fore-ordained goal, is like the operation of destiny. No modification of the point of view taken, no selection of other facts for study, no natural bent of mind even, can enable a man to escape the predestinate opinion. This great hope is embodied in the conception of truth and reality. The opinion which is fated to be ultimately agreed to by all who investigate, is what we mean by truth, and the object represented in this opinion is the real. That is the way I would explain reality." (EP 1:138-9) Ilya Farber points out that Peirce later moved on from the individualism implicit throughout this quotation and focused more upon the community's role in such an inquiry. Though in the next paragraph Peirce makes the role of the community much clearer, Farber goes further afield to establish Peirce's interest in communal inquiry and quotes Peirce's 1905 article "What Pragmatism Is" to show Peirce's switch to what Farber calls "projective realism" relying upon the "nature of reason itself": "…so, thought, controlled by rational experimental logic, tends to the fixation of certain opinions, equally destined, the nature of which will be the same in the end, however the perversity of thought of whole generations may cause the postponement of the ultimate fixation." (Ilya Farber, "Peirce on Reality, Truth and the Convergence of Inquiry," *Transactions of the Charles S. Peirce Society* 41 no. 3 [Summer 2005] 544-5.) Farber goes on to evaluate Peirce's idea of truth: "The collective upshot of the last few objections is that, even if we *could* salvage the strategy of identifying truth with the endpoint of inquiry, we shouldn't *want* to. If the purpose of a theory of truth is to shed some sort of light on the status of our actual current beliefs and practices, then what we need is a theory that relates truth to some identifiable feature of our actual experience. Neither the obtrusive nor the projective account can do this; they may, however, have a close cousin that can. In this closing section, I will present such an alternative – one which... I will call *empirical realism*." (Farber 2005, 559) He then describes empirical realism as understanding reality to be "that which determines, for any given material and theoretical context of inquiry, how empirically successful different answers to a particular question will be." (Farber 2005, 560) Truth, for Farber's empirical realism, is that which: "For a given community of inquirers and given set of alternative hypothesis, the truth is that hypothesis which would exhibit the greatest success under exhaustive empirical testing by the community." (Farber 2005, 561) Interestingly, Farber and I seem to be searching for the same thing – determining the "status of our actual current beliefs and practices." But his characterization of Peirce's definition of truth as supporting "a *universal*, decontextualized 'right answer' to each question, an answer that would hold across all contexts in which the question is posed," (Farber 2005, 562) fails to take account of Peirce's understanding of scientific method which is always contextual. He further fails to deal with Peirce's idea of final causality which would enable an understanding of reality (and so truth) that has very practical, contextual effects in the form of continued inquiry by means of giving hope of future results, as I hope to make clear. His further implicit criticism of Peirce when he writes that "truth is determinate and well-defined only when a theory is placed in a particular context of inquiry," (Farber 2005, 562) does not appear to recognize Peirce's understanding of symbols (reality itself being a symbol) and how they replicate – the symbol only becoming perceptible by its instantiations in the world. This is to say, first, that Farber would benefit from placing Peirce's conceptions of reality and truth within a wider interpretive context and, second, that Peirce has a place in his account for Farber's concerns and appears to have anticipated them.

For Peirce, most modern philosophic investigations rightly hold that the second grade of

clearness is important – that of providing a definition for a concept – but also that they

misunderstand its importance. Rather than providing new information (which is the

goal of investigation in the first place), the function of a definition is to provide a way to

organize existing information thereby making a conceptuality distinct from others.[51] It is

a basic pragmatic claim that new information can only be attained or conveyed when

what is already held to be true and so is a warranted assertion (provided by familiarity

thereof and organized via the exercise of self-control into a distinct definition) is

extended into other practical situations so that one grasps the possible effects of the

conceptuality in question.[52] In this way, familiarity becomes extended to new contexts

thereby also creating the possibility of deepening prior definitions to account for the

changed situations and, in turn, yielding new, hitherto-unknown possibilities of

investigation.[53] I will proceed to attempt to achieve the third grade of clearness with

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[51] Again, in his 1878 article, "How to Make our Ideas Clear," Peirce writes: "Nothing new can ever be learned by analyzing definitions. Nevertheless, our existing beliefs can be set in order by this process, and order is an essential element of intellectual economy, as of every other. It may be acknowledged, therefore, that the books are right in making familiarity with a notion the first step toward clearness of apprehension, and the defining of it the second. But in omitting all mention of any higher perspicuity of thought, they simply mirror a philosophy which was exploded a hundred years ago." (EP 1:126)
[52] As Peirce writes: "All pragmatists will further agree that their method of ascertaining the meanings of words and concepts is no other than that experimental method by which all successful sciences… have reached the degrees of certainty that are severally proper to them today; -- this experimental method being itself nothing but a particular application of an older logical rule, 'By their fruits ye shall know them.'" (EP 2:400-1)
[53] In discussing her Peircean principle that "reality is polymorphic" (RPM), McLoughlin writes: "As a consequence of believing **RPM**, a reasonable response would be the issuance of a command to oneself to keep open to options. Accepting **RPM** means accepting that there is no one, definitive truth about any matter. This stance forces recognition that continued inquiry is necessary, and therefore it serves to keep the doors to inquiry forever open, even after the point where one has exhausted all known alternative. This does not require that one maintain a constant state of doubt. We continue to operate according to the best information we have at hand. Thus, the approach does not stifle action nor does it undermine our inquiries. It does require, though, that in conducting our affairs (including our inquiries) we remain receptive to whatever challenges could arise." (Amy L. McLaughlin, "Peircean Polymorphism: Between

respect to Paul's and the Lutheran Confessors' theological practice in the concluding

chapter, even as I seek analytical or definitional clarity throughout the majority of the

dissertation via a pragmatic analysis of their practice in chapters two and three,

recognizing that even those chapters are not devoid of presentations of a third level of

clarity. The terminological thrust of this chapter and its identifying of the elemental

habits of Cartesian thought serve both to familiarize the reader to the conceptualities

employed (first level of clearness) but also to provide definitions of terms that will be in

use (second level of clearness). It also provides a starting point for understanding

scriptural pragmatism that can later be modified by incorporating the insights of Paul

and the Lutheran Confessors into the approach in order to delineate a sub-community

of scriptural pragmatists – Lutheran Christians.[54]

The primary sources for this chapter are the writings of Peirce and Ochs as I seek

to describe the way scriptural pragmatism presents itself as a reaction to Cartesianism,

as a way to achieve deeper understanding in a post-Cartesian world, and as an

illustrative source of reflection on scriptural traditions. The goal of this chapter is not to

argue for the truth[55] of pragmatism or of its analysis of Cartesianism but to simply

present its terms and mode of analysis as those appropriate to a community that

accepts them as valid ways of achieving knowledge of the world. The primary reason I

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[54] As mentioned in Ochs' taxonomy above, scriptural pragmatism is fifth in order. It is funded by both Rabbinic and Christian pragmatism. Lutherans are one sub-set of Christian pragmatists whose reflections serve as a source for scriptural pragmatism more generally. (PPLS, ch. 8)

Realism and Anti-Realism," *Transactions of the Charles S. Peirce Society* 45, no. 3 [Summer 2009]: 417. Bold original) It is this type of openness to the future of inquiry that is desirable, even as in a Christian context, doctrine does serve to decide particular debates for particular contexts. It does leave room for growth when future contexts that do not map well onto those of the past are encountered.

[55] I leave here the concept of "truth" undiscussed as I will be dealing with it in footnotes throughout the dissertation.

do this is because the novelty of this dissertation does not lie in its analysis and critique of Cartesianism, nor is its goal to create a pragmatic method out of whole cloth. Many authors have already done both and have garnered a significant following in and outside of academia.[56] Rather, the novelty of the dissertation lies in its extension of scriptural pragmatism into the thought of Paul and Lutheranism as primarily seen through the Lutheran Confessions, its characterization of the logic of Pauline and Lutheran thought as "proclamatory pragmatism," and the consequences of such an extension for the public theology of the Lutheran church in order to help it rid itself of the Cartesian tendencies displayed in the intra-Lutheran "Battle for the Bible." This is an argument that is separate from (even as it presupposes) providing warrants for a pragmatic analysis of Cartesianism. So while I clarify my pragmatic method and explicitly characterize my view of Cartesianism, I leave the arguments for the validity of both to prior investigations and only claim that the way I approach both is valid for the community of pragmatists.

Before beginning the definitional project of this chapter, I should note that this will be the most highly technical chapter in the dissertation. It provides me the terminology and the conceptualities that will be in use throughout the investigation.

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[56] In addition to many of the works cited above, see: Jeffrey Stout, *The Flight from Authority: Religion, Morality and the Quest for Autonomy* (South Bend, IN: University of Notre Dame Press, 1981); Richard Bernstein, *Beyond Objectivism and Relativism: Science, Hermeneutics and Praxis* (Philadelphia: University of Pennsylvania Press, 1983); Stanley Fish, *Doing What Comes Naturally: Change, Rhetoric and the Practice of Theory in Literary and Legal Studies* (Durham: Duke University Press, 1989); Jacques Derrida, *Of Grammatology*, trans. Gayatri Chakravorty Spivak (Baltimore: The Johns Hopkins University Press, 1997); George Lindbeck, *Nature of Doctrine* (op. cit.); Pecknold, *Transforming* (op. cit.); C.J. Misak, *Truth and the End of Inquiry: A Peircean Account of Truth*, expanded paperback edition (New York: Clarendon Press, 2004); John Woell, *Peirce, James, and a Pragmatic Philosophy of Religion* (New York: Continuum, 2012); Christopher Hookway, *Truth, Rationality and Pragmatism: Themes from Peirce* (New York: Oxford University Press, 2002).

However, for the sake of the non-pragmatist and to avoid getting bogged down in *techne*, most explicit references to technical terminology in the later chapters will be confined to the footnotes. My analysis of Paul and the Lutheran Confessions will certainly be dependent upon the conceptualities found in this first chapter, but I will generally use more common-sense language which has the benefit of appealing to a wider audience at the cost of some precision. I believe it is important to balancing a concern for technical accuracy with that of public accountability.[57] Therefore, for the sake of accuracy, I include this first chapter with its technical terminology and refer back to it both in the text and in the footnotes of subsequent chapters. Similarly, I strive for public accountability by minimizing the use of the technical terminology developed here in the body of later chapters in favor of more common-sense terms, though I do utilize it when the need for accuracy demands it.

Basic Definitions

According to Ochs in "Reparative Reasoning: From Peirce's Pragmatism to Augustine's Scriptural Semiotic," (RR)[58] Cartesian "foundationalism" is "the effort to locate some truth claim(s), independent of inherited traditions of practice, on the basis of which to construct reliable systems of belief and practice."[59] Connected to foundationalism is the phenomenon of "intuitionism," which Ochs defines as "the belief

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[57] See my introduction for more of a discussion of the tradeoffs involved in such a balancing act.
[58] Op. cit.
[59] RR 188.

that such truth claims may come in the form of discrete, self-legitimating cognitions."[60]

Foundationalism cannot be simply equated with intuitionism, however, because in this

article it seems possible that one can be foundationalist without being intuitionist,[61]

though Ochs does not elaborate on how this might be the case.[62] Nevertheless, I take

foundationalism and intuitionism as both describing the same general phenomenon,

though foundationalism is the broader term. If intuitionism is present, it heuristically

predicts the presence foundationalism; if foundationalism is present, it, too,

heuristically predicts the presence of intuitionism, but to a lesser degree.

That foundationalism and intuitionism are correlated phenomena is indicated by

the fact that throughout his discussion of the two, Ochs functionally melds the two into

a common phenomenon, even within the same paragraph. Ochs takes Peirce's

understanding of "Cartesianism" and characterizes it by means of a theory of

perception, saying that some of our perceptions "indicate to us, at once, that there is

something *there and* that it is *this* (or has this quality)."[63] Taking this in light of Peirce's

view of a proposition as that which has a subject providing an indexical function ("there

is something there") which is then tied to a predicate that attributes a character the

subject thereby functioning iconically ("it is this [or has this quality]"), what Ochs is

objecting to here is the claim that percepts carry within themselves perceptual

judgments that take the form of a proposition. If this were true, then one could know

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[60] Ibid.
[61] He prefaces his description of intuitionism with the phrase: "<u>Most</u> [not all] efforts of this [foundationalist] kind come in the form of 'intuitionism'…" (RR 188-9; underline mine)
[62] Even so, it seems accurate to say that, for Ochs, foundationalism does not always entail intuitionism, but where intuitionism is present, so is foundationalism.
[63] RR 189, emphasis original.

something "as it is" or the "thing-in-itself" as it exists objectively without regard for any

given context or the interpretive lens of the individual knower.[64] The knower would

then attain knowledge that is independent of any inherited tradition of practice,

knowing as God alone knows. Instead of this, Ochs sees cognitive judgments as the

basis for propositional claims. Per Peirce's semiotic, the meaning of the judgments only

arises relative to its interpretant. An interpretant is a habit of thought or action, and it

yields a particular trajectory of thought that serves to make a propositional claim

understandable. Moreover, it "pegs" that claim to a particular individual's

understanding of the world, and through her, to the understanding of the community in

which she operates.[65] Moreover, these judgments are themselves dependent upon

percepts or encounters with the world, whether these percepts are physical or textual

stimuli.

Ochs' primary concern in RR is Cartesian dogmatism which is only one aspect of

foundationalism more generally. However, Cartesian dogmatism and Cartesian

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[64] Over and against the idea of an incognizable "thing-in-itself" that can yet be said to be known to exist, Peirce holds that we can experience reality outside of ourselves, and that this experience of reality is that about which we cognize. The idea of an incognizable "thing-in-itself" is self-contradictory: "If, upon examination, we find that no experience can – either directly or indirectly – give rise to the conception supposedly entailed by the term, then we are left to conclude that the term itself cannot be made sense of: 'Accordingly, there can be no conception of the absolutely incognizable, since nothing of that sort occurs in experience. But the meaning of a term is the conception which it conveys. Hence, a term can have no such meaning.' To posit that there is something that is entirely incognizable and to posit at the same time that it is still *some thing* is to posit the self-contradictory. It is to predicate of that which can have no predicates by definition." (Woell, *Pragmatic Philosophy of Religion*, 95.)

[65] More technically, Peirce defines the "interpretant" in his 1904 essay "New Elements" as follows: "…every sign is intended to determine a sign of the same object with the same signification or *meaning*. Any sign, B, which a sign, A, is fitted so to determine, without violation of its, A's, purpose, that is, in accordance with the 'Truth,' even though it, B, denotes but a part of the objects of the sign, A, and signifies but a part of its, A's, characters, I call an *interpretant* of A." (EP 2:304). A more extended discussion that is apropos to this context can be found in Peirce's letter to William James of 26 February 1909 (EP 2:493-4).

skepticism are dialectically related in that each empowers the other.[66] Ironically, both

have their dogmas, and Ochs describes those of philosophic skepticism in the following

terms:

> …there is no natural end to any philosophic inquiry; at times, philosophy may also repair failed rules of theory or practice, but it need not; the philosopher may be tempted to perpetual anxiety about this lack of worldly resolution, but the anxiety is dysfunctional; the philosopher ought therefore to cultivate a mood of general disinterest, in which anxiety about failed practice is replaced by curiosity or strictly intellectual doubt about errant thinking.[67]

While Ochs finds logical problems with Cartesian dogmatism, philosophical skepticism

gains a clean bill of logical health.[68] That said, Ochs still sees it as lacking warrant, as

being unnecessary, and even being deleterious inasmuch as it "inhibits the practice of

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[66] Skepticism happily plays off dogmatism and would not exist without it; dogmatism, in turn, is the staid response to the chirping of the skeptics.

[67] PPLS 271.

[68] Ochs analyzes the logic of skepticism in terms of one B-reasoning both diagramming and correcting another B-reasoning. Each B-reasoning is placed "in one set of a hierarchically ordered series of sets, so that reasonings from a given set, B^s, correct-and-diagram only reasonings from a second set, B^{s+1}, that is one degree 'less deep' than B^s. Conversely, a B-reasoning, B^s, is corrected-and-diagrammed by B-reasonings that are one degree 'deeper': B^{s-1}… This means that problems of a given depth are diagrammed-and-corrected by reasonings of a greater depth *and that B-reasonings are diagrammed only when they are problematic*." (PPLS 263, emphasis original) Taking this as the model of how reasoning works, Ochs then describes the logic of skepticism and dogmatism in its terms: "…Cartesian skepticism may be diagrammed as the belief that all our reasonings may be graphed as members of a series B^s, B_1^{s-1}, B_2^{s-2}, B^{s-2} [sic], $B^{s-\infty}$… B_n, where there is no limit to the series; and Cartesian dogmatism with the belief that, for any such series, there is a final reasoning, B^{s-n}, such that $n = \infty$ and $B^{s-n-1} = B^{s-n+1}$: that is, such that the reasoning is self-correcting and self-diagramming. There is no logical problem with Descartes' skeptical option; it simply does not accord with his (and our) common-sense. His dogmatism, however, introduces a concept of infinity that is not explicit in the premises of his project. According to his explicit premises, the identity $B^{s-n-1} = B^{s-n+1}$ is an obvious contradiction. While the identity may hold true for the value $n = \infty$, the reasoning is in that case no longer a B-reasoning, which, by definition, corrects reasonings of *different* depths." (PPLS 263, emphasis original) For Ochs, skeptical foundationalism is unnecessary, but this is not his primary critique. Rather, Ochs objects to it principally because it cannot explain our common-sense appropriation of the world. Cartesian dogmatism, on the other hand, has a logical fallacy at its heart *in the terms set out for it by Descartes himself.* That is, dogmatic foundationalism is not problematic in that it fails to meet some prior standard of rationality. Rather, its illogic rests in that it is self-contradictory in the very terms that Descartes adopted for his project in that the concept of infinity is latent within it.

genuine philosophic inquiry and thereby robs society of a significant resource for repairing failed practices."[69]

As alluded to earlier, Cartesian dogmatism and skepticism are dependent to the point of being parasitic upon each other. This can be seen in that dogmatism is a function of having a psychological need to have an indubitable, *a priori* basis of thought. Unless such a foundation can be clearly and distinctly formulated, the fear is that complete irrationality will result. This is what Bernstein calls "Cartesian anxiety," describing it as:

> The specter that hovers in the background of this journey is not just radical epistemological skepticism but the dread of madness and chaos where nothing is fixed, where we can neither touch bottom nor support ourselves on the surface. With a chilling clarity Descartes leads us with an apparent and ineluctable necessity to a grand and seductive Either/OR. *Either* there is some support for our being, a fixed foundation for our knowledge, *or* we cannot escape the forces of darkness that envelop us with madness, with intellectual and moral chaos.[70]

While the Cartesian dogmatist is in the grips of this anxiety, the skeptic rejoices in knocking down her dogmatic foundations, gleefully pointing out how they are logically contradictory, reveling in the supposed chaos. In doing so, she denies him a Gods-eye viewpoint, all the while taking just that viewpoint to claim that there is no such position.

Because of this, I hold that both Cartesian dogmatism and skepticism are foundationalist. Skepticism makes an acontextual claim about the character of universal existence that there are no foundations to be had and does so without any reference within an inherited tradition of practice. That is, the skeptic categorically claims that all assertions are local; being local, such assertions lack persuasive power with respect to

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[69] PPLS 271.
[70] Bernstein, *Beyond Objectivism and Relativism*, 18.

another community. But this is itself a dogmatic, foundationalist claim. It is no different in kind from the dogmatic claim that the beliefs of one's own local community apply universally.[71] It is unclear why skeptical foundationalism is not explicitly treated alongside dogmatic foundationalism in the internalist and objectivist formulations of elemental Cartesianism Ochs details later in RR. It certainly belongs as a legitimate option within the modernist universe as a response to Cartesian disquiet with inherited traditions of practice and the desire to replace them with something better. In my concluding chapter where I apply the model of Lutheran logic that I have developed in the first three chapters, I will redescribe Ochs' internalist and objectivist tendencies in both skeptical and dogmatic terms so that I might characterize possible sub-trajectories within the broader swathe of these tendencies.

Returning to the discussion of Cartesian claims more broadly, it is not necessary for all claims to make their interpretant explicit according to Ochs. Rather, he describes two types of claims, and both of them can be employed fruitfully given a particular context. The first, constative claims, work within and presuppose a community's "given set of semantic and perlocutionary conventions."[72] This means that one who knows those semantic and perlocutionary conventions could judge the coherence of any given claim by those conventions. If I ask someone to "pass the salt," I would expect them to

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[71] How would such a claim be tested? Though one community may in fact accept a claim made by another with its attendant explanatory paradigm, the skeptical dictum would not be thereby refuted because such a change could be – and most frequently is – accounted for via a logic of power relations, even if that power relation is the simple exercise of an individual's will over and against or in concert with others. If pragmatic thinking is correct, testing skeptical claims, like testing dogmatic claims, is impossible on their own terms because they function universally, presupposing a "view from nowhere" or unmediated, universal knowledge – neither of which are within the purview of finite human creatures.
[72] RR 190.

pick up the container with holes in the top that contains white crystals and hand it to me gently, not literally "passing" it but rather placing it in my hand or closely enough that I could reach it. By working with such a common-sense understanding, the truthfulness[73] of a claim can be determined by applying the conventions of the community to the claim to see if they hold. Said differently, in order to interpret a constative claim, the community applies its common-sense understandings to the claim at issue in order to see if the subject of the proposition was properly identified ("salt" / container with holes in the top and white crystals) and that the predicate was also properly carried out ("pass to me" / giving it to me gently or placing it close to me). This category is unproblematic.

It is the second category, reparative claims, that is more interesting for our purposes. These are claims that are always purposive, being intended to correct

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[73] I agree with Misak in regarding the concept of "truth" as a regulative rule of inquiry when she writes: "So a pragmatic elucidation of truth is neither a definition nor a criterion of truth. It is a specification of what one can expect of a true hypothesis… The expectation must be pragmatically significant – it must really lead us to expect something of the course of experience." (Misak, *Truth*, 42.) In this sense, one can determine the truth (or accuracy) of a statement if it leads to the predicted result and that result is significant. Misak expands her discussion of truth via two conditionals: the T-I Conditional and the I-T Conditional. The T-I Conditional is formulated as: "*if H* is true, *then* if inquiry relevant to *H* were pursued as far as it could fruitfully go, *H* would be believed." (Ibid., 43.) The point of this, as Woell puts it, is to elucidate "the expectation we would have of *H* if *H* were true – namely, that inquirers would be led to settled belief in *H*, which would not be dislodged by further experience or investigation… The T-I conditional tells us what to expect of true hypotheses." (Woell, *Philosophy of Religion*, 122.) This is, according to Misak, the statement of a "hope" which is nothing other than to call it a "regulative assumption of inquiry." (Misak, *Truth*, 43.) The I-T Conditional, on the other hand, is: "*if*, if inquiry were to be pursued, then *H* would be believed, *then H* is true." (Ibid.) Again, Woell: "The I-T conditional tells us what to expect of inquiries into genuine hypotheses that are pursued as far as they can fruitfully go." (Woell, *Philosophy of Religion*, 123.) Summing up, Woell continues: "'Peirce regards the most important thing to be said about truth to be a specification of what we can expect of a true hypothesis,' as Misak puts it. In spelling out his pragmatism, Peirce is after only the third grade of clearness. If this assists in showing equivalencies among some definitions or eliminating others in the second grade of clearness, then so much the better." (Ibid., 125.) The point here is that truth is best understood not as a metaphysical principle or even a property a proposition might possess (though propositions can be true); rather, the concept of "truth" in a Peircean pragmatic sense is a rule that guides one's inquiry and does so according to the principle of hope.

particular communal conventions that may be in error, and they perform this repair by being at one and the same time clear and distinct yet also vague and ambiguous. They are clear and distinct enough "to call the listener's attention to the range of conventional claims that are contested as well as to those that are not contested." This orients the listener to a particular universe of discourse with which they are familiar. However, they are also to some extent vague and ambiguous enough so that they ask the listener "to entertain some new conventions of meaning."[74] This entails spelling out the practical consequences of the proposed repair so that they might be tested for their adequacy as well as providing a means to determine the meaning or impact of the proposed change. It also introduces the possibility of achieving new knowledge or new understandings. To receive a reparative claim properly, it cannot simply refer to a given state in the world as a type of an index. Nor can the claim be understood merely as referring to a new possible way of acting in the world as an icon. Instead, reparative claims "are not simply commands to act, but directives to act-out a proposed habit-change and to continue to act it out as long as it appears to be free of the failings that prompted the reparative claim."[75] This means that for Ochs (and Peirce), Cartesianism's error is not that Cartesian thinkers propose constative claims (such claims are necessary to be a part of any community). Rather, the error is that they tend "to treat reparative claims as if they were constative claims and, therefore, to offer a set of inadequate

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[74] RR 190.

[75] RR 192. Creedal statements, for example, are B-reasonings, and one of their functions is to descry the A-reasonings that gave rise to them; they are tokens of particular habits of thought and action. Their meaning was reparative at the event of their adoption and, in later years, they functioned reparatively as well in answering the question: "How do Christians preach Christ?" Serving as rule in this way, they empower future reparative acts for the Christian community and possibly for others in the world who see fit to adopt them a rules of discourse.

reparative claims."[76] This means that rather than adding new knowledge, reparative

claims are treated as well-understood categories and fail at performing the repair at

which they aim.

Note that Ochs does not fault Cartesianism in general or against a universal

standard of rationality. Rather, in his Peircean critique, Ochs faults the lack of *utility*,

effectiveness and *fruitfulness* of Cartesian practice. Cartesian thought claims to attempt

to repair problems in thought or practice, but it is unable to accomplish this goal on its

own terms. Ochs does not reject Cartesian thought categorically, on *a priori* grounds, by

asserting that it does not conform to some set of universally applicable transcendental

standards – that is, standards that are not themselves attached to some inherited

community of practice. He does not treat these standards as that which dictate what

claims can (or should) or cannot (or should not) be made and then replace the rejected

idea with a new idea. If he were to do this, Ochs would himself be modeling

Cartesianism[77] in a manner similar to the way in which Peirce frequently re-inscribed

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[76] RR 190. Elsewhere, Ochs describes the error of Cartesian foundationalism as misapplying claims apropos to the domain of theory to the realm of practice. This is another species of making claims inadequate to a project's goals: "Like the pragmatist… the foundationalist maintains the infallibility of some belief, adopted as ultimate rule of repair. The difference is that the foundationalist's ultimate rule belongs properly to some theoretical science, in which it *could* function as a legitimate hypothesis, once the experimental conditions for testing it had been determined… The foundationalist thus extends some as yet unidentified rule of theoretical inquiry outside its proper domain and depth, adopting it as if it had both the generality of mere theory and the corrective force of a reparative rule of practice. Since its reparative force has not, in fact, been determined, the rule will tend not to repair failings that have stimulated the foundationalist's anxieties: lending foundationalists both the perpetual certainty that they possess whatever rule of repair they need *and* the perpetual anxiety that something, nevertheless, remains seriously wrong." (PPLS, 271-2)

[77] Ochs is well aware of this problem and is careful to avoid it in his writing: "The most general criticism is that replacement is the wrong way to achieve repair… Replacement philosophy proposes, against empirical evidence, that philosophers' powers of criticism have sources outside the habits of action they have inherited from the past and that these powers have universal form and function and may be appropriated independently of one's particular context of action… Replacement philosophy therefore

Cartesianism into his own philosophical practice.[78]   Instead, Ochs avoids rehearsing

Cartesianism in favor of a much more modest goal which is the repair of a particular,

though widespread, inherited tradition of practice – that of Cartesianism itself.   He

proposes structural changes to the tradition of practice that is Western, Cartesian

thought in order to correct a line of inquiry that is currently structurally incapable of

accomplishing the goals it assigns for itself.   In doing so, he is suggesting an approach

that could have a broad application, but the extent of this application remains unknown

until the event that others adopts its mode of repair.

While it is important that Ochs is self-consistent in this matter, this is not where

the true import of this trajectory of thought lies.   Rather, it elucidates an important

aspect of pragmatic claims – that they are, in the first place and primarily, context-

specific in that they arise within particular communities of discourse and must be tied to

those communities in order to be meaningful.   When the issue of particularity is raised,

frequently the immediate (and Cartesian) objection is made that this is then to deny the

existence of universal claims, as if there are only two choices – particular OR universal –

and that the law of the excluded middle applies thereby declaring that either one or the

other must true.   Rather than engaging in such a binary, it is enough to point out that

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entails foundationalism… and, in many cases, intuitionism, or the belief that one may access these powers by way of self-legitimating cognitions." (RR 194)

[78] For example, in describing Peirce's methodology in his 1903 Harvard lectures on pragmatism, Ochs characterizes Peirce's approach as follows: "…Peirce's method of legitimating the pragmatic method is itself a problematic variety of pragmatic reading: an attempt to employ pragmatic reading apologetically, by placing it in the service of a dogmatic argumentation. Peirce fails to acknowledge his dogmatism, allowing the reader to suppose, instead, that his method is strictly empirical. Peirce's method is therefore *foundationalist*, since its goal is to provide conceptually explicit foundations for a procedure that excludes such formalism. What I will label 'Peirce's *pragmatic foundationalism*' is an *ad hoc* assemblage of arguments integrated only by his personal interest in legitimating pragmatism among the empiricists." (PPLS 130)

just because a claim is formulated regarding a local and particular situation does not

mean that it cannot have enhanced generality or even possible universality. There are

many possibilities. It is possible that a claim may have considerable generality once its

reasoning is grasped in that many people might consider it to be a valid conclusion; even

so, no given group may actually adopt it in any regulative sense. Another possibility is

that functional generality is achieved where the claim is adopted by another group and

when more and more communities find a claim or form of argumentation useful for

their own ends. Other possibilities exist. But the point is that the extent of this

generality cannot be measured except in the actual event of such adoption itself.[79] To

continue further, it is hypothetically possible that a claim might have universal

extension; however, measuring this extension is impossible barring knowledge of every

extant community and every extant type of practice to which it might apply and being

able to gauge the persuasive power of the proposal. As problematic as this is, a claim

for a known universality would also presuppose knowledge of all possible communities

and practices, and this is even more humanly impossible. Such knowledge is not for

finite creatures, and human beings are finite creatures. This means that Ochs leaves

judgments regarding universality to God in his pragmatism, even as it is possible to

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[79] Peirce's definitions of generality and vagueness in his 1905 essay "Issues of Pragmaticism" are helpful here: "A sign (under which designation I place every kind of thought, and not alone external signs) that is in any respect objectively indeterminate (i.e., whose object is undetermined by the sign itself) is objectively *general* in so far as it extends to the interpreter the privilege of carrying its determination further… A sign that is objectively indeterminate is objectively *vague* in so far as it reserves further determination to be made in some other conceivable sign, or at least does not appoint the interpreter as its deputy in this office… anything is *general* in so far as the principle of excluded middle does not apply to it and is *vague* in so far as the principle of contradiction does not apply to it." (EP 2:350-1) A community that chooses to adopt a particular claim or type of argumentation (or any sign) and apply it to its communal life in specific ways is arrogating to itself the responsibility to further determine the sign and so fits Peirce's description of generality.

measure some type of (modest) generality by inquiring into the actual extent of specific claims.[80]

For Ochs, one apprehends the generality of pragmatic claims only indirectly; they cannot be "read off" the surface of any particular claim. This indirect apprehension of generality takes place by examining the various propositions adopted by a community and their particular practices. These are themselves tokens of the habits of thought and action that form the basis or the "backbone" of a community's discourse. They cannot be spoken directly nor can they be fully characterized propositionally. That is, the habits of thought and action of a given community give rise to particular propositions, but these propositions do not themselves simply and comprehensively display their source; rather, they witness to it in and through their particular, contextual claims. Ochs elucidates this dynamic via a discussion of Peirce's categories of A- and B-reasonings.[81]

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[80] I should note that when Ochs refers to God, he is appealing not to the pragmatic community as a whole but rather a particular sub-community of pragmatists – the theosemioticians.

[81] It is worth quoting Peirce at length at this point where he elucidates the difference between A-reasonings (the scholastic *logica docens*) and B-reasonings (*logica utens*) from the 1902 manuscript of his projected book, *Minute Logic*: "It is foolish, therefore, to study logic unless one is persuaded that one's own reasonings are more or less bad. Yet a reasoning is essentially something which one is deliberately convinced is good. There is a slight appearance of contradiction here, which calls for a little logic to remove it. The substance of an opinion is not the whole opinion. It has a mode. That is to say, the opinion has been approved because it has been formed in a certain way, and of opinions formed in that way, we have the opinion that relatively few are much in error. It is for that reason that we have adopted the opinion in question. Still, we attach but a limited degree of confidence to it, being of the opinion that out of a considerable number of opinions formed in the same way, some would probably be grossly erroneous. In this way, it might happen that you should hold that a large minority of your reasonings were bad, although you were inclined to adhere to each one singly. This is the general principle. But logicians are too apt to content themselves with the statement of general principles, and to overlook peculiar effects which may arise from complications of them. The real situation in this case is too complicated to be considered to advantage; but we can illustrate the general way in which complexity may modify the effect of our general principle. Your reasonings are determined by certain general habits of reasoning, each of which has been, in some sense, approved by you. But you may recognize that your habits of reasoning are of two distinct kinds, producing two kinds of reasoning which we may call A-reasonings and B-reasonings. You may think that of the A-reasonings very few are seriously in error, but that none of them much advance your knowledge of the truth. Of your B-reasonings, you may think that so many of them as are good are extremely valuable in teaching a great deal. Yet of these B-reasonings you may think

A-reasonings are beliefs that have the character of habits that a community holds as "free from doubt so long as they continue to ground the critic's capacity to doubt and to propose alternative responses to doubt."[82] These are what I have termed the "backbone" of the community's "common-sense" habits of thought and action. The latter, B-reasonings, are particular articulations of propositions or instances of adopted practices or responses to a dilemma that arise from the exercise of A-reasonings in a given situation. B-reasonings are very useful. They are those things that allow one to act within the world. In fact, without them, nothing would get done. But for all their utility, they are also very likely to be flawed. Given the best information available, one makes a decision and acts, but as is common knowledge, this action may be inappropriate and, hindsight being 20-20, regretted at a later date. Action in the world always carries with it a degree of fallibility, of messiness, and this must always be kept in

that a large majority are worthless, their error being known by their being subsequently found to come in conflict with A-reasonings. It will be perceived from this description that the B-reasonings are a little more than guesses. You will then be justified in adhering to those habits of reasoning which produced B-reasonings, by the reflection that if you do adhere to them, the evil effects of the bad ones will be mainly eliminated in course of time by opposing A-reasonings, while you will gain the important knowledge brought by the few B-reasonings that are good; whereas, if you were to discard those habits of reasoning which produced B-reasonings you would have nothing left but A-reasonings, and these could never afford you much positive knowledge. This imaginary illustration will serve to show how it might be that you should, with perfect consistency, hold your existing *logica utens* to be excessively unsatisfactory, although you are perfectly justified in adhering to it until you are in possession of a better system. Without knowing anything of your individual case, my general observation of the manner in which men reason leads me to believe it most probable that the above illustration about the A-reasonings and the B-reasonings represents, in a general way, your condition, except that you greatly overrate the value of many of the B-reasonings, which are really little more than guesses at truth, but are, many of them, regarded by you as inductions. If this be the case, a study of logic, while making your whole thought more accurate, will enable you to rate your B-reasonings more accurately, and to substitute for about half of them reasonings that will not often deceive, while greatly improving the quality of those that will still remain more or less conjectural. This improvement will, however, be limited to logical reasonings; and of such you perhaps do not perform a great many. Those acts of the mind which chiefly depend upon instinct will remain unaffected, except that their true character will be recognized." (CP 2:189) It is important to note that Peirce here treats the distinction between A- and B-reasonings as a type of thought experiment to explain how a person might correct errant practice or errant statements. In this way, the distinction is a tool to aid thinking and functions as a second-order reflection on inquiry.
[82] RR 195.

mind. On the other hand, A-reasonings *per se* have little immediate relevance to any

given situation. They cannot be made fully concrete, and any attempt to do so will

result in the production of a B-reasoning. That is, if a particular proposition is clear-and-

distinct and practically useful, it is not an A-reasoning. The virtue of A-reasonings,

however, is that they are, by definition, free from doubt. They make up the world one

sees to the point that some claim is "obviously" true or that some action is "clearly"

appropriate. They are functionally indubitable. They are those implicit rules by which a

community is organized and serve to frame the entire world-view of that community.

To summarize, any given claim that might be encountered is by definition a B-reasoning.

B-reasonings arise from an (or a set of) A-reasoning and are tokens of that reasoning. A-

reasonings, because they are habits, are not amenable to being encompassed or fully

comprehended by a propositional definition. If they are, they lose their status as A-

reasonings and become B-reasonings. They may, however, be glimpsed in their "fruit"

by hypothesizing backwards from any particular B-reasoning to the A-reasoning that

gave rise to it.

An implication of this interplay between A-reasonings and B-reasonings comes to

light when communities with different reasonings are compared. It should be clear that

A-reasonings cannot be compared directly between communities the way propositions

can be compared. Being communally dependent and resistant to clear-and-distinct

formulation, they cannot be precisely displayed. Rather, they are displayed indirectly,

via the tokens that they produce. These tokens (B-reasonings) come in the form of

distinct claims or particular actions. These B-reasonings can then be compared by the

community itself to be judged by that community to conform more or less to the set of A-reasonings operative within that community. They can also be compared with other communities to begin to allow a sense within the other community of the A-reasonings that are operative in the first community. The form this comparative judgment takes is that of recognition, where one recognizes certain claims or actions as conforming to what an exemplar of the community's values (or A-reasonings) *would* do or *would* say given a similar set of circumstances or concerns. To put it in explicitly pragmatic terms, this is to say that habits display themselves in the types of actions and claims they authorize in the subjunctive. Habits are displayed in the *would-be* or conceivably predicted response the one who possesses those habits might take. Even more, it is only in these particular claims and actions (B-reasonings) that a sense of the habits entailed (A-reasonings) might be recognized.[83]

This discussion of apprehending A-reasonings via B-reasonings indicates how generality across communities might be recognized even as it authorizes genealogical investigation into the semiotic habits of those communities.[84] Genealogical investigation is necessary because it elucidates the particular set of contexts within which particular propositions or actions (B-reasonings) were performed as an expression

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[83] I hesitate to say "perceived" here because that could suggest a naïve theory of perception of the sort that Ochs criticizes, which I mentioned earlier. Rather, the concept of "recognition" is a powerful one in that it draws upon both an exterior source to the recognizer (there must be something that is recognized) as well as a set of prior understanding / representations within the recognizer (she must be formed according to a particular understanding to be able to recognize at all). This makes recognition a semiotic phenomenon – that of the apprehension of the similarity of signs – and dependent upon the formation of a proper set of interpretants that conform to their object via a representamen.

[84] "To locate these deeper habits is to pursue genealogical inquiry. This means to search in literary histories for evidences of habits of inquiry that could conceivably have engendered yours, then to search back for what could have engendered those." (RR 196)

of the set of habits of thought and action (A-reasonings) of that community. Without

such an elucidation, it would be impossible to know the specific ways in which a given

judgment was reached or how it relates to deeply held, communal beliefs. In order for

such a genealogical investigation to be performed, the investigator must take as a given

that signs are triadic, not dyadic, involving an interpretant and not just a signifier and its

conceptual signified. The process is as follows. A sign (representamen) of any given

object determines its interpretant in such a way that another representamen results.

This representamen has as its object the prior semiotic process *in toto*. This sign then

itself determines an interpretant and replicates in a similar manner and so on.[85] Tracing

the etiology of this indefinite (though not infinite) chain of signs can establish various

tendencies that may (or may not) continue to play a role in a community's present set of

habits. But without such a genealogical approach, any inquiry rests squarely in abstract

speculation and says more about the inquirer than about the object of inquiry. For my

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[85] In RR, Ochs writes: "A *symbol*…refers to its *object* by virtue of some implicit law that causes the symbol to be *interpreted* as referring to that object. In other words, a symbol displays its meaning only to a particular interpretant, but it is not fully subject to the interpreter's attributions. Instead, a symbol *influences* the way its interpretant attributes meaning to it. The symbol therefore engages its interpretant in some practice, or what we may call a tradition of meaning. Transferring agency to the interpreter, the symbol also grants the interpreter some freedom to transform the way in which that meaning will be retransmitted. *In this way, the symbol is the fundamental agent of pragmatic inquiry*. It is itself the interpretant of some tradition's deep-seated rules of practice, of which it serves as an agent. At the same time, the freedom it grants to its own interpreter serves as a sign that these rules are also subject to and possibly in need of change. In sum, signification is the product of a three-part relation among *sign, object, and interpretant*." (RR 191) Peirce's description of a symbol in his 1904 essay "New Elements" is also helpful: "A symbol is essentially a purpose, that is to say, is a representation that seeks to make itself definite, or seeks to produce an interpretant more definite than itself. For its whole signification consists in its determining an interpretant; so that it is from its interpretant that it derives the actuality of its signification." (EP 2:323) Genealogical analysis is the tracing backwards the life of an interpretant through the symbols employed in a community's traditional discourse. As Peirce said as early as his "Logic of 1873": "Some thoughts are produced by previous thoughts according to regular laws of association, so that if the previous thoughts be known, and the rule of association be given, the thought which is produced may be predicted. This is the elaborative operation of thought, or thinking *par excellence*." (CP 7.328) Genealogical investigation is the determining of those laws of association about which Peirce speaks.

purposes, I should point out that this type of inquiry avoids the pitfalls of Cartesian foundationalism because it locates one's claims within a particular communal discourse. In fact, the whole point of analyzing Paul's scriptural practice or that of the Lutheran Confessors is to elucidate the contours of the conversation the community (and particular members thereof) have been having with the various situations they encounter. It also provides warrants from within the relevant hermeneutical circle for its description of the habits of thought and action regarding the community it seeks to describe; it avoids the temptation to use foreign or anachronistic terminology. This means that if one want to understand a contemporary community's theological *habitus*, one must return to the source of that *habitus* in order to begin to get a sense of why and how a community acts as it does today. As a side note, this line of thought authorizes me to look back to Paul and the Lutheran Confessors productively as sources for reflection upon contemporary Lutheranism.

This genealogical investigation allows an inquirer to establish a particular trajectory of thought diachronically throughout the history of a given community.[86] It does so by expanding the context of a claim from that made "here-and-now" in the present to claims made in the past that display similar habits. The fact that any given claim addresses a particular situation in that past that is different than one that occurs in the present is no barrier to this investigation. A-reasonings change slowly and leave

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[86] Any tradition of thought and practice will have multiple trajectories that are empowered by it. However, these trajectories are not infinite but are rather constrained by the actual historical development of that particular inherited tradition. This phenomenon can be likened to an upside-down cone; particular historical events (the inverted vertex of the cone) that are part of a tradition of thought and practice yield a range of new possibilities that expand as history continues (the curved surface of the cone). In this way, a tradition has a guiding line (the axis of symmetry in my analogy) even as it continues to multiple possible trajectories of inquiry.

many echoes within a culture for generations. Rather, a diversity of responses to particular situations would be expected in that A-reasonings are instantiated in B-reasonings differently, according to the wisdom of the particular person or people involved.

This diachronic generality across generations established by genealogical investigation then serves to establish a synchronic generality, in the present, inasmuch as observing how the community has acted previously allows additional members to be inculcated into a community's traditioned discourse in the present. This occurs two ways. First, members are trained to develop particular habits of thought and action by casuistic means. Particular situations arise, and the community member observes how other members deal with that situation either in terms of a particular action that should be taken or by a particular propositional response that should be given. Observing these tokens (B-reasonings) of the communal habits (A-reasonings), the one who is learning the logic of the community is able to, step-by-step, adopt the habitual characteristics of the community itself. Second, insofar as the communal habits are useful in repairing novel problems, a community member will be drawn to adopt those habits and will want to continue to use them as long as they remain fruitful. There is an attractiveness to particular worldviews (sets of communal habits of thought and action) that elicits desire in others to adopt them.

One result of engaging in genealogical inquiry is thus to invite a reader to apprehend a community's set of habits along with their utility and, implicitly, to ask her to make an aesthetic judgment as to their desirability. It is here that the category of the

beautiful enters, where the beautiful is incarnate in the earthly realities of individual

exemplars of communal practice. However, what is considered beautiful is dependent

upon the habits of perception that exist within particular communities. In that sense,

the beautiful may be perceived to have some characteristics that would lead someone

to regard it as an ontological category, but it remains a function of communal habits.[87]

Even more so, it is one of the normative sciences for a community such that a

community generally has standards of what is regarded as most beautiful. For an

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[87] Regarding the category of the beautiful, David Hart writes: "If indeed Christianity embraces 'the aesthetic principle *par excellence*,' then abstraction is the thing most contrary and deadening to the truth it offers. This provides perhaps the best definition of metaphysics, in the opprobrious sense of the word: an inexorable volition toward the abstract. "Metaphysics,' so conceived, has no real name for beauty, and can account for it, if at all, only in terms of a formless ideality that is, aesthetically speaking, the only true deformity; the privation of form. God's glory, though, is neither ethereal nor remote, but is beauty, quantity, abundance, *kabod*; it has weight, density, and presence. Moreover, it has been seen in the form of a slave, revealed in a particular shape whose place in time and space is determinative of every other truth, every other beauty. In the end, that within Christianity which draws persons to itself is a concrete and particular beauty, because a concrete and particular beauty *is* its deepest truth." (David B. Hart, *The Beauty of the Infinite: The Aesthetics of Christian Truth* [Grand Rapids: William B. Eerdmans Publishing Company, 2003] 28.) While Hart speaks here in ontological categories that are problematic in the context of pragmatism, his description can be re-read as applying to the way beauty functions within the life of a given community and so becomes a part of their cultural deposit rather than treating it as an ontological category. Thus re-read pragmatically by placing it within a set of communal habits, Hart's description of the role of the beauty plays normatively within the life of a community is quite helpful. Ricoeur makes a similar foray into a speculative metaphysics when he speaks of the role of the symbol as being rooted in *bios* and that which "evokes" or "suggests" meaning. This would be to place interpretation together with what is being interpreted and reify that union into a single concept, that of Ricoeur's "symbol." This comes out clearly when Ricoeur juxtaposes symbol and allegory: "To interpret is then to penetrate the disguise [of the allegory] and thereby to render it useless. In other words, allegory has been a modality of hermeneutics much more than a spontaneous creation of signs [which is the function of symbols]. It would be be better, therefore, to speak of allegorizing interpretation rather than of allegory. Symbol and allegory, then, are not on the same footing: symbols precede hermeneutics; allegories are already hermeneutic. This is so because the symbol presents its meaning transparently in an entirely different way than by translation. One would say rather that it evokes its meaning or suggests it, in the sense of the Greek αἰνίττεσθαι (from which the word 'enigma' comes). It presents its meaning in the opaque transparency of an enigma and not by translation. Hence, I oppose the *donation of meaning in trans-parency* in symbols to the interpretation by *trans-lation* of allegories." (Paul Ricoeur, *The Symbolism of Evil* [Boston: Beacon Press, 1967], 16.) Ricoeur's idea of symbol and its direct evocation of particular ideas correlates well with Hart's description of what beauty does. Both can be translated into pragmatic terms by disconnecting Hart's beauty from its ontological foundations and by decoupling Ricoeur's self-interpreting symbol from its basis in *bios*. The result is a description of how beauty and symbols function for a particular community according the interpretive habits of that community.

individual or a community, what is regarded as beautiful is that which organizes all life,

influencing what a person holds to be of ultimate importance and showing her how she

should act in accordance with this perception of ultimate beauty. In the end, it is the

beauty of how a claim or action coheres with an effective, useful and fruitful habitual

way of being in the world that functions to accomplish habit change.[88] This beauty, as a

First, is the mechanism by which reparative claims find their *telos*. As Ochs writes, "only

a habit of action (as a triadic symbol) serves as interpretant of a habit of action (as

triadic symbol)… a habit is learned, in other words, through habit-change."[89] Beauty, as

a statement of communal value, is prior. In order to adopt a reparative claim, one must

first perceive the beauty behind the claim. This is done both by description of the ideas

involved but, much more importantly and crucially, by tracing the practical implications

of the claim. The beauty of the proposed claim is shown to be greater than that which it

seeks to replace – i.e., the perceiver sees her prior habits as being less beautiful in

comparison – and this gives warrant for her to modify her previous habits of thought

and action (her A-reasonings). She does so in order to act in accordance with the new

vision engendered by the reparative claim. This is the logic of conversion, and such

conversion is part-and-parcel of that at which a reparative claim aims.

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[88] Peirce sees reality itself as being characterized by laws which have the form of habits. In his 1909 essay, "A Sketch of Logical Critics," Peirce corrects his view of truth by claiming that habits are, in fact, real: "To say that a thing is *Real* is merely to say that such predicates as are true of it, or some of them, are true of it regardless of whatever any actual person or persons might think concerning that truth. Unconditionality in that single respect constitutes what we call Reality. Consequently, any habit, or lasting state that consists in the fact that the subject of it *would*, under certain conditions, behave in a certain way, is *Real*, provided this be true whether actual persons think so or not; and it must be admitted to be a *Real Habit*, even if those conditions never actually do get fulfilled. In that second part, I call 'truth' the predestinate opinion, by which I ought to have meant that which *would* ultimately prevail if investigation were carried sufficiently far in that particular direction." (EP 2:456-7) This is to say that reality is itself characterized by habits / laws.
[89] RR 193.

Three Tendencies of Reasoning

Ochs' primary goal in RR is to isolate genealogically a prototype within Western thought that might account for the "co-presence of potentially dangerous and reparative tendencies within the same *habitus*."[90] While there are numerous possible progenitors, Ochs views Augustine as an exemplar who displays "the dialectic of reparative and foundationalist / intuitionist modes of inquiry" and whose influence is "civilization-wide, [in] that Augustine is one of those figures in whom 'the diverse rays of an entire civilization are captured.'"[91] Ochs reads Augustine as being influenced by two sets of communal habits: those acquired from Hellenic civilization and those acquired from scriptural / Hebraic civilization.[92] It is the combination of the two that has had such an influence upon Western civilization in that the two militate against each other, one pushing to a clear-and-distinct, propositional view of the universe (Greek) and the other viewing human life as a storied, narratival interaction with the divine (scriptural). This conflict within Western civilization "tends irremediably to inner dialectic because its two main sources do not blend or marry peacefully unless they are joined not just by some third but the one third that alone joins them."[93] This "one third" is "the Word of

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[90] RR 187.

[91] RR 199.

[92] Jenson, too, sees a tension between what he terms the Greek "theologians" (philosophers) and the biblical theologians. For him, this is seen most plainly in the conception of God as being impassible, unaffected by time (Greek) or as being passionately involved in time, being identified "with" particular historical events (biblical). Cf. Robert Jenson, *Systematic Theology: The Triune God*, Vol. 1 (Oxford: Oxford University Press, 1997): 3-74.

[93] RR 199. In my readings of Ochs and in my conversations with him, it appears that his idea of a mediating "third" is part of Ochs own logic of repair. For Ochs, one cannot find the resources to solve a problem by looking at the terms and histories of the conflict; rather, something from outside the conflict

God."[94] For Ochs, Augustine's semiotic logic is capable of mediating between the two

civilizational habits. It does so by giving a place to that "one third," the Word of God.

Because of this, it is *both* the source of considerable repair for Christian thought *and* is

the source of later philosophical mischief that came to explicit fruition in Cartesian

thought.

As part of his genealogical investigation, Ochs understands three of Augustine's

works – *On Christian Doctrine* (OCD), *Confessions* (Conf) and *On the Trinity* (DeTrin) – as

each displaying one predominant set of tendencies. This is not to say that each work

only has a single set of tendencies but just that one set predominates in each such that

while one predominates, the other two are not completely absent in any of them. The

first of these is objectivism which is "a tendency to read certain material or external

signs as indices (or direct indications of the existence) of the real."[95] This tendency

would treat observations (percepts) as simple "facts," for example, without recognizing

the role that perceptual judgments play in establishing what one considers a "fact."

Objectivism, as Ochs defines it, has two dialectically related aspects. The first is a

biblical objectivism where the Bible directly describes God's life on earth such that there

is no mediation of human perception or interpretation. The second is a logical

objectivism where logical systems directly describe the basic characteristics of the real

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must be introduced in order to interrupt the *status quo* and accomplish repair. To look at the problem itself is to simply replay past instances of conflict; to solve a problem, different resources are required. This insight was gained during a semi-private conversation with Ochs over lunch with Rebecca Rine and Adam Wells during the Fall semester at the University of Virginia, 2007.

[94] Ibid.

[95] RR 200.

such that whatever ontological structure one might create is held to be a clear and distinct description of how the universe is constituted.

To continue the definitional task, Ochs uses the term "index" in its Peircean sense as being a sign that…

> …show[s] something about things, on account of [its] being physically connected with them. Such is a guidepost, which points down the road to be taken, or a relative pronoun, which is placed just after the name of the thing intended or denoted, or a vocative exclamation, as 'Hi! there,' which acts upon the nerves of the person addressed and forces his attention."[96]

Peirce's most common example, however, is that of a weather vane on the top of a roof showing which direction the wind is blowing. This indexicality is, in turn, predicated upon Peirce's phenomenological analysis (which he terms "phaneroscopy") where he finds operative in nature the category of Secondness or brute reaction. Secondness, strictly speaking, is incognizable because once it is cognized, it loses its character as pure Secondness and operates according to a law of language or reaction (the principal of Thirdness, which I will get to shortly) and is no longer brute, precissively considered, but now something regarding which a judgment is made. Rather, pure Secondness is simply the sense of resistance, of reaction, of interruption and nothing more. An index, then, is a sign and so operates according to some type of law-like regularity (Thirdness), but its mode of operation displays an element of Secondness in that it is physically[97] connected

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[96] EP 2:5.

[97] As Peirce's examples of pronouns and vocative expressions indicate, "physically" is not being used here in its normal sense as referring to a material, causal interaction. Rather, the sense of "physically" in Peircean usage within his semiotics is better captured by John Deely when he harkens back to the Latin scholastic sense of "physical" when he writes in a long footnote which is worth extended quotation:

> "The translation of *relation realis* as 'physical relation' has been the second greatest occasion of misunderstanding in contemporary discussion of the 1985 edition of Poinsot's *Tractatus de Signis*. '"Physical beings" will not do for *entia realia*', D.P. Henry states, 'since theological entities are for Poinsot non-physical (indeed meta-physical) but nevertheless real'; whence Henry deems this a 'quite

to that which it signifies. Objectivism in these terms should therefore be understood as identifying something existent in the world that is capable of physically acting upon something else.

The next tendency, internalism, is in dialectical opposition to objectivism. Ochs defines it as "a tendency to receive certain modes of consciousness as icons (or images) of being (as the real)."[98] This would be, for example, to have a great idea that just "makes sense" and then regard that idea as applying outside one's mind to the real world. As with objectivism, internalism contains two facets that are themselves dialectically related. First, there is a biblical internalism that treats one's appropriation of the Bible as an "icon of the divine presence." An example of this would be to read a Psalm as being spoken directly to the reader as if God were speaking directly to her. Second, there is a logical internalism that treats the form of one's own thought patterns

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inappropriate' translation of a key term, a criticism in which he is joined by Furton and Ashworth, who also objects on the ground that 'there are places in which the type of real being picked out may well include spiritual beings'.

"The objection stems from ignorance of the details of the philosophical vocabulary in Poinsot's tradition, to be sure, but it also serves to emphasize the need mentioned above to go beyond literal appearances in reading the authors of mainstream Latin tradition. In this particular, nonetheless, I am surprised to learn that it is apparently little known among contemporary renaissance Latin scholars that, beginning with Aquinas himself, the term 'physical' extends equally to material and spiritual substances, including the *esse divinium*… Thus Poinsot, in this theological *Cursus*, speaks of divine grace as producing a 'specialem modum praesentiae realis et physicae respect Dei', flatly contradicting Henry's assertion that theological entities for Poinsot are non-physical.

"The division of *ens reale* into spiritual and material substances, in the Thomistic tradition, is precisely a division in the order of physical being – the order, that is to say, of being as existing independently of objectification in finite cognition. 'Ens physicum' and 'ens reale' alike designate this order of being throughout its extent, whence the synonymy drawn upon in the 1985 *Tractatus de Signis* translation is inaptly singled out by reviewers for criticism…" (Deely, *New Beginnings*, 100 fn. 70.)

It is this sense of physical denoting a division of real things and real causality extending from the material to the spiritual sphere that I believe lies behind Peirce's usage of "physical connection" when describing the mode of reference proper to an index – its "physical connection" to its referent.

[98] RR 200.

(the *cogito*) as imaging the real. This would be like associating how you think with how the world is.

Like with Ochs' use of "index," "icon" here refers to Peirce's description of a sign that "convey[s] ideas of the things [it] represent[s] simply by imitating them."[99] It is also based upon Peirce's phenomenology, though this time of the phenomenon of Firstness. Unlike Secondness which is brute reaction, Firstness is pure quality or feeling. It refers to the sensation itself, and Peirce uses the example of an individual in a dreamy state who is:

> …thinking of nothing but a red color. Not thinking about it, either, that is, not asking nor answering any questions about it, not even saying to himself that it pleases him, but just contemplating it, as his fancy brings it up… This is about as near as may be to a state of mind in which something is present, without compulsion [Secondness] and without reason [Thirdness]; it is called *Feeling*. Except in a half-waking hour, nobody really is in a state of feeling, pure and simple."[100]

Like with Secondness, once "red" or "blue" become cognized or the subject of any type of reflection, pure Firstness ceases to exist. But insofar as something is experienced as having a particular quality, it displays aspects of Firstness. Internalism, therefore, while still displaying iconic traits as a sign (and so an example of Thirdness), displays aspects of Firstness that set it apart from the other types of signs – indices and symbols. Interestingly, Ochs confines the terms "foundationalism" and "intuitionism" to the internalist tendency alone where biblical internalism displays foundationalism and logical internalism intuitionism. I return to this observation below.

The third tendency is a reparative rationality, and it is different in kind not only because it entails both an objectivist and an internalist moment but because it is

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[99] EP 2:5.
[100] EP 2:4.

directed outwards, toward the world, in order to achieve beneficial change in the world. Within a reparative rationality, objectivism has a good goal in that it seeks to identify indexically *where* the real might be directly apprehended. Likewise, within a reparative rationality internalism is helpful in that it attempts to iconically describe *what* the character of the real might be. Taking both these together yet going beyond them, a reparative rationality desires to live out a *relationship* with the real that is indexically identified by the objectivist moment and characterized by the internalist moment. If, with Peirce, we understand the self to exist as self within a relationship to others and even to one's own thoughts, then this third tendency answers the question of *who* the inquirer might be as displayed in her habits of thought and action.[101] Questions of "where" and "what" are the building blocks of a propositional analysis that is at the basis of the formation of B-reasonings, and because of this, they are necessary. This is true whether or not the inquirer understands the resulting propositions as constative claims (and so situated within a particular communal discourse) or as universal claims (which are seen as meaningful independent of any communal discourse). The objectivist tendency serves to identify the subject of the claim (that thing over there / the subject of the proposition) while the internalist tendency gives its character (looks

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[101] As he does elsewhere (cf. CP 7.571 on synechism), Peirce describes his conception of the "self" in his 1905 essay "What Pragmatism Is": "Two things here are all-important to assure oneself of and to remember. The first is that a person is not absolutely an individual. His thoughts are what he is 'saying to himself,' that is, is saying to that other self that is just coming into life in the flow of time. When one reasons, it is that critical self that one is trying to persuade; and all thought whatsoever is a sign, and is mostly of the nature of language. The second thing to remember is that the man's circle of society (however widely or narrowly this phrase may be understood), is a sort of loosely compacted person, in some respects of higher rank than the person of an individual organism. It is these two things alone that render it possible for you — but only in the abstract, and in a Pickwickian sense — to distinguish between absolute truth and what you do not doubt." (EP 2:338)

like this / the predicate of the proposition). Taking these two together and uniting them

as subject and predicate results in the creation of a particular proposition (B-reasoning).

If this occurs apart from a mediating third, neither objectivism nor internalism make

explicit or even visible the universe of discourse that gives their claims meaning; that is,

they are unsituated, and being unsituated, it is impossible to get a sense of the A-

reasoning that gave rise to it. The claim becomes reified and hides its own roots. A

reparative rationality, on the other hand, involves proposition formation but entails a

particular *manner* of proposition formation. The inquirer is herself seen as part of the

process, along with her communal habits of thought and action, as is the overarching

presence of God and His relation to the inquirer. A reparative rationality is "a tendency

to participate in certain semiotic processes as means of redeeming sin and (non-

identically) imitating the actions of God in this world."[102] The *how* and *why* become

important and not just the *what* and *where*. One who displays a reparative rationality

acknowledges that the way she describes the world (the results of her "semiotic

process") is intimately connected to her own habits of thought and action; they are

extensions of her prior formation that involves not just her own experiences but that of

her community as well. There are no unmediated cognitions here or "Lone Rangers,"

thinking that they may have stumbled upon the truth that has been hidden from

everyone else. Even more, at least for the theosemiotician, these habits seek to

prayerfully re-instantiate God's activity in the present thereby making the inquirer a

means that God might use to accomplish His purposes. In sum, objectivist and

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[102] RR 200.

internalist tendencies describe discrete claims (B-reasonings) and obscure the habits of thought and action that gave rise to them (A-reasonings); a reparative rationality seeks to not only describe particular but instantiate by way of performance a particular set of habits (A-reasonings). It is this performance of the habits that help to refigure the discrete claims of objectivism and internalism into something that is fruitful and life-giving rather than being merely an explication of purely binary thought.[103]

Augustine's reparative rationality, for Ochs, is not monolithic but has three sub-forms: confessional, transformative and Trinitarian rationalities. Augustine's confessional rationality allows him to recognize his own fallibility, particularly as regards his objectivism and internalism. It points out his capability to substitute representations of the real for the real thereby engaging in a sinful objectivism of his own thoughts (objectivism). It also points out his capability to view himself as clear icon of the real, substituting his own internal states for those of the divine (internalism). This is part and parcel of a rationality that regards itself as situated, as not being reflective of God's own thoughts by one's own reason or will but rather as being one who seeks and fails (and sometimes succeeds) in being used by God to accomplish God's purposes. Augustine's transformative rationality indicates his potential to do two things. First, it demonstrates his ability to exercise the self-control necessary for habit change. Habit change is a

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[103] "Binarism" is another way to describe a Cartesian *habitus*. It is "an errant act of generalizing a binary distinction beyond its proper domain of meaning and use, or of misrepresenting some things as binaries when they are not." (Peter Ochs, "Reflections on Binarism," *Modern Theology* 24, no. 3 [2008]: 489) Such binary or dyadic logics involve conflict: "The criterion is to distinguish between the dyadic logics of suffering and of oppression and the non-dyadic, or illustratively triadic, logics of care for those who suffer and of repairing the conditions of suffering and oppression." (Peter Ochs, "Philosophic Warrants for Scriptural Reasoning," in *The Promise of Scriptural Reasoning*, ed. David Ford and C.C. Pecknold [Malden, MA: Blackwell Publishing, 2006]: 131.)

controlled process, and as such, it involves a particular rationality. Second, such habit

change is accomplished by engaging in patterns of thought and action. Because habits

display themselves *both* in thought *and* action, it takes both mental *and* physical

discipline to change one's habits; habit change is not a superficial but a holistic process.

Finally, in Ochs' description, Augustine's Trinitarian rationality has two movements.

First is his ability to open himself to the divine life and partake of his vertical relationship

to his God. The second is his ability to participate in the world dialogically for its

healing, being in conversation with the world in order to hear its cry for help and being

formed to be the type of person who can respond to its cry. Key to Augustine's

reparative rationality is the recognition that no human rationality can ultimately

accomplish the healing sought. Rather, this is ultimately the burden of God to effect.

Even so, by a process of habitual formation and looking to inculcate the life of God on

earth, an individual might be more effectively used by God to accomplish God's

purpose. Though the agency is God's, the means for the transformation of the world

are (frequently) human.

Outside of a reparative rationality, Ochs evaluates objectivism and internalism

negatively throughout the essay. Absent such a reparative rationality, they "work as

competing forces; they and their inter-relations become vehicles of sin and error."[104]

Alongside its good and proper reparative rationality, Augustine's work also displays a

potentiality for the error of Cartesianism. For Ochs, Cartesianism is the activation of one

potentiality inherent in Augustine's work where the dialectic between the objectivism

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[104] RR 201.

and internalism "exhibit[s] intra-civilizational competition between Hellenic and Scriptural modes of inquiry."[105] Ochs does not state explicitly what the "sin and error" in such an interplay might be, though he does explicitly claim in RR that the problems of foundationalism and intuitionism are moments within the internalist pole. The problem lies with the claim implicit in both moments that it is possible for a thinker to escape his situatedness, his inherited tradition of practice in order to alight upon universally valid truth claims that have no dependency upon any given inherited tradition of practice. This is foundationalism. Further, intuitionism is to act as if a chain of reasoning is unnecessary to ground one's claims in a particular semiotic tradition; rather, it is to treat some claims as being so obvious that they carry their warrants within themselves. As such, if they can just simply be clarified appropriately, all people should universally assent to them. While these are good and helpful descriptions, they are not yet "sin and error" which are (dire) theological terms acceptable only to a certain subset of pragmatists. Ochs is not trying to restrict his claims to such a subset of scriptural pragmatists but is trying to elucidate a claim regarding foundationalism and intuitionism more generally in a way that should be acceptable to all scriptural pragmatists. While the claim regarding "sin and error" is vague within the bounds of RR, it is possible to draw upon his work elsewhere to come to a conclusion as to what is meant. In this connection, I hypothesize that the sin would be a betrayal of one's finitude, of one's inherent situatedness, in an attempt to act like the infinite, to act as if one can see all

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[105] RR 211.

things with eyes unclouded by creaturely horizons. Quite simply, the sin and error is idolatry; the idol is oneself.

Ochs is not explicit regarding the logical errors of objectivism in RR. While he labels internalism both foundationalist and intuitionist if it is not connected to a reparative rationality, the same is not true for objectivism. However, I think that this vagueness, too, can be addressed *per hypothesis*. Ochs holds biblical objectivism to be foundationalist as well in that it regards biblical signs as indices that are available for anyone to read independently of a tradition of practice. Even more, these become an objective means for identifying the divine – something that is itself problematic from a traditioned standpoint.[106] In a similar manner, logical objectivism is intuitionist because it regards a given logical system as so descriptive of the structure and flux of reality that it needs no further warrant than its own presentation. Logical objectivism, divorced from a reparative rationality, is taken to simply be a description of "the way the world works" and, as such, is divorced from any tradition of interpretation of the one who makes the claim. As with internalism, objectivism of both the biblical and logical variety are vehicles of "sin and error" when they lack a mediating third. They are so because they are idolatrous, deifying one's perception of the divine. This is different than internalism where the deity becomes one's representation of oneself.

Interestingly, it does not appear that the unitary phenomenon of which foundationalism and intuitionism are but moments can explain the four foci that Ochs

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[106] It is problematic from, say, a Christian standpoint in that if the authoritative identification of God is as "Whoever raised Jesus from the dead" (Jenson, *Systematic Theology*, I:44), the identification is vacuous if it is divorced from the Church's reflection on sacrifice, Trinity, sin, justification, etc.

describes in his reading of Augustine. It simply does not give enough granularity to be

able to distinguish internalism from objectivism and the logical and biblical poles. It

seems that something else is operating in the background of Ochs' thought in order to

perceive these particular moments within Augustine. This would make sense with much

of Ochs' thought because he would not claim to be able to "find" or "discover" such

moments in Augustine independently from his own formation to see them. He would

not view them as "found" objects but rather as aspects of Augustine's thought that are

present to the properly formed knower. If he treated them as "found" objects, he

would replay Cartesianism in his own thought, as would I if I treated them as such.

Instead of taking this approach, I propose that to employ a genealogical method to

Ochs' thought as well in order to discover the source of the categories and arrive at a

better understanding of them. I pay particular attention to his study of Peirce.[107] As an

heuristic hypothesis, I propose that the origin of the four foci can be found in Peircean

categories that Ochs utilizes elsewhere: Ochs' reading of Peirce's "rule of pragmaticism"

alongside Peirce's semiotic.

First, Ochs' "rule of pragmaticism" describes the dynamic, dialogic interplay

between diagrammatic and corrective readings.[108] A diagrammatic reading is analytical

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[107] While this method is circular, it is not viciously so for at least two reasons. First, Peirce and Ochs include Augustine among their pragmatic progenitors, so it is to be expected that, if they are correct, Augustine would utilize forms of argumentation amenable to pragmatic analysis. Second, Ochs proceeds using the logic of experimentation where the inquirer produces a hypothesis and then tests its adequacy against the object to be analyzed. In this case, Ochs' hypothesis is based on pragmatic and semiotic categories and is tested to see if it is helpful in understanding Augustine.

[108] Cf. PPLS 257-8. In some ways, this interplay of diagrammatic and corrective readings is mirrored by Ricoeur's discussion of the interplay between *erklären* and *verstehen*: "Then understanding, which is more directed towards the intentional unity of discourse, and explanation, which is more directed towards the analytic structure of the text, tend to become the distinct poles of a developed dichotomy. But this dichotomy does not go so far as to destroy the initial dialectic of the utter's [*sic*] and the utterance

in nature, seeking to display the intricacies of a claim to the interpreter. In so doing, it provides the necessary data to the interpreter so that she can have an adequate picture of the relationship between various claims in order to evaluate them. By way of example, this chapter to this point has largely been diagrammatic in character, providing a re-reading of Ochs' thought in order to better apprehend his claims. Conversely, the corrective pole seeks to recommend methods of repair to any inconsistencies or errors that have come to light in the diagrammatic reading. This requires an outside source, a "third" thing, in order to mediate between the inconsistencies and provide the opportunity for repair. In this dissertation, this corresponds to my chapters on Paul and the Lutheran Confessions where I use them to propose a distinctively Lutheran version of Ochs' scriptural pragmatism as diagrammed in this chapter that I will call proclamatory pragmatism.

The rule of pragmaticism would provide a re-reading of the source in question wherein the two types of readings (diagrammatic and corrective) mutually define the other. In the performance of this mutual redefinition, the rule is displayed. This dialog between diagrammatic and corrective poles continues until the point that any doubt is assuaged. Bringing this rule into the context of the four foci, we see the following. First, the logical focus provides the diagrammatic pole of the relation. It does so because to describe the logic of a practice is to display the "mechanics" of the practice for

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meaning…. this dialectic is mediated by more and more intermediary terms, but never canceled. In the same way the polarity between explanation and understanding in reading must not be treated in dualistic terms, but as a complex and highly mediated dialectic." (Paul Ricoeur, *Interpretation Theory: Discourse and the Surplus of Meaning* [Fort Worth, TX: The Texas Christian University Press, 1976], 74.) A major distinction, however, is that "understanding" is not to be subsumed into the idea of a "corrective." Rather, the pragmatic purpose is not merely understanding but being able to repair or to propose repairs for problems that arise.

evaluation. Logic is by its nature diagrammatic in that it provides the rules of reasoning. Second, the biblical foci would correspond to the corrective pole. This is the case because biblical interpretation provides the "third thing" necessary to mediate any problems or inconsistencies found in the logical / diagrammatic pole. It gives the resources by which to correct problems either in prior biblical reasoning or perhaps in other areas of life. This rule will become very important in understanding how Paul hosts a dialog between Scripture, doctrine and proclamation in subsequent chapters, as well as in how the Lutheran Confessions utilize a biblical hermeneutic of Law and Gospel in confessing the Christian faith as the Reformers understood it.

Second, Peirce's semiotic describes the way he sees thought operating according to various types of signs. It includes at its most general level three types of signs: icon, index and symbol.[109] As mentioned earlier, an icon conveys information about something by resembling that thing in some way. It embodies a quality and displays that quality simply by picturing it in some way such that a sign brings that quality to mind in an interpreter. An index points out its object by way of a "physical" connection to that object – "physical" in that there is something to the way it refers that is inescapable in the act of referring itself. For example, I cannot point at someone (an index) without having my finger pointing in that person's direction; if I point elsewhere, I am no longer pointing at the person, and my finger is no longer an index of that person's location. Lastly, a symbol is a sign that is interpreted in a certain way because some

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[109] By the time of his death, Peirce developed a taxonomy comprising dozens of types of signs. See, for example, the chart included within Sheriff that outlines ten different types of signs, from Rhematic Iconic Qualisigns to Arguments that involve Symbols and Legisigns. (cf. John K. Sheriff, *The Fate of Meaning: Charles Peirce, Structuralism, and Literature* [Princeton: Princeton University Press, 1989], 74.) However, he never abandoned these three general species or types of signs as having the most generality.

habit of thought or action does so interpret it, and this is most frequently done by communal convention.[110] Constative claims operate precisely on the basis of such conventions, and it is this phenomenon that makes everyday language possible.

To take these signs and apply them to Ochs' foci, objectivism is best understood as an indexical phenomenon. This is the case in that it makes claims regarding the direct connection of some particular representation or sign to the reality it represents. In terms of scriptural practice, this could refer to either a description of the divine in the Bible or possibly a posited logical system's connection to the structure of the real. In both cases, objectivism functions indexically in that it makes a claim "pegging" a representation to the real. In a similar manner, what Ochs labels as internalism should be understood to be iconic. This is the case because the thought patterns that arise from its practice are images or pictures that represent qualities of the real. These representations of real *qualia* do not imply any direct or "physical" connection to what they represent. Rather, they function solely by means of resemblance so that they bring to mind certain qualities of the real. There is no necessary direct or "physical" determination of the claim by its object. Symbols also play a role in the formation of propositions. They include both indices to establish the subject (this thing here, not that one) and combine these with predicates that indicate qualities of the subject (it has this character). Such a symbolic move (in Peirce's sense) could be taken to refer to a

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[110] For example: "A symbol is defined as a sign which becomes such by virtue of the fact that it is interpreted as such… A symbol is adapted to fulfill the function of a sign simply by the fact that it does fulfill it; that is, that it is so understood. It is, therefore, what it is understood to be." (EP 2:317)

reparative rationality that is able to combine subjects with predicates in such a fashion as to heal problems as they arise.

If we read the "rule of pragmaticism" as itself being in a dialogic relationship with Peirce's semiotic, we can account for all four foci of objectivism and internalism in addition to their dialectical interrelations. Biblical and logical reasonings serve to mutually define each other through their dialogic interaction. This parallels the manner in which corrective and diagrammatic reasonings are dialogically interrelated serving to mutually define each other via the rule of pragmaticism. Even more, we find an interrelation of Peirce's semiotic with Ochs' "rule of pragmaticism" in the instance of the symbol. This is the case because indexical and iconic signs are also dialogically related in the creation of a symbol in a proposition. This mirrors the dialogic interrelation we find between objectivism and internalism. This suggests that the rule of pragmaticism matrixes well with Peirce's semiotic, describing how iconic and indexical signs might be deployed in corrective and diagrammatic reasonings. The result of this reconstruction is helpful in understanding Ochs' foci. These foci then become understood in the following manner. Biblical objectivism should be seen as corrective and indexical, both providing the resources for solving problems as well as a means to relate these to the external world. Logical objectivism, on the other hand, is diagrammatic and indexical, yielding a description of any given reasoning and showing how it relates to something outside of itself. Turning to the internalist pole, biblical internalism is corrective and iconic; its virtue is that it forms the interpreter or provides her the resources to deal with problems as they arise. Finally, logical internalism is

diagrammatic and iconic, giving analysis of possible, though not yet actual, solutions. Even more and as was suggested earlier, the biblical and logical poles of both internalism and objectivism interrelate via the rule of pragmaticism such that they display their meaning only when in dialog with each other. On the other hand, the internalist and objectivist poles interrelate via the formation of particular propositions that function symbolically in order to allow the reparative reasoner to provide actual solutions to real problems.

By reaching back into the source of Ochs' pragmatism, we find the necessary context to understand the claims he makes in RR. It is pragmatic thought itself that yields the categories to describe the elemental habits of Cartesianism – i.e., objectivism and internalism employed outside a reparative rationality. Most obviously, this means they share the same pragmatic pedigree and so are part and parcel of pragmatism. This means that they are also open to pragmatic critique. More interestingly, Ochs speaks of a positive role for objectivism and internalism. However, this can occur only in the context of a reparative rationality; but when such a rationality is present, then: "They alone initiate the process of reparative reasoning and then function as the irreplaceable objects of confession and redemption;" and they can be "transform[ed]… into tendencies for confessional transformational rationality."[111] They are the "elemental vehicles of what may be called Augustine's reparative *habitus*."[112] It is surely true that each of the four foci alone cannot achieve their goal. This remains true even if they are dialectically related. What is most important is that this relation comes via the

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[111] RR 200.
[112] RR 201.

employment of a reparative rationality, for then: "all of [them] work together to advance the development of Augustine's *habitus*."[113]

To this point, we have some positive yet vague statements of the role that internalism and objectivism might play in a reparative rationality. Later, however, Ochs makes the role of objectivism and internalism more concrete, at least within the context of Augustine's reparative rationality: "Objectivism remains in this [particular] reasoning, but transformed now into attentiveness to neighbor and to God; internalism remains as well, now transformed into pursuit of askesis in service to neighbor and to God."[114] Here we find the positive role of objectivism and internalism. Objectivism allows one to hear a cry for help. Internalism provides the resources to conduct self-controlled habit formation to be prepared to address this call. This relational description of the role of objectivism and internalism fits in well with how Ochs earlier describes the competition between a Cartesian mode of repairing inherited habits and a pragmatically reparative mode where "[Cartesianism] recommends arguing on behalf of what is true; [pragmatic repair] recommends seeking antecedent grounds for dialog."[115] A reparative rationality seeks commonality first; a Cartesian approach assumes commonality and only argues for the truth of a particular view. Overall, within the context of Ochs' understanding of scriptural pragmatism generally, the role of objectivist and internalist reasonings as part of a reparative rationality is fairly characterized in RR when Ochs says that the agent of repair employs those reasonings in order to remain in relationship with the suffering

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[113] RR 202.
[114] RR 209.
[115] RR 198.

other by noticing her pain (objectivism), and by the agent being so formed that she is open to the activity of the Word as the One who might use her agency to heal that suffering (internalism).[116] However, this only occurs when a reparative rationality predominates; without such a rationality, the repair is reduced to a competition between competing truth claims.

A Logic of Vagueness

So far, I have provided an overview of pragmatic conceptualities and sought to convey an understanding of the role of objectivism and internalism both within and outside a reparative rationality according to Ochs. Objectivism and internalism are problematic outside a reparative rationality due to the foundationalism implicit within

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[116] This characterization of the positive role for objectivism and internalism can be found elsewhere in Ochs' writings where he exhibits a similar understanding of the (indexical & iconic, corrective & diagrammatic) elements of reparative reasoning. Within the context of scriptural pragmatism generally, Ochs describes "prophets" as those who: "…were stimulated by their observations of human suffering to undertake corrective-and-diagrammatic inquiries that terminated in the muser's dialogues with God. God was known to them as the One who created the universe, who would repair, or redeem, the suffering in it, and who usually ended these dialogues by ordering the musers to tell their communities to care for their sufferers. To provide this care, the communities were often required to change their everyday practices, to change the ways they repaired everyday practices, to change the methods they used to evaluate these repairs, and to change the ways they learned about these methods." (PPLS, 287) Here, noticing human suffering corresponds to the role of objectivism, and the prior formation necessary to know God as the creator, repairer and redeemer corresponds to the result of the askesis described by internalism. The last sentence, in turn, corresponds to RR's reparative rationality. Similarly, in "The Logic of Indignity and the Logic of Redemption," Ochs speaks of a logic that sees the oppressor and hears the oppressed, where this seeing and hearing results either in a replaying of conflict (Cartesianism) or is itself either open to or actually participating in a logic of redemption. In the latter case, contained within the logic of hearing is the ability to hear the sufferer's cry (objectivism) and to be open to the activity of the God who redeems and does so through human agency (internalism). These are, of course, performed as moments within a triadic relation of redemption (reparative rationality). Further, Ochs' 1995 article "Scriptural Logic" also bears this out when it describes suffering as occurring relative to a rule that functions as the interpretant of that suffering, leading to a redefinition of the suffering into something that no longer causes suffering. Here, to hear the suffering is to perceive the rule according to which the suffering occurs (objectivism) and then to have the capacity to address that suffering (internalism) resulting in a state where the suffering no longer exists. This is to say that what is found in RR on the role of internalism and objectivism vis-à-vis a reparative rationality is reflective of Ochs' concerns more generally. (cf. Peter Ochs, "Scriptural Logic: Diagrams for a Postcritical Metaphysics," *Modern Theology* 11, no. 1 [January 1995]:65-92.)

their practice; Cartesianism becomes part and parcel of their exercise when divorced from a reparative rationality. The result is that engaging in such a methodological approach is to engage in the sin of idolatry because they reify human constructs as direct apprehensions of the real in the world. This is not the case when they are utilized with a reparative rationality. Within this context, they serve to direct the agent of repair to prepare herself to be the vehicle of the God who will redeem the situation as well as to orient her to the actual instance of the cry for help and hence of the need for repair. For Ochs, scriptural pragmatists generally (a subset of theosemioticians encompassing the further sub-communities of, at least, rabbinic Jews, Christians and Muslims) would partially be characterized by their agreement with these presuppositions.

While Ochs hopes that these presuppositions will be acceptable to the general body of scriptural pragmatists, he also connects another series of claims to these presuppositions. They are connected as corollaries or practical implications of what has gone before in accordance with pragmatic logic. He then takes these corollaries / practical implications and locates them within the purview of scriptural pragmatism generally. We see this in RR where Ochs proposes a logic of vagueness as a means to avoid the formation of irremediable dyads, one example of which is the contrast pair between Augustine's desire for a single scriptural sense over and against an indeterminate number of scriptural senses:

> Throughout his reading of Genesis, Augustine displays both a longing to discern the single intention of the Bible's author and a more matter-of-fact acknowledgment of the actual plurality of available readings. Within the terms of Peirce's logic, these two options belong to a contrast pair. The ideal of monovalence is also an ideal of determinate meaning; while the alternative of polysemy is also an alternative of infinite determinacy. Outside *De. trin.*, Augustine does not appear to articulate a third option. Peirce calls this 'indefinite meaning' or vagueness: the kind of singular meaning that is

> released and displayed only in the intimate relation of the text to its intended reader at a given time and place. This option serves the longing for the intention: but it is the reader who must be intended. This option also serves the empirical claim of polysemy, but there is no contrast pair here, since the many meanings are displayed in many different space-times rather than competing over one.[117]

Here the inquirer is confronted by two things: first, a historical concern that arises from her actual experience; and second, a text to address this concern. One option is to say that the text has a single meaning and then have these meanings compete to see which one wins. Another option is to juxtapose two different types of truth claims: that the text has a single meaning (and so that meaning must be determined by contest) vs. the idea that the text has an indeterminate number of meanings. This is still a situation of competing truth claims no different than the first. Rather than getting caught on the horns of either opposition (between discrete truth claims or a claim of single vs. infinite meanings), Ochs proposes that meanings are determined relative to a particular space-time and need to be discussed in that particular context. This is an attempt to move beyond competing B-reasonings to an apprehension of an A-reasoning that might provide healing. Such apprehension only occurs through doubt. This is because doubt spurs one on to inquire more deeply in order to gain a view of what may lie behind any particular reasoning as its source. This happens in dialogic engagement with another person in that claims can be made and tested, new scenarios raised and addressed, and possible implications traced. Once that A-reasoning can begin to come to light via such a dialogic engagement with the other, it is productive of multiple possible B-reasonings, one of which might provide the means for healing the problem. What is most important to this process in the case of scriptural communities is a prior openness to God's Word

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[117] RR 214, fn. 27.

and a realization that that Word works its way out richly, complexly within the vagaries of life. Settling for a simple, pat answer is to display an errant rationality; rather, a reparative rationality will seek to determine what must be said in a given situation to promote healing that is faithful to the tradition of practice within which the healing is to take place.

The logic of vagueness is a corollary to the understanding of how objectivism and internalism interrelate when found within a reparative rationality. This is warranted because neither objectivism nor internalism – as long as they are nested within a reparative rationality understood in the manner described above – presuppose any discrete claim that functions propositionally to constatively establish matters of fact. This is to say that they are relational terms that function as rules to guide the inquirer to notice suffering (e.g., descrying a particular question or concern) and to be prepared to heal it (by having an imagination rightly formed to do so). As such, objectivism and internalism presuppose no particular articulation of how that healing might occur but describe the conditions necessary for it to take place. That is, they describe a *habitus* of healing (a ruled praxis) and not the character of the healing itself. This actual healing and its particular character is left in Ochs' pragmatism for the direct intervention of the divine through human agency in reparative claims (and actions). These claims, when adopted, are creative of new discourses such that the reparative claim is transformed into a constative one. This view of scriptural pragmatism gives rules, and rules are vague by nature because they need someone to apply them to a given situation. The form of any particular application depends upon the activity of the one who so applies

it.[118] Just as the Supreme Court is expected to uphold the United States' Constitution in

making its decision (in light of relevant case law) but that decision is regularly

unpredictable, so, too, do decisions in scriptural interpretation vary depending upon

who is interpreting and the context of the interpretation. However, in the context of

Ochs' scriptural pragmatism, the primary and ultimate originary agent that applies the

rules is God, and He does so utilizing the resources that He created and that He has at

hand. These resources are human beings who perceive suffering and are so formed to

heal it in that they expect divine intervention that occurs via engagement with Scripture.

The role of a logic of vagueness is emphasized in Ochs' appendix to his chapter

on Milbank in his most recent monograph, *Another Reformation* (AR).[119] In the terms

outlined in this paper, Ochs' critique of John Milbank is, most basically, a claim that

Milbank exhibits a tendency toward utilizing objectivist and internalist methodology

divorced from a reparative rationality. Such a tendency is idolatrous and unworthy of a

Christian interpreter. Moreover, Ochs sees that this need not be so because this

foundationalist (and idolatrous) tendency contradicts a second, stronger tendency that

is also present in Milbank's thought: that is his tendency to place the objectivist and

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[118] Peirce describes two different types of indeterminacy, generality and vagueness, in the following way in his 1905 article "Issues of Pragmaticism": "Perhaps a more scientific pair of definitions would be that anything is *general* in so far as the principle of the excluded middle does not apply to it and is *vague* in so far as the principle of contradiction does not apply to it. Thus, although it is true that 'Any proposition you please, *once you have determined its identity*, is either true or false'; yet *so long as it remains indeterminate and so without identity*, it need neither be true that any proposition you please is true, nor that any proposition you please is false. So likewise, while it is false that 'A proposition *whose identity I have determined* is both true and false,' yet until it is determinate, it may be true that a proposition is true and that a proposition is false." (EP 2:351; emphasis original)
[119] Peter Ochs, *Another Reformation: Postliberal Christianity and the Jews* (Grand Rapids: Baker Academic, 2011).

internalist rationalities within the larger context of a reparative rationality.[120] While

Ochs explicitly mentions the role of vagueness in the chapter (and it is there implicitly

throughout), it is most clearly apprehended in his appendix where he lays out the

assumptions that fund his understanding of relativity.[121] There, Ochs makes a series of

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[120] This is the case because Ochs' critique of Milbank is to read him as a foundationalist. He is so because he expands his claims beyond their appropriate hermeneutical circle where they could be evaluated one way or the other. Objectivism and internalism are both foundationalist moments if divorced from a reparative rationality, but they give more depth in helping understand both the dynamics of foundationalism in terms of errant icons and indices as well as presenting a positive vision of how icons and indices function within a reparative, non-foundationalist rationality. For example, Ochs utilizes the theory of perception that he employs in RR to make his case against Milbank: "…[for Milbank] we (of a certain community of believers) know by direct intuition *that* Christ shares the identity of God *and* what constitutes that identity." (AR 242; emphasis original) Similarly, in describing the character of Milbank's claims, Ochs makes clear that he sees Cartesian foundationalism and intuitionism: "But Milbank preserves the linguistic code of his Christian realism as if it were non-vague and therefore as if it already defined the means through which all other codes would be tested. In these terms, he offers no alternative to supersessionism and no means for pragmatic testing. This is not to say that his claim is necessarily wrong, only that God alone knows… It need not be supersessionist to claim that Christ alone repairs contradictions in the Old Testament. Such a claim becomes supersessionist only when this recommendation is presented as self-legitimating and, therefore, as true for any reader whatsoever. Supersessionism finds no warrant in a strict pragmatism, since pragmatic abductions remain vague and do not permit the kind of a prior clarity-and-certainty Milbank assigns to his narrative of origins." (AR 244-5) In the end, while Milbank does make a positive error in that contradictory tendencies are present in his writing (pragmatic and unpragmatic), Ochs primary critique is negative: Milbank's failure is that he does not consistently display a reparative rationality. Unstated, but laying in the background, is the claim that due to this lack, Milbank falls into the sin of idolatry. This obligates Ochs and others who care for Milbank (and his students) to come to his (and their) aid.

[121] Ochs specifically offers these assumptions as a way to "clarify [his] intentions," though also asserting that they cannot "strengthen [his] claims." (AR 254) They serve the clarificatory purpose well because they display some conceivable implications his doctrine of vagueness has for theology, thereby achieving what Peirce calls the "third degree of clarity." Why they cannot strengthen his claims is less clear. Clarification provides interpretants by which to properly understand and, consequently, to evaluate arguments; providing those interpretants can help to strengthen claims for people who perceive the interpretants so provided as desirable insofar as they are now better disposed to accept the claims. Specifically, this appendix is geared toward addressing the concerns raised by a specific group of Christian theologians (largely graduate students at the University of Virginia) who were concerned that Ochs' chapter displays a tendency toward relativism that made them uneasy. The purpose of the appendix is, in part, to allay that fear. But it can only perform this function if it adds something to the argument that did not exist before. In this case, it is a series of metaphysical claims rooted within a particular universe of discourse outlining a theological vision of the world in order to clarify his pragmatism for the students in the context of their concern regarding relativism. These claims are reparative in that they lay out what Ochs hopes his pragmatism does – allows for God's Word to be both particular and universal in a way that dissolves the classical philosophical "problem" of the universal and the particular. If this is accomplished, then the students' concerns regarding relativism dissolve. By expanding what was largely a philosophical (or logical) critique of Milbank into the area of theology (or metaphysics), Ochs paints a vision he hopes will appeal to his audience such that, perceiving its aesthetic appeal, they might be better disposed to

theological claims that warrant, per hypothesis, the existence of a concept of vagueness within scriptural pragmatism. For Ochs, theological claims should be understood as transcendental deductions (to use Kant's terminology) based upon a doctrine of vagueness. The deductions have validity, but that validity is constrained to the context of scriptural pragmatism or, even more particularly, the Christian reasoning that underwrites scriptural pragmatism more generally. Ochs writes of God making His own word "pertinent, but only as demonstrated directly by the One who speaks it, not by any of our middling efforts"; clarity comes in answer to specific questions "in the context and space-time of our asking"; "we are not instruments for transporting what belongs to the Absolute beyond the contexts of our hearing"; "the urge to speak as if we spoke God's word – and thus spoke universally – is a sinful urge"; the relativity of our own words "is measured in relation to the conditions of our speech, the contexts for testing it, and so on"; "individual cognition, by itself, [does not] provide a means of deeper engagement with the divine word... individual cognition offers an instrument for clarifying the meaning and force of that word within the various dimensions of creaturely life"; and the presumption "that an individual's project of thinking may serve as an appropriate vehicle for transporting the meaning and force of God's word from the context of its offering (such as a Eucharistic communion) to another context (such as

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accept his brand of pragmatism. Sharing a metaphysical vision that pragmatic logic opens up does indeed strengthen Ochs' claims made earlier in the paper in that it asks the reader to test its beauty against the beauty of what she already holds dear and gives her the capacity to do just that. The metaphysical vision is offered solely by way of repair – in this case, to repair the students' concerns regarding relativism. In this way, what Ochs writes in the appendix is, in fact, a type of argument insofar as it gives by way of implication the context (understood as the interpretant he conceives his pragmatic logic to authorize) necessary to understand his earlier claims even thereby allowing them to be perceived so that they might be evaluated by the reader according to her aesthetic sense, whether they are beautiful or not.

the behavior of other Christians, or Jews, or Muslims in other places)" should be understood as unpragmatic.[122] Ochs' portrayal of vagueness here limits the becoming-concrete not only to specific questions asked for specific purposes by specific people. Even more, it limits claims to the space-time of their asking such that the warrants for any particular claim do not extend beyond that context. This would leave any claim that arises in a given situation of communal conflict that has ultimately been found to be healing in the realm of the hypothetical in that such claims lack immediate warrants.[123] This is not to say that such claims might not extend beyond their context but that any warrant for such extension must be found anew. Lacking such warrants, it denies the ability of the resultant claims to extend with *prima facie* authority beyond that space-time to other contexts such that they can be recognized beforehand as "appropriate" mediators of the divine Word. Rather, each new context would demand a replay of the entire process of scriptural reasoning that led to that claim so that its warrants could be displayed anew. This includes not only any given discrete claim; it also includes the relevance of those claims to the people to whom they were revealed. This latter understanding does not deny that people formed with an objectivist / internalist rationality within the context of a reparative *habitus* are particularly suited for hearing what God might be saying through Scripture; their formation makes them ideal candidates for such a repair. What it does say is that their particular cognitions and claims *per se* are not regarded as valid representations of the activity of the divine Word

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[122] AR 254-6.

[123] I received clarification regarding Ochs' views here via a phone interview: Peter Ochs, phone conversation, May 2014.

outside the original space-time of their asking unless and until their meaning is replayed

again within the community.[124]

This last point regarding the *hic et nunc* character of such reasonings does not

well describe Paul's own reparative *habitus* nor that of the Lutheran Confessions, as I

hope to show in the following chapters. Rather, both Paul and the Lutheran Confessors

would hold that their considered doctrinal claims would have a *prima facie* authority

and be recognized as such by later communities within their tradition of thought. The

reason for this is that the prior statements within the Christian community that have

been adopted as authoritative still speak to the same community; that is, the earlier

community is the church, and the later community is also the church. Because of this,

there is a shared universe of discourse. This would be the case, for example, with the

decisions of the ecumenical councils that resulted in creedal statements, such as the

insistence on the claims made by the Niceno-Constantinopolitan creed having continued

validity which includes the warrants for those claims. For instance, Paul's Gospel makes

startling claims about the way that God has acted once for all in Christ, and I contend

that he is able to make such claims fit within what is apparently a sinful theory of

perception ("that there is something *there* [Christ crucified and resurrected] *and* that it

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[124] Importantly, when Ochs deals with this question in his earlier PPLS, he frames the claim slightly differently. The thesis 5.b, he writes regarding how a dialogic interaction of corrective and diagrammatic readings relate to vagueness: "*Peirce's expositions do not therefore recommend any way of removing these irremediable vaguenesses through a diagrammatic inquiry like this one* [referring to Ochs' own inquiry]. *The vaguenesses are removed only in determinate readings; a 'general' rule of mediation remains the indefinite object of a series of pragmatic readings.* Within its own terms, therefore, this diagrammatic inquiry must be complemented by a corrective inquiry with respect to which we, who are gathered by this *particular* study of Peirce, can dispel its persistent vaguenesses." (PPLS 258; emphasis original) Unlike in the appendix to AR's chapter eight, Ochs here avoids making gnomic claims that establish clear-and-distinct boundaries regarding the applicability of any particular speaking by God.

is *this* [Lord and God]"[125]) without sliding into the idolatry rightly characterized as internalism and/or objectivism divorced from a reparative rationality. Similarly, I hold that the Lutheran Confessions are paradigmatic instances of Christian proclamation whose logic should also find a place within scriptural pragmatism more generally. I do not think that Ochs would disagree with this endeavor. As an additional issue, I am concerned that such a restriction of claims to particular space-time occurrences itself goes against a pragmatic logic of vagueness which recognizes the possible applicability of propositions or discrete claims in ways hitherto unperceived. It is possible that such claims may take on unexpected force later on and yield not only accurate portrayals of the world at hand but also of one's relationship to God and can function to create new habits of thought an action in unpredictable ways. After all, for Peirce, the import of a proposition is in what it *conceivably* could result in as long as it is in the realm of real possibilities. I take this to be the import of statements like the following:

> Pragmaticism makes the ultimate intellectual purport of what you please to consist in conceived conditional resolutions, or their substance; and therefore, the conditional propositions, with their hypothetical antecedents, in which such resolutions consist, being of the ultimate nature of meaning, must be capable of being true, that is, of expressing whatever there be which is such as the proposition expresses, independently of being thought to be so in any judgment, or being represented to be so in any other symbol of any man or men. But that amounts to saying that possibility is sometimes of a real kind.[126]

Therefore, while Ochs' restriction of the result of the warranted speaking of God's word to a particular space-time occurrence is indeed a pragmatically valid claim *when made for a particular subset of pragmatists who share the requisite assumptions*, there is

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[125] RR 189.
[126] EP 2:354.

nothing in pragmatism itself that necessitates such a restriction.[127] In fact, a logic of

vagueness would militate against extending such claims outside of a particular

community to whom the claims have currency. To place such a restriction on pragmatic

thought, then, would be to stray into the realm of "God only knows".[128]

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[127] Ochs' metaphysical vision that he offers reparatively in his appendix can be partially judged according to norms of scriptural pragmatism which are explicit and demonstrate a greater level of generality and partially judged according to norms operative within a smaller sub-community of pragmatists which he makes explicit. With respect to the latter set of claims, they should be taken as constative claims made according to norms operative in a sub-community of scriptural pragmatists. Ochs does not feel the need to appeal to norms operative within pragmatism more generally when claiming that God has chosen to speak *only* through a here-and-now engagement with Scripture such that human words and efforts *are precluded from* carrying God's Word beyond the space-time of its revelation in warranted fashion, thereby indicating that the claim should be evaluated within a given sub-community of scriptural pragmatists. That is, the claim that God's Word may not come through some perduring means that includes *both* the claims *and* their warrants (as opposed to highly contextual instances restricted to particular space-times) or according to other rules that are not radically tied to the space-time pronouncement of a contextual Word is unclear within the context of scriptural pragmatism more generally. Yet by making his assumptions explicit, Ochs does offer criteria by which his appendix may be evaluated, and those criteria are the ones operative within a subset of scriptural pragmatists. Even so, while it is understandable that a sub-community of scriptural pragmatists may desire to make such a restriction, there are other groups of scriptural pragmatists who remain fully pragmatic yet do not acknowledge this radical space-time restriction of either the claims or their warrants, as I hope to make clear in the following chapters. It is one thing to claim positively that God speaks in a particular context answering a particular question and that this speech is valid for that particular space-time; *it is another to claim exclusively that God's speech is <u>always</u> of this character such that individual cognition or particular propositional formulations* per se *simply <u>are not</u> an adequate means for speaking God's Word in warranted fashion in different contexts outside of one's hearing*. The first can be tested within the context of scriptural pragmatism; the second is in the realm of "God only knows" for a community that does not share the logic operative within a sub-community whose beliefs would warrant such a claim. If there is a way to conceive scriptural pragmatism such that this exclusive claim is not required (but still allowable, though lower on the taxonomical scale), then the source of this radical space-time restriction must lie elsewhere than in a general scriptural pragmatism, making Ochs' assumptions a type of ultimate argumentation appropriate to his sub-community of scriptural pragmatists.

[128] However, by making the claims in the manner Ochs' does, he is implicitly making an appeal on their behalf, recommending them as a useful way of being-in-the-world. This is to say that Ochs' assumptions in his appendix can possibly serve to form or modify communal norms via a description of what is portrayed to be desirable to one so disposed to accept them. Appeals to the beautiful are appeals to what is most basic in human life as recognized by a given community, what that community finds to be desired above everything else, and it is on the basis of what is most desirable that reasoning turns. Arguments find their root in the beautiful because the beautiful, when made symbolic for a community, provides the necessary interpretant by which to understand and evaluate the aesthetics of an argument. In Peircean categories, conversion entails a preached Third being initially received as a First by the convert. Once the imagination is so refigured, the potentialities inherent in the First become actualized in the situations in which the convert finds himself (Secondness) such that the habits of responses that develop (Thirdness) display themselves in individuals tokens within each given situation. Apprehending the beautiful is not a matter of evaluating clear-and-distinct reasons; rather, it is a matter of examining

The final line in Peirce's quotation cited above ("But that amounts to saying that possibility is sometimes of a real kind") is of great importance for this investigation into Paul and the Lutheran Confessions. Peirce here directly connects the pragmatic maxim[129] to the idea of a "real possibility." By doing so, he places the concept at the heart of pragmatism itself. Insofar that some practical thought or action is conceivably possible on the basis of some other thought or action, it exists as a real possibility that could be actualized within a given universe. My claim most broadly is that the Cartesianism displayed by many contemporary theologians carries within itself a "real possibility" of inscribing idolatry into the heart of the theological enterprise such that the reasoning demonstrated can become a vehicle of sin and error. As a way to repair this failing, I offer Paul's and the Lutheran Confessors' *habitus* as prime exemplars of how reparative reasoning functions in ways that avoid this problem. Inasmuch as this is true, reflection upon their theological practice as an authoritative source serves to both provide categories for and to refigure contemporary theology in non-idolatrous ways. It

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the potentialities within a particular description to create a more desirable life. A vision of the beautiful heretofore unperceived is inherently challenging because, like the song of the siren, it asks you to forsake your previous loves for a new one; in this way, an aesthetic appeal demands a response from the one who so apprehends it. Responses to the beautiful include adopting it as a norm, rejecting it, or relocating it as one aspect of a greater beauty. But in all cases, it is a matter of establishing, critiquing or otherwise adjusting ultimate norms for the inquirer and, through her, her community. Ochs makes this appeal by displaying his assumptions as a way to persuade a community of the non-relativism of his thought, the effect of which is to adjust (or possibly confirm) existing communal norms if Ochs' vision is adopted. It is a form of ultimate argumentation because it brings these norms into question by displaying the assumptions inherent in his reasoning; it is an argument because, with particular cognitive reasons or without via an appeal to the beautiful, it may persuade a reader to adopt Ochs' assumptions as her own.

[129] The foregoing portions of the quotation are only a restatement of Peirce's maxim of pragmatism, which, though variously described, is quite consistent in its essentials. Stated as a maxim in the imperative voice, it is: "Consider what effects, which might conceivably have practical bearings, we conceive the object of our conception to have. Then our conception of those effects is the whole of our conception of the object." (EP 2:346) Peirce immediately transposes it into the indicative mood and describes it thus: "The entire intellectual import of any symbol consists in the total of all general modes of rational conduct which, conditionally upon all the possible different circumstances and desires, would ensue upon the acceptance of the symbol." (EP 2:346)

also serves to refigure pragmatic thought in that such thought is extended into new venues (it may also refigure other philosophical reflection, but that is left to future reflection). That is, being a *scriptural* pragmatist (and Paul being part of my received Scripture with the Lutheran Confessions being authoritative interpretations of Scripture), I take Paul's and the Lutheran Confessions' *actual* practice (which also tacitly includes *possible* practices) as a prototype of good, non-idolatrous[130] reasoning. As such, investigating its contours is of benefit in pointing new directions of research into how Pauline, Lutheran Christians should reason.

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[130] "Good" is of course a loaded term, but here let it function as a placeholder for reasoning appropriate to the Christian proclamation of Christ. I add "non-idolatrous" to highlight to what I take to be the true theological problem with foundationalism – that to be a foundationalist is to engage in idolatry. While I believe that Pauline thought can be misappropriated in an idolatrous fashion in such a way that it has some claim on Paul's own Gospel discourse, Pauline discourse – especially that regarding the Gospel – is not of itself idolatrous but rather a prime example of what I, with Ochs, call "reparative reasoning".

Chapter Two: Proclamatory Pragmatism – Paul's Virtuous Scriptural Practice

The role of the first chapter of this dissertation is to lay out some of the important terms and conceptualities by which scriptural pragmatism operates and to illustrate what such a pragmatism takes to be the characteristic or "elemental" habits of Cartesian thought. The purpose of this second chapter is to provide a re-reading of such a scripturally-pragmatic approach by bringing it into direct conversation with the Apostle Paul and his scriptural reading practice. In short, I will be arguing that the scriptural pragmatism that Ochs bases upon Peirce can be re-described as a detailed working-out of the logic of Paul's vision of the Christian life being characterized by faith, hope and love in the context of reading and applying Scripture to discrete situations. In my reading, the points of comparison will focus on how Paul displays both internalism and objectivism, but does so within a reparative rationality. Even as this application of Paul's scriptural practice to scriptural pragmatism takes place, Paul's approach will provide logical elements that serve to deepen a particular conception of scriptural pragmatism as described by Ochs via Peirce. This is not to claim that scriptural pragmatism as described by Ochs is errant; it is to claim that Paul's focus on the role of proclamation of Christ extends and adds texture to scriptural pragmatism by describing a subset of it that is distinctively Christian which may be better called proclamatory pragmatism. This is the case because, for Paul as I am portraying him, the point of

studying Scripture is to proclaim Christ who comes to the hearer in the power of the Spirit (the language of force or Secondness) to refigure the hearer's heart and mind (Firstness) and place her into a new type of relationship with God and the world (Thirdness).[131] This new relationship is characterized by faith, hope, and love, and these virtues are immediately applicable to how a Christian in the Pauline mold interprets scripture for a particular situation such that it might become a means that the Spirit might use to accomplish just this change. I then, in chapter three and the conclusion, use this understanding to address the problem of competing Lutheran foundationalisms, and it is that problem that is the lens I use to interpret Paul in this chapter.

This chapter will proceed in six steps in order to develop my model of Pauline "proclamatory pragmatism." First, in the section "Paul as Handyman," I give additional warrants[132] for understanding Paul as a reparative reasoner such that it is appropriate to describe the logic of his scriptural practice by means of Peircean and Ochsian pragmatism. I also clarify again the interpretant I use in reading Paul and re-emphasize why I investigate him prior to the early Lutherans in chapter three. Second, I develop my thesis for this chapter in greater depth in the section entitled "Paul's Virtuous Scriptural Practice." This section serves to set up the discussion for the remainder of the

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[131] Such a statement should immediately indicate to the reader that I am engaged in a different enterprise than that which Wilken describes in the following paragraph: "The modern biblical scholar, however, is socialized into a way of reading that is self-consciously independent of the long history of Christian interpretation. Instead of engaging in an 'argument extended over time,' interpretation has become an argument among a group of specialists, all of whom have lived within the last 150 years. To be sure, some scholars, because of where they teach or their personal beliefs, feel responsibility to offer, usually as an appendage, a kind of homiletical or spiritual application of texts (as in the *Interpreter's Bible*), but it is considered bad form to bring such considerations directly into the scholarly work of interpretation. The scholar qua scholar is answerable to the community of historical inquiry." (Robert Louis Wilken, "Interpreting the Bible as Bible," *Journal of Theological Interpretation* 4 no. 1 [2010], 10.) This is not the type of investigation I am conducting.

[132] "Additional" in that I have already provided some warrants in the introduction.

chapter. Third, "Paul's Gospel" provides my understanding of the center of Paul's preaching as it relates to the Lutheran *praxis* of distinguishing Law and Gospel. The understanding developed is then used in chapter three to warrant the early Lutherans' scriptural practice by suggesting that it is a development of Paul's prior practice. Fourth, I take the understanding of Paul's Gospel from the third section and apply it to discrete reading tendencies that I see in Paul. This section is intended to give a fuller understanding not just of how I understand Pauline presuppositions but also how these work out in concrete fashion when he actually performs his readings. In it, I make a distinction between "plain-sense$_1$" readings and "plain-sense$_2$" readings *en route* to suggesting that Paul repairs problems in light of his understanding of Christ. This provides warrants in chapter three for understanding the Lutheran *praxis* of distinguishing Law and Gospel as also being concerned with achieving a particular outcome. Fifth, I return to the virtues discussed in the second section in order to give an account of how I read Paul as recommending them as the means by which his scriptural inquiry proceeds. I entitle it, "Faith, Hope and Love: Hosting a Telic Dialog," because my reading sees Paul as trusting to these virtues under the Spirit's guiding in order to bring together the entirety of his practice in order to solve problems in light of the desired end-state described in the Gospel. Finally, the sixth section goes into detail regarding particular instances of Pauline scriptural practice when he speaks of eating food sacrificed to idols. This serves to provide a non-foundationalist reading of Paul and enables me to test the model of Pauline "proclamatory pragmatism" I develop throughout the chapter by showing its utility in diagramming Paul's approach.

Paul as Handyman: Reparative Logic as Endemic to Paul's Letters

As I point out in the introduction, I am not attempting in this chapter to portray

Paul "just as he is" or to somehow characterize his "true" Gospel outside of all contexts.

Rather, I am reading Paul in order to provide resources for repairing the problem I see in

contemporary Lutheran theological *praxis* where the practitioners of two competing

Cartesian foundationalisms appeal to him in the "Battle for the Bible" as one of the

progenitors of their thought thus using him to empower their foundationalist

methodology. Instead of reading Paul in foundationalist fashion, I propose using him as

a model of non-foundationalist repair for Lutherans. I do this by looking at how Paul has

addressed particular problems and hypothesizing what it is that might make him

address those problems in the way he does in order to provide a model for repairing the

set of problems I note within Lutheranism in the introduction.

On the one hand, those Lutherans who display a skeptical Cartesianism tend to

read Paul as giving voice to particular internal states that become expressed in the

teachings he gives. To put it in the terms to which I now have access from the first

chapter,[133] it is to read Paul according to a biblical and logical internalism divorced from

a reparative rationality. Timothy Wengert, one of the architects of the ELCA's teaching

on the "bound conscience," remarked on the concept before the denominational

assembly that adopted "Gift and Trust" in 2009. In it, he appealed to both Paul and

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[133] For a full discussion of the terms "internalism," "objectivism," and "reparative rationality" that follow, see the discussion in the section of chapter one entitled "Three Tendencies of Reasoning" on 59-75, but most particularly on 59-65.

Luther as authorities underwriting the adoption of the teaching. After appealing to the practice of Paul (and also of Luther), he closed with these words:

> Respect for the bound conscience does not mean that one can simply declare one's conscience to be bound to a particular interpretation of Scripture, and then make everybody else deal with it. Respecting bound conscience is not a form of selfishness or an excuse to sin. Instead, it means that the very people who hold different, opposing viewpoints on a particular moral issue based upon their understanding of Scripture, tradition and reason must recognize the bound conscience of the other, of their neighbor who disagrees with them, and then work in such ways as not to cause that other person to reject the faith and fellowship in Word and Sacrament.[134]

In the first sentence, Wengert eschews an individualistic view that would empower any given person to take whatever position they like on an issue and then force everyone else to conform to that viewpoint. However, the second half of the statement sits uneasily with this advice in that it gives free rein to an individual who takes such a stance in that it forces others to work around the position. While it is admirable that he expresses a concern that people not reject the faith over a given issue that is in contention, he (along with "Gift and Trust") fails to put forth a rule regarding what are and are not acceptable forms of speech for Pauline Lutherans and rather ends up giving individuals precisely that which he said that they should not have – the declaration that "one's conscience [is] bound to a particular interpretation of Scripture," such that "everybody else [must] deal with it." In the end, the presenting issue about which one's (internal) conscience is bound is not repaired in any significant fashion; rather, it is avoided out of a concern for not damaging faith, even if the position is not helpful and may actually be damaging. These types of concerns simply do not arise in such an

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[134] Timothy Wengert, "Remarks Concerning 'Bound Conscience'," presented to 2009 Churchwide Assembly (2009), http://www.reconcilingworks.org/images/stories/downloads/resources/005_CWA_2009_Wengert_Concerning_Bound_Conscience.pdf.

approach or are regarded as beyond one's ability to solve. I term this approach to understanding Paul regarding issues of conscience "Paul$_1$."

On the other hand, those Lutherans who display a dogmatic Cartesianism tend to read Paul as reifying eternal teachings that describe God directly and also attribute particular teachings as universal rules regardless of context. Using terms from chapter one, it is to demonstrate an objectivist rationality outside of a dominant reparative rationality. I call this approach "Paul$_2$." Regarding the so-called "order of creation," Albert Collver III., writes:

> Paul describes the natural order of things – how things normally proceed between a man and woman. According to nature (κατα φύσιν, *kata physin*), men and women marry and have children. According to nature (κατα φύσιν, *kata physin*), in the sense that St. Paul understands "authority," a woman is always under the authority of a man. She is either under the authority of her father or her husband. Once again, Paul treats the "exceptions," widows, divorcees, orphans, single women, as such – exceptions – and not strictly speaking "according to the natural order of things" or according to how the Lord created the world and intended men and women to operate.[135]

Unlike the approach regarding the "bound conscience," at least in this brief paragraph there is consistency. A woman is always under the authority of the man. This is to be attributed to the way that people were created (κατα φύσιν, *kata physin*). Rather than reading Paul as an authoritative example of how to problem-solve, this approach reifies particular statements of Paul outside of their contexts and applies it universally to all people at all times. That is, Paul$_2$ speaks a universal statement that should be adopted at all times, everywhere. Regardless of situation, women are always to be under a man's authority; if they are not, they are not acting in accordance with Paul's own thought. As should be clear, I do not see this as being appropriate to a description of

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[135] Albert Collver III., "According to Nature, *Adiaphora*, and Ordination," in *Natural Law: A Lutheran Reappraisal*, ed. Robert C. Baker (St. Louis: Concordia Publishing House, 2011), 261.

what Paul is actually doing in his theological methodology because it objectivizes words of Scripture in an inappropriate, idolatrous fashion by forgetting the need to approach problems contextually. In reifying an ontological structure, the doctrine of "the order of creation" decouples that structure from the biblical narrative and the Lutheran tradition such that it is available for inspection on its own terms. It is logically separable from the story of creation in that it, as an ontological structure, has implications on its own terms, demanding obedience to this structure that has lost its intimate connection with the biblical story. As such, it functions as a type of idol insofar as one gives obedience to this structure that has no enduring connection to the story of God as told in Scripture but is logically separable from that story. Instead of repeating such a re-reading of Paul (Paul$_2$), I hold that he is interested in solving very situated problems according to a rule that guides the manner in which they should be repaired. I further read him as providing readings of Scripture that depend upon the biblical story for their warrants and for their coherence; one cannot understand Pauline claims without understanding their relationship to OT Scripture. This chapter is intended as an expansion of these claims.

In this chapter, I am proposing a third type of way to read Paul (I use no subscript to denote it) that is neither skeptical nor dogmatic but rather pragmatic, and in so doing, I hope to portray a non-foundationalist logic that can mediate between the two extremes of Cartesianism in contemporary Lutheranism as indicated in Paul$_1$ and Paul$_2$. Paul is well suited for this not only because the two warring Lutheran sides in the "Battle for the Bible" claim him as support but also because he is an occasional writer, looking

to how the church sins and then becomes the agent of repair for that sin. This is, in my reading, how Paul is Scripture – it is in the constant dynamic of repairing the church, re-orienting her to her Lord *precisely in and through the event of the sin itself along with the event of its repair* that Paul's letters proclaim Christ and so are Scripture.[136] In this understanding, Scripture is that which is given by God to effect repair by pointing to the One in Whom all repair is to be found – His Son, Jesus the Christ. The Son became Incarnate in Jesus to repair a relationship between God and the creatures He created in His own image, according to His own likeness, that was soiled by sin. This repair continued in Paul's own day as evidenced by his need to continually correct and guide the churches to whom he was writing. It is a repeated death and resurrection that occurs for the churches as they continue to learn what it is to live a life of freedom in Christ through the salvation that he brings.

Even more, the procedure of repair that Paul uses can be read as embodying the logic of the cross. The church, as the body of Christ, pleonastically replays the cross in her sin and error, and it is as the Lord repairs His church through His servants that the sin and error is conquered. The event of error paves the way for its own correction: "there must be factions among you in order that those who are genuine among you may be recognized." (1 Cor. 11:19) My understanding of Paul would be to regard Paul as the agent God uses to accomplish that repair. Paul's letters, then, function as Christian Scripture precisely in that they are paradigmatic instances of how the event of sin and

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[136] I realize that this is a big claim, and I do not here seek to defend this claim except to suggest it as a possibility, emphasize the importance of Paul's reparative project, and then leave it to a future investigation.

error is repaired via the proclamation of Christ. That is, it is this dynamic and how Christ

is himself proclaimed in and through the event of repair that make Paul's letters

Scripture; as the cross and resurrection proclaim salvation in Christ and the character of

God, so too does the continual repair that Christ effects, that the Word effects, in his

church proclaim his salvation and character. It is the process by which Christ cleanses

his church to present her "to himself in splendor, without spot or wrinkle or any such

thing, that she might be holy and without blemish." (Eph. 5:27) This is not to underwrite

sin and error as being good in and of themselves as if the event of divisions within the

body of Christ is something to be sought any more than we should seek to re-crucify

Christ. Rather, sin and error become "good" in the same way that that awful Friday

became "Good"; God conquers even here, and in so doing shows us more of what it

means to be in relationship to a God who never backs down, a God who passionately

seeks after His children, a God who will be who He will be,[137] a God who has committed

Himself to being the Father of His crucified and resurrected Son.[138] It is this dynamic of

problem and repair that suggests that pragmatism could be useful because it provides

tools that are intended to address just such a situation, and it is for this reason that I

choose to use Peirce and Ochs to explicate it.

    As I mentioned in the introduction, placing an analysis of Paul before that of the

early Lutherans is not best pragmatically if, with Peirce, the societal good of precision is

prioritized. It would be better in that case to start with the Lutherans and then work

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[137] "אֶהְיֶה אֲשֶׁר אֶהְיֶה" (Ex. 3:14)

[138] Jenson provides an excellent discussion of God's being as "temporal infinity" that overcomes all obstacles to Him being Who He will be. See: Jenson, *Systematic Theology*, I:207-223.

backward to Paul. However, taking Goodson's analysis of William James into account, I prioritize the pragmatic concern for public accountability as well as ease of understanding in the ordering of these two chapters in that it is more typical of contemporary academic investigations to work from the progenitor of a thought form to how others have appropriated that mode of thinking. James had a point in trying to help people "buy-in" to pragmatism in order for it to accomplish its own goals in repairing public problems. In this way, I present a pragmatic reading of Paul where I read him in light of contemporary Lutheran concerns regarding the conflict I term (with others) the "Battle for the Bible," but I begin with him first in order to most understandably clarify his relationship to the early Lutherans by allowing appeals in that chapter back to Paul as the one who provides warrants for what they do.

Paul's Virtuous Scriptural Practice

Paul's scriptural practice can be described as *habitus* that is itself the outworking of his faith in Christ, his hope for a continued life in Christ, and his love for his fellow human beings in witnessing to the new life that Christ brings. Paul describes these virtues, particularly love, as a "more excellent way"[139] as compared to a mere exercise of different spiritual giftings.[140] The point of the chapter on love (1 Cor 13) is to show that love, in addition to faith and hope, inform the actual practice of how the spiritual gifts are to be used. They are not so much discrete gifts themselves as are those described in chapter 12 (though they do come by way of the Spirit's work) as they are

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[139] "ἔτι καθ' ὑπερβολὴν ὁδὸν." (1 Cor 12:31)
[140] Among these, Paul lists: prophecy, miracles, gifts of healing, helping, administering, teaching, and speaking and interpretation of tongues.

the necessary dispositions that must be present to properly prophesy, to properly teach, to properly help, and so on. In this way, the *habitus* Paul describes is not merely that of, say, prophesying or teaching but rather doing so in a particular manner, having the proper capacity to accomplish a particular goal. In the terms of the first chapter, this is a *habitus* that recognizes the need to be properly formed (internalism) to be able to notice suffering (objectivism) in order to actually alleviate it (a reparative rationality). Exercising faith, hope and love is not the point in itself; this would be to abstract virtues from a particular embodiment in a distinctly un-Pauline fashion in my reading, as if one could have faith in nothing in particular, could hope for nothing discrete, and could love generally divorced from any particularity. Rather, the point is to so preach, to so teach, to so interpret Scripture in a particular context for a particular audience that the act itself is underwritten by and infused with faith that God's Word is powerful, with hope for a life with God in Christ, and all done with love for God and neighbor.

When looking at particular instances of Pauline interpretation, I perceive discrete yet interdependent tendencies to read historically, figurally, doctrinally, practically (in the sense of a concern for right *praxis* or morality) and eschatologically. I call these "tendencies" of Paul's scriptural practice or different "ways" he reads Scripture. Even as these tendencies or ways to read Scripture interpenetrate and inform each other, they are not performed for their own sake but rather are done purposively: to witness to Christ and to form within readers the faith necessary to apprehend Christ. Paul does not produce a disinterested exegesis of Old Testament Scripture; rather, I claim that it is Paul's understanding of the good news (τὸ εὐαγγέλιον) of Christ that informs these

readings at every point. Paul sees Christ as the *telos* of Scripture,[141] and being that

completion / fulfillment, Scripture needs to be related to him in order for it to

accomplish its own purpose. This is to say that relating Scripture to the Gospel of Christ

is indispensable for my reading of Paul; one has not fully and truly understood Scripture

until Christ is proclaimed through it.[142]

Proclamation is where the Word preached accomplishes its reparative goal. Said

more theologically, it is the event of the Spirit working through the Word to accomplish

salvation. It is a successful instance of sign usage where what is said becomes self-

identical with God's Word *in that moment* and *at that time* in that the sign vehicle (the

particular locution) determines its interpretant such that both the idea conveyed by the

sign as well as the reality indicated[143] are apprehended by it.[144] As I describe it, one

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[141] Cf. Romans 10:4. While what Paul has in mind is a conception of "Law" that is not coterminous with Scripture, it is still fair to say that Scripture, for Paul, finds its proper endpoint in Christ.

[142] Dunn emphasizes this point strongly: "…Paul's gospel, the divine response to the divine indictment, was centred wholly on Jesus Christ. It was the encounter with Christ on the Damascus road which revolutionized Paul's whole faith and life. Christ became the key to understanding God's purpose for humankind, and indeed God himself. Christ was the light which expelled his darkness and illuminated the scriptures. Encountering this Christ turned his whole system of values upside down, and coming to know Christ became his supreme passion (Phl. 3.10)." (James D.G. Dunn, *The Theology of Paul the Apostle* [Grand Rapids: Eerdmans, 1988], 181.)

[143] This is another way to refer to Peirce's conception of the immediate and dynamic(al) object within the semiotic process. Peirce defines what he means by those terms in a 1909 letter to William James: "As to the object, that may mean the Object as cognized in the Sign and therefore an Idea, or it may be the Object as it is regardless of any particular aspect of it, the Object in such relations as unlimited and final study would show it to be. The former I call the *Immediate* Object, the latter the *Dynamical* Object." (EP 2:495)

[144] The concept of truth enters in here as well. Peirce frequently referenced truth in his writings, but his description thereof in his 1905 "The Basis of Pragmaticism in the Normative Sciences" is particularly helpful here: "Now thought is of the nature of a sign. In that case, then, if we can find out the right method of thinking and can follow it out,– the right method of transforming signs,– then truth can be nothing more nor less than the last result to which the following out of this method would ultimately carry us. In that case, that to which the representation should conform itself is something in the nature of a representation or sign,– something noumenal, intelligible, conceivable, and utterly unlike a thing-in-itself. Truth is the conformity of a representamen to its object,– *its* object, IT'S object, mind you… What the sign virtually has to do in order to indicate its object,– and make it its,– all it has to do is just seize its interpreters eyes and forcibly turn them upon the object meant; it is what a knock at the door does, or an

might ultimately respond in indifference to the hearing of the proclamation; one might

be convicted by it; one might hear good news that results in faith; or one might be both

convicted and respond in faith to it. But, in my reading, what distinguishes

proclamation from a normal locution as I describe it above is that the hearer actually

comes into an encounter with the proper object of the locution, of the sign vehicle.

They "get" it. The claim made by the locution is successful both in conveying the idea of

the sign and the reality that underlies it. So in this way, the proclamation is a type of

locution but not all locutions are proclamation.[145]

This is important structurally for understanding Paul's scriptural practice because

it is the proclamation of Christ that serves to bind that practice's disparate reparative

elements together in a manner that is similar to early Lutheran practice. For Paul,

Scripture is interpreted with faith in Christ that the proclamation is meaningful and

powerful, in hope that it actually occurs, and is performed out of love for God and the

other. In my reading, these virtues, in turn, host a dialog between the tendencies or

ways that Paul reads Scripture and his understanding of the Gospel. The tendencies

serve the diagrammatic purpose of explicating Scripture's different senses for a

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alarum or other bell, a whistle, a cannon-shot, etc. It is pure physiological compulsion; nothing else." (EP 2:380) Proclamation, as here defined, is a compulsive semiotic process that forces its interpreter to apprehend the object of the sign, either in perceiving judgment or mercy, such that the interpreter's encounter with the sign vehicle becomes an encounter with the Word himself. It seems to me that Marshall's account of truth in relation to the Triune life of God pushes in this same direction in the closing paragraph of his monograph when he speaks of participating in the divine life when we hold to what is true: "For now we may simply observe that when our beliefs are true – as they usually are – we are led by the Spirit's grace, though perhaps without yet knowing it, to retrace the pattern of relationships by which he and the Son are eternally united to the Father in being and love. When we get our epistemic priorities straight, we become acquainted with the divine persons in the intimacy of their relations to one another as well as to ourselves. More than that: we begin to take part in the love which is eternally the being and the life of the triune God." (Bruce Marshall, *Trinity and Truth* [New York: Cambridge University Press, 2000], 281-2.)

[145] Later I will also speak of participating in the Sacraments also being a type of proclamation.

particular context, and the Gospel message provides a corrective for those readings.[146]

The virtues function to pull the interpreter towards the final goal or *telos* of

interpretation by directing her to the point of proclamation itself: the encounter with

the Word in the power of the Spirit with the result of experiencing judgment or mercy in

a manner that presages the Lutheran practice of distinguishing Law and Gospel.[147] Each

of the reading tendencies build on the other and are bound together by the message of

Christ. Yet it is faith, hope and love that serve to elicit the drive within the interpreter

herself to interpret in the first place; interpretation is performed for the sake of the

proclamation. The proclamation, then, can be seen functioning *within the context of*

interpretation and *as a means to describe the logic of this particular type of inquiry* as a

type of final cause, the *telos* of interpretation.[148]

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[146] I am here referring to what Ochs terms the "rule of pragmaticism" that I described in chapter one.

[147] It should also be said that judgment is the penultimate result of what is hope for; mercy is the ultimate goal of proclamation, though it comes through judgment.

[148] This is not to claim an ontological status for causation or to intimate that it is a fundamental rule of the universe. Peirce himself spoke out strongly against just such an understanding: "Those who make causality one of the original *uralt* elements in the universe or one of the fundamental categories of thought,– of whom you will find that I am not one,– have one very awkward fact to explain away. It is that men's conceptions of a Cause are in different stages of scientific culture entirely different and inconsistent." And again, further on: "But the grand principle of causation which is generally held to be the most certain of all truths and literally beyond the possibility of doubt, so much that if a scientific man seeks to limit its truth it is thought pertinent to attack his sincerity and moral character generally, this principle involves three propositions… [which Peirce finds to be false]." (Charles Peirce, "Causation and Force," in *Reasoning and the Logic of Things*, Kenneth Laine Ketner, ed [Cambridge, MA: Harvard University Press, 1992] 197, 198-9) Rather, it is to observe how Paul's scriptural logic seeks to accomplish a goal or end state (life in Christ) and how he performs his reasoning to accomplish that end state; in this way, the type of "final cause" I envision here is not an existent thing but rather a transcendental deduction based upon the logic of Paul's practice. I take this to be in agreement with Peirce's statement at the end of the lecture quoted above when he says: "…time is the form under which logic presents itself to objective intuition." (Ibid., 217) In this connection, logic follows a particular progression of understanding, and the needed space for this progression is time. Causality, then, is simply part of what it means to have logical progression, and Paul's practice involves a logic where an end state draws interpretation such that "final causality" (or "anisotropic processes, to use T.L. Short's term) is explicable within that logic.

When reading Paul in order to elucidate how the early Lutherans read Scripture, it is important to note that the proclamation seeks to find embodiment through the dialog hosted by the virtues between the tendencies and the Gospel message. Yet any particular instance of this *telos* within time where actual proclamation occurs does not extend to all people and all times and in all situations for Paul; it is not universal. Rather, it consists in addressing a particular audience at a particular time in order to bring them into an encounter with the Word in the proclamation that forms them to think theologically, to possess the "mind of Christ." It is possible that the same locution may again be proclamation in another time and in another place, but whether that will happen is not known in advance of the event of proclamation itself. In this progressive interchange of scriptural reading and message of Christ geared to performatively impact the people whom he is addressing via an exercise of the virtues, Paul exercises his theology. It is not too much to say that Pauline theology *is* the *habitus* within which this virtuous, contextual, telic dialog takes place for the sake of proclamation in this understanding of Paul.

While the best way to argue for this heuristic hypothesis is to look at the full body of Paul's work, it can also be illustrated by examining Paul's two most influential letters – those to the Romans and the Galatians – as a means of shortening the investigation to a reasonable level. I will now proceed to investigate each of the terms of the hypothesis (the role of the virtues, the proclamation, the reading tendencies, and the Gospel) beginning with his Gospel message and only then developing the other terms. I will end this chapter with an example of Paul using scriptural interpretation to

solve a particularly thorny problem for the early church – the interplay of one's

conscience with eating meat sacrificed to idols, observing holy days, etc. – in order to

show in the context of repairing contemporary Lutheran problems how Paul seeks to

form the mind of Christ in his hearers via an instance of proclamation.

Paul's Gospel

In my reading, Paul's proclamatory scriptural practice is based upon reading

Scripture in light of the Gospel, and this has many implications for understanding his

particular practice that I have called proclamatory pragmatism as a subset of scriptural

pragmatism. In order to repair the problems I see between Lutheran Christians in the

"Battle for the Bible," it is important to understand Pauline Christianity as first and

foremost about proclaiming the Good News about a person – the person of Jesus the

Christ who was born, lived, died and was resurrected in accordance with the OT

Scripture. This portrays a Paul who is not so much interested in Scripture for the sake of

Scripture as if believing in the Bible is the object of faith. Rather, he is interested in

Scripture in its role in witnessing to Jesus. Paul is concerned about inculcating faith in

this person above all other things; he desires that his hearers might trust a resurrected

Christ as Savior and Lord who is seated at the right hand of the Father, reigning over

creation. The obvious corollary is that Paul is not interested, in the first place, about

creating faith or trust in a book as if the book could do something; rather, he assumes

Scripture's authority for his audience in order to proclaim what is most important, Jesus,

who is the Suffering Servant, the Passover Lamb, the root of Jesse, Immanuel. This is

key for understanding a reparative Paul because what is most crucial is that Paul's

hearers live lives in Christ, and to achieve this goal that comes by the proclamation,

Scripture plays a crucial yet subsidiary role – that of witness.[149] Because of this, it is

appropriate to begin first with a treatment of Paul's Gospel message regarding Jesus

before treating particular instances his actual exegetical practice as exhibited in his

reading tendencies. It is not possible to understand those tendencies outside of Paul's

attempt at repair through the proclamation which is always centered on the Gospel, the

good news of Jesus for a particular place at a particular time, especially with a view to

characterizing a Lutheran logic of Law and Gospel.[150]

In the context of this dissertation, Paul's Gospel is best understood along the

lines of the logic of vagueness described in chapter one. In one sense, the Gospel is

simply a message, a particular locution, of good news regarding the life, death and

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[149] Karl Barth makes much of the category of witness, but his view of Scripture's witness restricts language about the relation of Scripture to the Word of God to that of Scripture "becoming" the Word of God only in given situations. While his approach is quite nuanced, there is definitely the sense that outside of one's encounter with the Bible, one should not call it God's Word: "The Bible, then, becomes God's Word in this event, and in the statement the Bible is God's Word the little word 'is' refers to its being in this becoming. It does not become God's Word because we accord it faith in the fact that it becomes revelation to us. But the fact that it becomes revelation to us beyond all our faith, that it is God's Word even in spite of our lack of faith, is something we can accept and confess as true to us and for us only in faith, in faith as opposed to unbelief, in the faith in which we look away from our faith and unbelief to the act of God, but in faith and not in unbelief, and therefore precisely not in abstraction from the act of God in virtue of which the Bible must become again and again His Word to us." (CD I:1:110) My view is that while Scripture certainly does become actively the Word of God for me or for this group in this time, it at the same time perdures as God's Word in a similar way to Paul's Gospel, which I hope to clarify shortly.
[150] The Gospel message itself is also seen as arising out of OT Scripture as can be seen in Watson's emphasis upon Paul's teaching of "righteousness by faith" being intimately connected with his reading of Scripture: "No one would dispute that, as a matter of fact, this Pauline terminology [i.e., Paul's language of righteousness and faith] has a scriptural background. But what is persistently overlooked is the fact that it *explicitly presents itself* as arising out of a quite specific scriptural background, and that the implied author of Romans therefore speaks here as the interpreter of the prophet and not simply in his own name. Paul's doctrine of righteousness by faith is an exercise in scriptural interpretation, and intends itself to be understood as such." (Francis Watson, *Paul and the Hermeneutics of Faith* [New York: T&T Clark, 2004], 53.)

resurrection of Jesus the Christ. In this sense, it is a B-reasoning, which I will call

Gospel_B. In a broader sense, Paul's Gospel is a habit of interpretation (and therefore an

A-reasoning), and I call this Gospel_A.[151] Gospel_A resulted from what he takes to be an

historical encounter with the man Jesus,[152] who actually preached, who actually was

crucified[153] and who, miraculously, actually was raised from the dead *in accordance with*

the Scriptures.[154] That is, Paul's Gospel_A is understood to have originated in an initially

uninterpreted encounter with a historical figure, and it was both what that figure said

and Paul's understanding of scripture that served as the basis for interpreting what was

initially merely a forceful encounter.[155] In the terms of chapter one, there was an

element of force (Secondness) as well as being formed to understand that encounter

(Firstness) in order to re-orient his life from being a persecutor of Christians to

becoming a follower of Christ himself (Thirdness).

Paul's preaching is rooted in this event that was itself powerful such that it

became infused with its own language of power. He emphasizes the indexical element

of proclamation in many locations, such as the following: "…and my discourse and my

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[151] I will continue to use the term "Gospel" without subscripts as well to reference the entire interplay between B-reasonings and A-reasonings.

[152] 1 Cor. 15:3-11, esp. vs. 8.

[153] Cf. Rom. 6; 1 Cor. 1-2; 2 Cor. 13:4.

[154] Cf. 1 Cor. 15 where the narrative of OT Scripture, particularly that of Adam, functions to authorize the claim regarding Christ's resurrection. Unlike Christ's crucifixion, the idea of a physical resurrection has been questioned by some, perhaps most famously by Bultmann. However, I take Paul's writing in 1 Cor. 15 to be straightforwardly about the necessity of Christ's actual, physical resurrection in permitting Paul's Gospel message and the hope it brings to function in the manner that Paul himself anticipates.

[155] I do not want to get bogged down in an interpretation of the relationship of Acts 9 to Gal. 2 and 1 Cor. 15 to determine whether what Acts relates is actually reflected in Paul's experience. It is irrelevant to my point whether or not the historical encounter took place precisely as described in Acts. Rather, what is relevant is that Paul claims some type of encounter with Jesus, and it was this encounter that changed his mind regarding Christianity and was that upon which he reflected scripturally in order to understand it. The details of the encounter, while important in other contexts, do not bear upon this primary claim.

preaching are not in persuasive words of wisdom but in a demonstration of spirit and power so that your faith might not be in human wisdom but in the power of God."[156] In Peircean terms, I diagram this passage as claiming that proclamation is not merely a matter of accomplishing habit change through the introduction of icons that his hearers can choose to accept or not (Thirdness and Firstness but no strong element of Secondness); rather, as with his own experience, Paul sees an element of resistance, of force, of brute encounter in the proclamation (Secondness is part and parcel of proclamation). The proclamation overwhelms those to whom it comes (Secondness), accomplishing a transformation by refiguring their imaginations (Firstness) so that they might be able to live in Christ and display the mind of Christ in their lives (Thirdness). What Paul is longing for is not that his hearer's faith be something freely chosen like picking out a new car at the dealership ("Should I go with ice silver metallic or Venetian red pearl?"). It is not based on a judgment regarding the desirability of a particular habit (a First and a Third). Rather, the goal of the proclamation of the Gospel is the actual, overwhelming intrusion of God in Christ by the power of the Spirit into the lives of others that serves to recreate the individual to be able to think as Christ does (having the "mind of Christ) as well as actually being united with Christ and acting out that relationship in her life (a First, a Second and a Third). It is to repair and replace A-reasonings. This is shocking to an individual because A-reasonings, by definition, are those general understandings that are not doubted by the individual and are rarely fallible, so a change in them comes as a shock – the shock of a convert. The intended

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[156] 1 Cor. 2:4-5. The Pauline letters are full of a discourse of power, specifically as relative to the Gospel message. Cf. Rom. 1:4, 16, 15:3, 9; 1 Cor. 1:24, 2:4-5, 4:19-20, 5:4; 2 Cor. 12:9, 13:3-4.

goal of the proclamation is to inculcate the hearer with a new way of being, a new creation, which is to say in pragmatic terms, a new set of A-reasonings. These new A-reasonings engender faith which is simple trust in a living Lord (Christ) who is variously depicted in particular messages (Gospel$_B$) according to Paul's understanding of Jesus' importance (Gospel$_A$). It is mediated by a community in that the proclamation both gathered a community to itself and began in a community.[157] In this way, Paul's Gospel as I portray it contains elements of Firstness, Secondness and Thirdness; the element of force cannot be divorced from his understanding.

Christian realism is necessary to understand the forcefulness of Paul's Gospel when reading him as engaging in a reparative project. Here, God is understood not only to be real but *as existent in Christ by the power of the Spirit*. Ochs distinguishes reality from existence when he writes regarding Raposa's theosemiotics:

> Peirce's argument is mathematical-like also in its reference to God's "reality," as opposed to "existence." As Raposa explains, "God is [the creator of the universes of existence], but it is inappropriate to reduce the Deity to the category of Secondness, for Peirce, the realm of brute reaction-events, devoid of generality and thus of intelligibility." In different terms, references to God's existence are specific to some *logic* and thus to a finite system of reasoning, while the *real* is that which it is "independently of what any mind or finite collection of minds might conceive it to be."[158]

The first thing to be pointed out is that Paul's Gospel does not *reduce* God to the category of Secondness; rather, it attributes Secondness to God (along with Firstness

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[157] The Disciples *cum* Apostles on the day of Pentecost at the coming of the Spirit formed the Christian Church, and as seen in Peter's preaching in Acts 2, their understanding was permeated by Scripture and was part and parcel, then, of a tradition of discourse. This is to point out the non-foundationalist character of Paul's Gospel.

[158] PPLS, 231. Peirce would mirror this distinction in his "Neglected Argument" (NA) when he writes: "'Real' is a word invented in the thirteenth century to signify having Properties, i.e. characters sufficing to identify their subject, and possessing these whether they be anywise attributed to it by any single man or group of men, or not… The 'Actual' is that which I met with in the past, present, or future." (EP 2:435)

and Thirdness) in that in the proclamation, God is encountered.[159] But this is not to say that Paul's Gospel entails a God who is encountered forcefully universally, apart from any particular reasoning about Him; rather, God's Secondness in Paul's Gospel is rooted in a finite system of reasoning. The reasoning is dialogic interplay of context, Gospel and Scripture that makes up what I suggest is Paul's proclamatory scriptural practice. It is a discourse that originated in the events of Christ's life, death and resurrection *as they are understood within a particular tradition of reflection on OT Scripture in light of Christ*. The Gospel proclamation may not be uncoupled from its OT roots in this pragmatic reading of Paul because, at heart, it is God proving Himself to be faithful to His promises made throughout the history of Israel and even back to the Garden.[160] It is this as it is operative in the proclamation that both created the Christian community by eliciting faith from its members and remains operative within it.[161]

Second, the confrontational nature of Paul's message necessitates Christian realism, and this confrontational aspect is important to a study of Lutherans and Law and Gospel. Any language of power is also the language of force, of reaction, of brute

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[159] I say this because to encounter God's Word is to encounter God. This is a corollary of Christian Trinitarianism. Cf. John 1.

[160] Cf. Dunn's comment: "The gospel of *Christ* vindicates the faithfulness of *God*." (Dunn, *Theology*, 166.) Dunn goes on to discuss the importance of OT Scripture for Paul's thought: "...Paul's theological language was, by and large, the language of scripture. Scripture formed the 'substructure of his theology.'" (Ibid., 170.)

[161] Note that I am not anticipating that all scriptural pragmatists would agree with this position. Rather, I do think that it is plausible, valid and has persuasive strength to a sub-community of scriptural pragmatists – Pauline Christians. I use the terms "plausible," "valid," and "strong" in the sense Ochs describes: "In terms of the pragmatic definitions of truth we supplied earlier, we would say that a specific *reading* of the rule, 'the dead are raised,' is *plausible* (has truth$_1$) if it respects the plain sense of Scripture and is *valid* for some Christian community. This reading is *valid* (has truth$_2$) if it diagrams a community's indubitable beliefs in a way that would correct any problems in plain sense of a given set of scriptural texts, and, thus, in the communal behaviors appropriate to the plain sense. It is *strong* (has truth$_3$) if it in fact significantly transforms a community's plain-sense readings and its corresponding behaviors." (PPLS, 310)

actuality which is the language of Secondness. Something non-existent cannot exert

force. Without something existent, Paul's forceful proclamation is simply a conceit, and

his appeal to the language of power empty. Rather than this, Pauline proclamation

attributes a forceful interaction to the working of the Spirit who proclaimed Jesus the

Son of God in power[162] and the Gospel which is itself the power of God for salvation.[163]

The proclamation of the Gospel is that through which the Spirit calls people to believe

through specific means such as preaching[164] or even baptism.[165] The proclamation's

forcefulness consists not in compelling one against one's will to believe; it does consist

in a freeing of the will to believe.[166] A will that was willingly directed one way (against

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[162] Cf. Rom 1:4

[163] Cf. Rom 1:16

[164] Cf. Rom 10

[165] Cf. Paul's discussion of baptism in Rom. 6 as an example of the Spirit operating forcefully in the life of the believer, uniting her to Christ's death so that she might also be united with his resurrection.

[166] Paul's language of slavery is relevant here, such as in Rom 6. For example, Paul writes: "But thanks be to God, that you who were once slaves of sin have become obedient from the heart to the standard of teaching to which you were committed, and, having been set free from sin, have become slaves of righteousness." (Rom 6:17-18) The dichotomy is being enslaved to those things whose end is destruction of one's humanity being compared with being a "slave" of righteousness, where righteousness in Romans refers God's faithfulness to accomplish salvation for humanity. Francis Watson makes a similar argument regarding the phrase "the righteousness of God": "The righteousness of God is correlated not with the power of God but with salvation – that is, with the outcome of God's action for humankind, which is at the same time the rationale of that action. The human correlate of the powerful, self-disclosive divine action is 'salvation', interpreted here as the righteousness that is finally valid before God, which occurs in and through faith. 'Salvation for everyone who believes' is equivalent to 'righteousness by faith'." (Watson, *Paul and the Hermeneutics of Faith*, 50) Interestingly, Watson also points out that this understanding of "the righteousness of God" is not portrayed merely as Paul's own understanding in Romans 1:17; rather, Paul is making the claim that this *is* the meaning of Scripture as found in Hab. 2:4. Cf. Ibid., 43-52. Campbell's approach to the meaning of the "righteousness of God" is also interesting. For him, the methodological key is that in Christ we have "the definitive disclosure of the δικαιοσύνη θεοῦ," so if we understand him we can understand what is "the content of δικαιοσύνη θεοῦ." (Douglas A. Campbell, *The Deliverance of God: An Apocalyptic Rereading of Justification in Paul* [Grand Rapids: Eerdmans, 2009], 683.) He then goes on to list seven characteristics of Christ in terms of: 1) Event; 2) Singular; 3) Saving; 4) Liberating; 5) Life Giving; 6) Eschatological / Resurrecting; and 7) Genitive Flexibility. (cf. Ibid., 684-88.) This is an attractive approach in that it heavily layers one's understanding of what δικαιοσύνη θεοῦ might mean in Paul's usage. It is also consonant with my view that the primary emphasis of Paul's δικαιοσύνη θεοῦ is upon God's faithfulness for salvation. To rephrase it briefly in Campbell's terms, God's righteousness is displayed through the singular Christ-event that brings salvation and liberation from the powers of sin and death breathing new life into those who believe such that they

God in Paul's vision) is now through the Spirit working in the proclamation willingly

directed another way (toward life in Christ). The forceful conversion is one of the will

from a state of bondage to those things that destroy human life to a state of bondage to

faithfulness to God which is freedom to live in a truly human manner.

It is important to note that the application of brute force in transforming the will

and replacing one's A-reasonings is not the only element operative here in what is

typically called the language of conversion, and in the context of this dissertation a type

of conversion is indeed in view. It is simply one moment in a larger, telic process toward

the endpoint of the proclamation – a filial life with God in Christ.[167] This results in what

is an irreducibly triadic or, better yet, triune message. Paul's Gospel makes possible a

new relation to the Father in and through the Son that is accomplished in the life of the

believer by the power of the Spirit.

By at least the second century, the expression of the good news of the Gospel

came to be known as the "rule of faith."[168] I see this as equivalent to my description of

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"now" live a resurrection life of the eschatological "not yet," and that this righteousness seen through Christ is both disclosive of who God is and is itself that which God gives through Christ. Dunn also includes a helpful discussion of δικαιοσύνη θεοῦ in his commentary where he, too, emphasizes the faithfulness of God. (cf. James D. G. Dunn, *Romans 1–8*, vol. 38A, Word Biblical Commentary [Dallas: Word, Incorporated, 1998], 40–42.) Finally, Wright has an extended discussion of the righteousness of God that also takes it as referring to God's divine faithfulness to His promises (cf. N.T. Wright, *Paul and the Faithfulness of God* [Minneapolis: Fortress Press, 2013], 925-965.).

[167] Cf. Rom. 8:12-17 and Gal. 4:1-6 for descriptions of this filial relation. Of course, this understanding is heavily conditioned by the OT description of Israel's sonship as well.

[168] "One of the names used to describe outline statements of Christian belief which circulated in the 2nd-cent. Church and were designed to make clear the essential contents of the Christian faith, to serve as guides in the exegesis of Scripture (e.g. Irenaeus, *Adv. Haer.* 1. 9. 4), and to distinguish the orthodox tradition from traditions to which heretics appealed. Alternative names were the 'rule of truth', the 'law of faith' or the 'norm (κανών) of truth'. Unlike creeds, which came later, these formularies varied in wording, though it was claimed that they faithfully reflected NT teaching, and did not differ from one another in their essential content. This content was held to have descended unchanged from apostolic times, in contrast to the spurious traditions of the heretics, which were taken to be later developments and mutually incompatible." (*The Oxford Dictionary of the Christian Church*, 3rd ed., s.v. "Rule of Faith.")

Paul's Gospel insofar as it involves both Gospel$_B$ (particular locutions or B-reasonings) and also Gospel$_A$ (the habit that produces the locutions or A-reasoning). The idea of the "rule of faith" was appealed to as an authority to critique and correct errant expressions of Christian belief by many early Christians.[169] It eventually became codified in creedal statements of Christian belief which are propositional claims that are nested within a particular community's reflection on the history of the man Jesus in light of Scripture (Gospel$_B$), even as a more amorphous sensibility that underlay those claims and gave rise to them endured (Gospel$_A$).[170]

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[169] Wilken describes the "rule of faith" in the following terms: "Irenaeus's summary resembles what later was to become the Apostles' Creed. In his day there were no creeds as such, but at baptism catechumens answered a set of questions that took the form of a simple statement of belief, or 'rule of faith.' 'Do you believe in God the Father Almighty?' 'Do you believe in Jesus Christ his only Son our Lord?' 'Do you believe in the Holy Spirit?' The rule of faith had a trinitarian structure whose narrative identified God by the things recorded in the Scriptures, the creation of the world, the inspiration of the prophets, the coming of Christ in the flesh, and the outpouring of the Holy Spirit. The rule of faith, which, of course, was drawn from the Bible, reverberated back on the Bible as a key to its interpretation. Yet in practice it stood apart from the Scriptures as a confession of faith received from tradition and recited at baptism during the liturgy of Easter. An arc of understanding stretched from what the church practiced to what it read in the Scriptures." (Robert Louis Wilken, *The Spirit of Early Christian Thought* [New Haven: Yale University Press, 2003], 66.) These creeds functioned as authoritative standards of the faith and served to distinguish false teaching from the authentic understanding yielded by Scripture. This can be seen, for example, in Tertullian's usage of the concept of the "rule of faith": "It is from these apostolic churches that all the subsequent churches, one after the other, derived the rule of faith and the seeds of doctrine. Even to today they continue to derive from the apostles that which is necessary in order that they be churches." (Thomas C. Oden and Christopher A. Hall, eds., *Mark*, Ancient Christian Commentary on Scripture [Downers Grove, IL: InterVarsity Press, 2005], 250.) Here the "rule of faith" is treated as not only derivable from the original apostolic proclamation (and not necessarily Scripture *per se* [!]), it is also of such importance that it is classified among those things necessary to be a church. However, others have seen the "rule of faith" as both norming and arising from Scripture, as Hultgren indicates in his characterization of the Lutheran dogmatician Gerhard's view on the matter: "Gerhard identifies the rule of faith both with Scripture in its entirety (because only Scripture can be the true norm) and with the chief articles drawn from Scripture… The rule of faith which serves to norm the interpretation of Scripture, itself rises out of Scripture." (Stephen J. Hultgren, "Holy Scripture and Word of God: Biblical Authority in the Church," in *Seeking New Directions for Lutheranism: Biblical, Theological, and Churchly Perspectives*, ed. Carl E. Braaten [Delhi, NY: ALPB Books, 2010]: 85.)

[170] Pelikan links the creation of creeds to Christianity's earliest history as expressing its most basic logic: "Creeds and confessions of faith have their origin in a two-fold Christian imperative, to believe and to confess what one believes. The term *creed* comes from the first, the term *confession of faith* from the second. 'Since we have the same spirit of faith as he had who wrote, "I believed, and so I spoke,"' the apostle Paul quotes the words of the psalmist to explain to the Corinthians, 'we too believe, and so we

These propositional, creedal statements (Gospel_B) are authoritative for many people within the Christian community, including Lutherans of most stripes, and provide a normative trajectory to Christian thought by negatively ruling out particular possibilities within a Christian sensibility.[171] For example, to say that the Son is "of one substance with the Father" (ὁμοούσιον τῷ Πατρί) is to say that a Christian should not develop a habit of thought or action that would treat the Son as if the Son were not of one substance with the Father. A corollary of this, of course, is that Christians should not produce particular locutions that would indicate that this is not true. In this way, creedal statements function as rules of discourse that describe the boundaries of Christian thought. They also serve as sources of reflection in that they are intended to be normative readings of Scripture in light of the Gospel message. Because of this, one who reflects upon the wording of the creeds is also empowered to see things within Scripture that she would not have been able to see otherwise. In this way, they serve a hermeneutic function.[172]

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speak.'" (Jaroslav Pelikan, *Credo: Historical and Theological Guide to Creeds and Confessions of Faith in the Christian Tradition*, [New Haven: Yale University Press, 2003], 35.) Again: "Believing and confession… have always been correlatives: a creedlike confession of the resurrection of Christ in the New Testament is followed by the formula, 'So we preached and so you believed.' The correlation becomes clear in the reiterations and permutations of these two terms *believe* and *confess* (often in combination with the third term, *teach*, to which the next chapter will be devoted) in the language of creeds and confessions throughout Christian history." (Ibid., 37.)

[171] For a treatment that engages more traditional historical-critical concerns and yet is suspicious of those same concerns that form its subject matter, see: Ephraim Radner and George Sumner, eds., *The Rule of Faith: Scripture, Canon, and Creed in a Critical Age* (Harrisburg, PA: Morehouse Publishing, 1998.

[172] They perform the role of the discrimen that Kelsey has described as follows: "*Discrimen*… designates 'a configuration of criteria that are in some way organically related to one another as reciprocal coefficients.'" (David H. Kelsey, *Proving Doctrine: The Uses of Scripture in Modern Theology* [Harrisburg, PA: Trinity International Press, 1999], 160.) He then describes competing views of theology in terms of having competing discrimen: "In short: at the root of a theological position there is an imaginative act in which a theologian tries to catch up in a single metaphorical judgment the full complexity of God's presence in, through, and over-against the activities comprising the church's common life and which, in turn, both provides the *discrimen* against which the theology criticizes the church's current forms of

This rule-based approach to understanding the function of doctrines (such as creedal statements) can be seen explicitly in Paul when he urges his readers to conform themselves to a pre-existent creedal "rule" (κανών). This urging comes in the last few verses of the book of Galatians when Paul is again warning the Galatians against the "Judaizing" Christians who insist that Christians must be circumcised. That is, he is seeking to repair an understanding within Galatia that had gone wrong due to the activities of what he regarded as interlopers. Writing in his own hand, Paul says that such people want to boast in the flesh of those they circumcise rather than in the cross of Christ and then cites what is likely a pre-existent creedal formulation: "For neither circumcision nor uncircumcision is anything but rather a new creation."[173] Taking this short, creed-like proposition as a given, he then writes: "and as many as will conform [στοιχέω] to this rule [κανών], peace be upon them and mercy, and upon the Israel of God."[174] Paul typically uses στοιχέω to signify what it means to not merely mechanically observe a set of regulations such as those of the law but rather to fully shape and mold one's own manner of being according to a standard. For example, in Gal. 5:25, he speaks of those who live by the Spirit also being "conformed" (στοιχέω) to the Spirit; in

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speech and life, and determines the peculiar 'shape' of the 'position.'" (Ibid., 163.) If you translate the idea of "discrimen" into that of "logic" in a Peircean, pragmatic sense, then this dissertation is trying to explicate the discrimen that enlivens Pauline and Lutheran discourse.

[173] "οὔτε γὰρ περιτομή τί ἐστιν οὔτε ἀκροβυστία ἀλλὰ καινὴ κτίσις." (Gal. 6:15) Among others, Longnecker agrees that this is likely a pre-existent creedal formulation, "Verse 15 has every appearance of being a traditional maxim that Paul here uses for his own purposes, much as he used early Christian confessional material (either directly or by way of summation) at 1:4; 3:1, 13, 26, 27–28; 4:4–5; 5:5–6, and as he used the moral maxims of his day at 6:3, 5, 7, 9 (cf. Comment on those verses)." (Richard N. Longenecker, *Galatians*, vol. 41, Word Biblical Commentary [Dallas: Word, Incorporated, 1998], 295.) For additional creed-like statements or fragments of creeds throughout the New Testament, see also J.N.D. Kelly, *Early Christian Creeds*, 3rd edition, (Harlow, Essex: Longman, 1972), 13-23.

[174] "καὶ ὅσοι τῷ κανόνι τούτῳ στοιχήσουσιν, εἰρήνη ἐπ' αὐτοὺς καὶ ἔλεος καὶ ἐπὶ τὸν Ἰσραὴλ τοῦ θεοῦ." (Gal. 6:16)

Rom. 4:12, he contrasts those who are "merely" circumcised with those who also are "conformed" to or "walk in [στοιχέω)]the footsteps of the faith of Abraham while he was uncircumcised;" in Phil. 3:16, when speaking of a mature Christian, he writes that those who have attained maturity should be "conformed" (στοιχέω) to it. So when Paul writes of a rule (κανών) to which one is conformed (στοιχέω), he has in mind that rule functioning precisely as a rule or a guide for one's entire behavior, for the habits of thought and action that have been developed in that person such that she thinks and acts in a way that is in agreement with a rule. This is an explicit statement in Paul where he treats creed-like, doctrinal formulations as rules of discourse, and in doing so, he provides a means to read him as a progenitor of Lutheran thought.

Paul's Gospel[175] is illustrated in two short, creed-like expressions of the rule of faith found in Romans (Gospel$_B$ pointing to Gospel$_A$).[176] In describing "the word of faith which we proclaim" (τὸ ῥῆμα τῆς πίστεως ὃ κηρύσσομεν [Rom 10:8]), Paul writes: "...if you confess with your mouth 'Jesus is Lord' and believe in your heart that God raised him from the dead, you will be saved" (ἐὰν ὁμολογήσῃς ἐν τῷ στόματί σου κύριον Ἰησοῦν καὶ πιστεύσῃς ἐν τῇ καρδίᾳ σου ὅτι ὁ θεὸς αὐτὸν ἤγειρεν ἐκ νεκρῶν, σωθήσῃ [Rom 10:9]). This is a pleonastic repetition[177] of a statement describing the object of

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[175] It is important to keep the distinction between Gospel$_B$ and Gospel$_A$ in mind here. Gospel$_B$ is a particular, propositional locution that arises from a habit of thought and action, Gospel$_A$, in the same way that A-reasonings give rise to B-reasonings.

[176] Dunn lists multiple types of creed-like formulae in Paul: "(1) Resurrection formulae- 'God raised him from the dead.' (2) 'Died for' formulae – 'Christ died for us.' (3) 'Handed over (*paradidōmi*)' formulae – 'he was handed (or handed himself) over (for our sins).' (4) Combined formulae – 'Christ died and was raised.' (5) Confessional formulae – 'Jesus is Lord.'" (Dunn, *Theology*, 175.)

[177] Pleonasm is one of the greatest virtues that Milbank finds via Lowth within the Hebrew language and its poetry as that which frees it from the original violence of language. In fact, "it is this very *poetic* dominance which ensures a *certain ontological faithfulness*." (John Milbank, "Pleonasm, Speech and Writing," in *The Word Made Strange: Theology, Language, Culture* [Malden, MA: Blackwell Publishers,

Christian belief that Paul explicated earlier in Romans 4 where Paul describes the ones who will be considered righteous like Abraham as "those who believe in the resurrection of Jesus our Lord from the dead" (τοῖς πιστεύουσιν ἐπὶ τὸν ἐγείραντα Ἰησοῦν τὸν κύριον ἡμῶν ἐκ νεκρῶν [Rom 4:24]).

These statements combine an iconic sign of a character or quality in their predicate with a subject marked by an index. The character is given by the iconic predicates: "_____ is Lord" or "_____ [is] our Lord." The subject marked by the index is: "Jesus" or "the one who was raised from the dead."[178] On its face, this would appear to be problematic regarding the theory of perception that was discussed in chapter one. There we find that Ochs criticizes a theory of perception that would make percepts self-validating, as if one could perceive something to be *there* and to say that it is *this* (or has this quality). The problem with such a theory is that it is foundationalist in that it blurs the distinction between percepts and perceptual judgments.[179] Perceptual judgments are always grounded in a universe of discourse while percepts are mere uncognized sensations. Said in the terms of Peirce's phenomenology, perceptual judgments involve cognition and so are Thirds (which involve Firsts and Seconds, of course), while percepts are only Firsts and Seconds.

If Ochs is right that this theory of perception displays foundationalism, then it certainly seems to be the case that Paul's creed-like statements are themselves

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1997], 66.) Pleonasm, as part of poetry, enables one to speak truthfully and non-violently about the world for Milbank.

[178] Jenson takes the obverse of this identification of Jesus as a way to identify God: "God is whoever raised Jesus from the dead, having before raised Israel from Egypt." (Jenson, *Systematic* Theology, I:63)

[179] Percepts are those things that are immediately given to the senses but contain no descriptions in themselves. Perceptual judgments are interpretations that one places upon the percept and so depend upon the prior formation of the perceiver.

foundationalist in that they take the form that "something *there* [i.e., that guy raised from the dead] *and* that it is *this* (or has this quality) [i.e., Lord or possessing Lordship]."[180] Does this mean that Paul's claim is "self-referring and self-legitimating," independent of a finite system of reasoning, such that Paul himself expresses a foundationalist intuitionism? Must Christianity align itself with Cartesianism as the legitimate heir to and fuller expression of Pauline reasoning if it seeks to be faithful to its own Scripture? If so, then the two sides of the foundationalist Lutheran debate and their readings of Paul (Paul$_1$ and Paul$_2$) would be warranted.

However, I answer "no" to both of these questions. Paul's creed-like statement such as the claim that "Jesus is Lord" with its variants are thoroughly grounded in a finite system of reasoning – that of Scripture understood in light of Christ. Even in the pericope where the creed-like statement "Jesus is Lord" is found, Paul appeals to Scripture to make it comprehensible. He writes: "For the Scripture says, 'All who believe in him will not be put to shame'" (λέγει γὰρ ἡ γραφή· πᾶς ὁ πιστεύων ἐπ' αὐτῷ οὐ καταισχυνθήσεται [Rom 10:11]).[181] Paul does not see these statements regarding Christ as being anything other than the proper reading of Scripture. Francis Watson states this forcefully when he writes regarding Paul's interpretation of Habakkuk 2:4 in Rom 1:16-17:

> But what is persistently overlooked is the fact that [Paul's language] *explicitly presents itself* as arising out of a quite specific scriptural background, and that the implied author of Romans therefore speaks here as the interpreter of the prophet and not simply in his

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[180] Cf. RR 189.

[181] It should be noted that Paul's quotation of Isaiah 28:16 here is a slight modification of what is found in the LXX which reads: "ὁ πιστεύων ἐπ' αὐτῷ οὐ μὴ καταισχυνθῇ."

> own name. Paul's doctrine of righteousness by faith is an exercise in scriptural interpretation, and intends itself to be understood as such.[182]

I believe this to be a consistent theme throughout Romans and many locations elsewhere in Paul.[183] He is not presenting his claims as universally-known observations that are available to anyone. Rather, they are interpretations grounded in Scripture and performed by reading OT Scripture in light of Christ. They are thoroughly grounded in an inherited tradition of practice for Paul and inseparable from that tradition.

To sum up this section, Paul's Gospel in the context of an analysis of the Lutheran logic of Law and Gospel should be understood as a vague habit of thought and action grounded in his apprehension of Christ in light of Scripture that is functionally indubitable (Gospel$_A$). As such, it produces particular locutions (Gospel$_B$) that are of

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[182] Watson, *Paul and the Hermeneutics of Faith*, 53.

[183] Even more, Rom. 1:16-17 should be understood as being programmatic for the entirety of Romans but particularly 1:18-4:25, as Lincoln writes by way of rhetorical analysis: "In terms of the rhetorical structure of the argument (following Robert Jewett), the *propositio* has already been stated in 1:16, 17 and what follows is the *probatio*, of which 1:18-4:25 constitutes the initial *confirmatio*." (Andrew T. Lincoln, "From Wrath to Justification: Tradition, Gospel, and Audience in the Theology of Romans 1:18-4:25," in *Pauline Theology, Vol. III, Romans*, ed. David M. Hay and E. Elizabeth Johnson [Atlanta: Society of Biblical Literature, 2002]: 130.) Dunn also sees the entirety of Romans as displaying a type of theological coherence centered around the claims of 1:17-18: "In terms of the document's coherence as between framework and body, however, the most important feature is the way in which the body of the letter (1:16-15:30) has been neatly sandwiched between two statements of Paul's future plans which are strikingly parallel... The second statement, however, is markedly fuller and more explicit, particularly about Paul's purpose in coming to Rome. The most obvious deduction to draw from this is that Paul thought it necessary to elaborate his understanding of the gospel at length before he made his specific requests to the Roman Christians, on the assumption that they needed to have this fuller insight before they could be expected to give him the support he sought. This deduction seems to gain strength from the care with which Paul has meshed introduction and peroration into the body of the letter: 1:16-17 serves both as the climax to what has preceded and as the thematic statement for what follows... with the overarching Christology already carefully embedded in the introduction (1:2-6); and 15:14-15 is a polite way of saying that the whole of the preceding treatise was an expression of Paul's grace as apostle, that is, an example of the charism to strengthen faith and of the gospel he had been given to preach (1:11, 15), with which he would hope to repay their support for his future missionary work (cf. 1:12 with 15:24, 27-29)." (James D. G. Dunn, "The Formal and Theological Coherence of Romans," in *The Romans Debate*, revised and expanded edition, ed. Karl P. Donfried [Peabody, MA: Hendrickson Publishers, 1991], 245-50.)

great practical use in creating faith and developing the "mind of Christ"[184] within individuals insofar as they point people to Christ. This occurs when the Gospel message achieves its goal in the event of proclamation where the sign so determines its interpretant that its immediate and dynamic objects are apprehended as the sign intended. That is, when the hearer both understands the message conveyed by the Gospel and comes into a forceful encounter with the one to whom the message points – Christ – by the power of the Spirit. Some of these locutions have creed-like properties in that they serve to norm a Christian's theological *habitus* as negative rules of discourse and through that, the particular locutions a Christian might say.

The Gospel and Paul's Scriptural Reading Tendencies

Having described Paul's Gospel and its function in the previous section in the context of repairing the Lutheran "Battle for the Bible," this section will concentrate on particular instances of Pauline tendencies in scriptural interpretation. It pays particular attention to his appropriation of the Abraham story which is found in both Romans and Galatians and how he tends to read historically, figurally, doctrinally, practically and eschatologically therein. Each of these reading tendencies, with the exception of Paul's historical tendency which has less dependency upon the Gospel message than the others,[185] depends upon a prior apprehension of the Gospel message making that

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[184] This is itself a set of A-reasonings.

[185] This is not to say that the Gospel message does not help to understand what is present in the text. Rather, it is to say that Paul's historical reading tendency tends to stick more closely to a "plain sense" reading of the passages in question than his other reading tendencies which themselves respect the "plain sense" but provide a deeper interpretation of it that will appeal to a more restricted circle of readers.

message logically prior even as in the event of Paul's actual apprehension of that message, he had to be so formed by his forceful encounter with Christ in light of his knowledge of Scripture that he could make sense of the Gospel in the first place. In any case, one cannot understand Paul's reading tendencies without first understanding the role of the Gospel message in guiding these tendencies even as the readings themselves proclaim the Gospel.

One goal of this section is to clarify what it means for Paul to read in light of the Gospel by way of example; to this end, the two pericopes in question, Rom. 4 and Gal. 3, will be helpful. Both passages are concerned with the question of how one becomes righteous such that she can properly apprehend the nature of Jesus' lordship and live a life in Christ in a filial relationship to God, and in both passages he brings in an intertext to make his point in midrashic fashion. The intertext he uses is Hab. 2:4 which reads: "ὁ δὲ δίκαιος ἐκ πίστεως ζήσεται" ("the righteous one will live by faith"[186]). In Galatians, which is earlier than Romans and his first recorded interpretation of the Habakkuk passage, Paul uses this directly as a part of his reading of Abraham's faith demonstrated in Gen. 15 (and 12); it is not the primary locus of interpretation. In his later and more mature letter to the Romans, Paul places the Habakkuk text at the beginning of his letter and uses programmatically throughout at least the first four chapters of the letter with echoes of the text throughout.[187] Paul then uses the reading from Habakkuk 2 and

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[186] There is an interesting textual issue here in that Hab. 2:4 is rendered differently between the Masoretic text and the LXX. The MT reads: "צַדִּיק בֶּאֱמוּנָתוֹ יִחְיֶה" while the LXX renders it as "ὁ δὲ δίκαιος ἐκ πίστεώς μου ζήσεται." Rather than choosing a pronoun ("his faith" or "my faith"), Paul simply eliminates it from the text (or is relying upon another text or his memory).

[187] This is in accordance with Francis Watson's exegesis of Rom. 1-4, as he writes: "[The scriptural grounding for the doctrine of justification] is to be found not only in Romans 4 and in the extensive

Genesis 15 intertextually as a means to both articulate his Gospel message and to argue

that the Gospel message was present in these texts *in nuce* all along if only the

interpreter had the eyes to see it.[188]

Turning to each tendency of Paul's reading practice, he reads the Abraham story

historically in a number of ways, but perhaps most clearly by referring to him as an

authoritative example of the life of faith thereby implying his historical existence.[189]

There is none of the modern angst between a realistic and a metaphorical reading of the

passage; it is simply read with historical realism bracketing any of these concerns and

assuming that Abraham lived and did certain things. Equally obviously, the historical

exposition of Genesis 15.6 that lies at its heart. It is also to be found in Habakkuk 2.4, quoted in Romans 1.17b. Indeed, as we shall see, Paul's proclamation of the righteousness of God in Romans 1.17a and 3.21-31 is nothing more nor less than commentary on this text. It is understandable that Schweitzer could claim that the doctrine of righteousness by faith arises out of just two scriptural texts (Habakkuk 2.4 and Genesis 15.6), for it is these two texts that mark the beginning and the end of Paul's exposition of his doctrine in Romans 1-4, bracketing and enclosing it and ensuring that it operates throughout on scriptural terrain." (Watson, *Paul and the Hermeneutics of Faith*, 42)

[188] In using the terminology of "intertext," I am of course referring to Boyarin's description of midrash: "Now, if the term 'intertextuality' has any value at all, it is precisely in the way that it claims that no texts, including the classic, single-authored works of Shakespeare or Dostoevsky, for example, are organic, self-contained unities, created out of the spontaneous, freely-willed act of a self-identical subject. What this means is that every text is constrained by the literary system of which it is a part and that every text is ultimately dialogical in that it cannot but record traces of its contentions and doubling of earlier discourses… the notion of intertextuality is also an extension and concretion of the philosophical position that there is no such thing as a true, objective mimesis of reality in language. Reality is always represented through texts that refer to other texts, through language that is a construction of the historical, ideological, and social system of a people." (Daniel Boyarin, *Intertextuality and the Reading of Midrash* [Bloomington, IN: Indiana University Press, 1994] 14). Here, Paul employs essentially three intertexts – the Habakkuk passage, the Genesis passage, and his apprehension of the Gospel message understood as a type of "text". Each serve to modify the other, and the dialog between the three is productive of new understandings. To the extent that Paul utilizes an intertext to make his point, Paul's method here resembles midrash (an even better example of Pauline midrash is his seizing upon the singular noun "τῷ σπέρματί σου" (לְזַרְעֲךָ) in Gal. 3 to make the theological point that the promise is made specifically to Jesus, no matter to whom else it might apply). But it differs from midrash insofar that Paul expects his claim to be singularly applicable to Christ as a teleological claim; a claim that righteousness comes by works and not faith would not sit well with Paul (the question as to how this understanding of Paul relates to an acceptance of James as also canonical is beyond the scope of this investigation).

[189] De Lubac quotes Adam Scotus (among many others) as taking references to examples of faith as instances of a "historical" reading: "In the first place, the examples shown by the saints are communicated when it strikes, and it transfixes the soul with history." (Henri de Lubac, *Medieval Exegesis: The Four Senses of Scripture, Vol. 1* [Grand Rapids: William B. Eerdmans Publishing Company, 1998] 100).

character of Paul's interpretation of the Abraham story can be found when he uses the chronology of the giving of the Law. This chronology then becomes a cornerstone of his argument regarding the priority of the promise over that of the Law. In Galatians 3:17, Paul relies on the idea that there was a specific period of time (430 years) between the giving of the promise to Abraham and the giving of the Law to Moses on Sinai. He reasons that the promise given to Abraham was *prima facie* valid in that it was initiated by God and sealed by Him without the Law being in view at all. That is, realizing the promise given by God to Abraham does not depend upon observance of the Law for the simple fact that the Law was not yet given. The promise stands on its own. In Romans 4:9-12, Paul makes a similar argument even as he shortens the time frame in view to within the confines of Abraham's life due to the law of circumcision. In this section, Paul points out the temporal priority of the promise in the fact that he was "reckoned as righteous" before being given the law of circumcision. This historical fact would then open the promise Abraham received to all people, circumcised and uncircumcised, because Abraham received it as uncircumcised and then again as circumcised. In both case, the reception of the promise took place historically before the giving of the Law on Sinai or the law of circumcision, so to make the promise dependent upon the Law would be to engage in a historical anachronism.

In both cases, the role of my portrayal of Paul's Gospel in reading the texts is apparent. He seeks to understand the historical situations as witnessed to by the text in order to understand that to which they refer and then read them for any possible implications they might have for the proclamation of his Gospel message. The Gospel is

what guides this reading even as it finds itself mirrored in what it actually written. In these particular cases, Paul's historical reading is performed in order to warrant his theological claim that the promise contained in the message of the Gospel has priority over the commandments of the Law – just as the promise to Abraham came before and so had priority over the Law – and so can be received without the Law.

Paul's tendency to read OT Scripture *both* historically (thereby placing a "plain-sense" constraint on his reading) *and* in light of his Gospel message (thereby explicitly connecting it to his understanding of Christ) indicate that, for my reading of Paul, particular historical events can be and are infused by God to accomplish His purposes. Scriptural reading is tied to the historical vagaries of a person like Abraham just as it is tied to the historical, real-world events in the life of Jesus. Moreover, given that the life of Jesus is understood through OT Scripture, it becomes viewed as part of a larger narrative that God has been weaving through other quite real-world events. That is, in the understanding of Paul I am conveying, the Gospel message is implicit within the history of Israel for those who have the eyes to see and, going even further back, even that of all humanity, again for the properly-formed interpreter.[190] In the same way that the Gospel message is vacuous without the events surrounding Jesus (his life, ministry, death and resurrection), the Gospel message depends upon the events narrated by OT Scripture to avoid being rendered vacuous as well.[191] The OT renders Christ for Paul. It

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[190] Paul's calling Jesus the "New Adam" is a clear example of this.
[191] It would be wrong to insist that every event found in OT Scripture must be historically accurate; rather, the claim I am making here relates to the primary story of the OT. Listing precisely what events should be considered "primary" would be a task for another day.

is that habit of interpretation that would join the actual and enacted story of *both* Jesus

and Israel together that *is* Paul's Gospel.

The irremediable historicity of Paul's Gospel – a Gospel that possesses

perceivable and characterizable contours because it is itself interpreted history[192] –

emphasizes its present transformative power for this world. It is both present in that

God has acted in time and God continues to act in time, but it is also not-yet fully there.

The *telos* of this history is both now and not-yet.[193] Both poles need to be present to be

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[192] For example, in discussing the being of God, Jenson writes: "The temporal infinity that opens before us and so embraces us as the triune God's eternity is the inexhaustibility of one event. That even is the appropriation of all other events by the love actual as Jesus of Nazareth." (Jenson, *Systematic Theology*, I:221.) What Jenson is here claiming is that God's being consists not of impassibility or some idea of substance but rather that of a temporal infinity that is characterized christicly – it is shaped by the birth, life, death and resurrection of Jesus. This event, in turn, subsumes or appropriates all other events, both those that came beforehand and those that come afterward, and brings them into relationship with what the Father has done in Christ by the power of the Spirit. History for Jenson is cross-shaped.

[193] The transformation of which I speak is similar to that of Dawson when he writes regarding how some modern interpreters see a threat implied in the statement that God makes "all things new," a threat that would be inconceivable for Origen (or, as I argue, for Paul): "For Origen, spirit is the agent of transformation, not abstraction, and allegorical reading is a means and expression of the body's transformation-through-spiritualization, not its dissolution-through-abstraction… Where Origen most excels, though, and where each of our three modern thinkers falls short, is in his awareness that classical Christian life is a life of continual transformation of what already is into something different… Origen stands apart from the other thinkers we have examined because of his emphasis on transformation. Boyarin recasts transformation as replacement; Auerbach argues that transformation is the Christian aim but can finally accept it as a positive development only insofar as it transforms itself into secular realism; Frei acknowledges the aim of transformation but focuses on the divine agent who transforms, minimizing the subjective or personal experience of transformation… The spirit that makes all things new is threatening unless one can imagine a newness that does not repudiate what is 'old' or 'former' – a new embodiment that does not simply reject the 'old' fleshly body, a new relation to history that is perhaps more but not less than the old relationship, a new identity in which, even though one retains the scars and memories of former years and even though every molecule of one's body has been replaced, one nonetheless continues to sign one's name with confidence in the unsubstitutableness of one's enduring identity." (John Dawson, *Christian Figural Reading and the Fashioning of Identity* [Los Angeles: University of California Press, 2002] 214-5) I would add two things. First, beyond Dawson's focusing upon the historical transformation of the individual reader, the historical events when perceived in Christ are themselves primary agents in accomplishing transformation because they make what occurs significant to the reader and not just a general possibility of transformation. I do not think this is incompatible with Dawson's point. Second, while Dawson is principally thinking of figural reading *per se*, I believe he also trips into eschatological categories more than perhaps he realizes. To talk about transformation is to talk about the end-state in light of which transformation occurs. In commenting upon the idea of making "all things new," Jenson makes just this point: "Mainline modern and –at least so far – postmodern theology has been characterized by inability to attach any descriptions to the proclamation, 'See, I am making all

understood. One apprehends the Gospel through history, yet the Gospel is that which both interprets history and points to an end-time reality that is (vaguely) characterizable. A habit that can so relate the history and the Gospel message in discrete statements itself reflects the desired outcome of the Pauline Gospel in the event of proclamation.

What should be noted in the context of constructing a model of Lutheran logic that appeals to Paul is that the interaction between a historical reading tendency and the Gospel message does *not* result in the construction of an abstract, trans-historical, universal principle that is logically separable from the biblical story. It does *not* result in characterizing a principle that is able to be perceived through specific, narrated events such that it is, at least in theory, able to be perceived through some other method of cognition ruminating on particular data. This is what "the order of creation" does. One sees particular evidences for its existence within the biblical text, then reifies it into an abstract principle, and then uses that principle to govern thought and action. Further, such a principle like "the order of creation" could at least possibly be glimpsed by other means for those who are keen enough observers of nature.[194] Other examples of this include a general principle of forgiving your enemy, an urging to have faith in the face of adversity, or an injunction to heal suffering without a characterization as to how that

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things new!' But it is precisely the 'contents' that the church hears in this message, 'visionary' or not, which demand interpretation, and as somehow informative discourse about a specific future." (Jenson, 310) The Christian Gospel demands such a characterizable, telic treatment as eschatology pulls reflection forward such that figural (and other reading styles) cannot be divorced from it.

[194] That this is the case can be derived from the inclusion of a treatment of "the order of creation" in a book dedicated to natural law from which I quote in the introduction. This book is: Robert Baker and Roland Cap Ehlke, eds., *Natural Law: A Lutheran Reappraisal* (St. Louis: Concordia Publishing House, 2011).

should take place.[195] What it *does* result in is a story of a particular individual and a

people that, Paul's mind, has implications for all people by inviting them into that

history. In so doing, it is irrevocably tied to particular historical events spanning

millennia that are to be narrated in a particular way and to a particular ongoing

historical community that is the outgrowth of those events and that narration. It is fully

embodied. Hans Frei is extremely insightful on this topic and comes close to this view

with his idea of "realistic narratives." Yet the force of Paul's historical reading tendency

pushes beyond the bracketing of the question of reality of historical events implied by

the adjective "realist*ic*" which, in the end, has a non-realist flavor. Paul's practice

requires a stronger view of the historical character of the events to do justice to the

logic of his reading practice than "realist*ic*" can achieve; rather, a historical realism is

best equipped to explain what Paul is up to. Without the element of an explicit realism

that remains tied to events *as they are narrated in Scripture*, Paul's historical argument

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[195] For a good example of such an approach that I see as foreign to Paul, see Girard's description of the "scapegoat mechanism" in: René Girard, *The Scapegoat* (Baltimore: Johns Hopkins University Press, 1986). For Girard and his "mechanism," the narrated events of Jesus' life definitively illustrate a foundational principle that has always been active at all times and in all cultures. The mechanism is, at least theoretically, able to be perceived outside of Jesus' life and death, and once it is perceived, the actual narrated details of Jesus' story all but drop away as unimportant, which is to say that the "scapegoat mechanism" can itself be adequately stated apart from any mention of Jesus. This approach correlates nicely with Frei's description of "mediating theology": "...the mediating theological argument remained the same: the explicative meaning of the gospel narratives is their ostensive reference to Jesus the Messiah. The correlative applicative or religious meaningfulness of the narratives is at least in part provided by their answering a universal human condition or need of which we are all at least implicitly aware. Their explicative sense is quite distinct from, but in harmony with, their religious meaning. The principle of general hermeneutics applying to their explication is that meaning is logical coherence in the statement of a proposition, and also that meaning is reference. The principle of general hermeneutics for the *applicative* interpretation is the full or partial pertinence of mankind's general religious and moral experience to the biblical narratives at issue. ...[Mediating theologians] have all been agreed that one way or another the religious *meaningfulness* (as distinct from demonstration of the truth) of the claim could, indeed must, be perspicuous through its relation to other accounts of general human experience." (Hans Frei, *The Eclipse of Biblical Narrative* [New Haven: Yale University Press, 1974] 127-8) For more on this, see my unpublished manuscript: *Girard, the Scapegoat and Gnosis*.

loses its significance, and the logic of his reading practice as I portray it falls apart. What is left would be a series of literary claims that can only matter to those familiar with the literature. Any element of forcefulness or reality would be gone, and both need to be present to reflect Paul's logic that I contend the early Lutherans also employ. Paul is famous as the greatest missionary in the history of Christianity, which means that he saw the Gospel message as having force in communities that are not yet Christian or may even have limited knowledge of Jewish Scripture.[196] Yet he felt fully warranted in promulgating his Gospel to these communities that were not familiar with the requisite literature. This would only make sense if he believed that the Gospel message had some grounding in non-literary reality even as that reality is itself interpreted reality.

It should be noticed by now that my treatment of Paul's historical reading tendency has also mixed in elements of his other reading tendencies I identified in my typology of Pauline reading practices. This is to say that even as I described Paul's historical tendency, I appealed figural, doctrinal, moral and eschatological tendencies as well. This is inevitable. While it is possible to distinguish different reading tendencies, it is not possible to so separate them as if they have no connection one to the other. They all fund each other. This is to be expected because they achieve a type of unity in that each tendency is performed in light of the Gospel message as I pointed out earlier. Because that Gospel message came about as a result of the confluence of his reading of the OT combined with a forceful experience of the risen Christ that completely reoriented that reading and his understanding in general, it is not surprising that Paul

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[196] For example, see his discourse with the Athenians in Acts 17.

would present unified readings that weave together his reading tendencies in order to best portray the scriptural rootedness of his Gospel message. Paul's Gospel message is a performance of a habit of reading and living (Gospel$_A$) that can be characterized (Gospel$_B$) in specific instances ("Jesus is Lord;" more controversially, the Lutheran understanding that "you are saved by grace through faith apart from works of the Law"). The different reading tendencies, then, are just different stages in or aspects of Paul's proclamatory scriptural practice that seeks the transformation of the hearer. As such, they inevitably bleed into each other.

The Abraham stories of Romans 4 and Galatians 3 do not have such a clear figural moment as they do a historical one; however, it does exist though not as obviously as in the "allegory" in Galatians 4 of Sarah and Hagar.[197] I find Dawson's approach to figural reading most helpful, particularly when he describes it as that which "generates a figurativeness that is not nonliteral… [Scripture's] figurative character is an extension rather than obliteration of the literal sense of texts."[198] A figural reading "puts forward a literal comparison that strikes a respondent as incongruous."[199] This type of incongruity can be seen in Paul's figural reading in Rom. 4:11.[200] There, he

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[197] Of allegory, Wilken writes: "In its original sense, Christian allegory as an interpretive technique is a way of interpreting the Old Testament in light of the new things that have taken place with the coming of Christ. The New Testament does not need an allegorical interpretation because it speaks directly about Christ." (Robert Louis Wilken, "In Defense of Allegory," *Modern Theology* 14, no. 2 [April 1998], 201) In this view, one can only allegorize properly from OT Scripture; NT Scripture is not a source of allegories but rather a direct testimony to Christ. I hold this approach to be correct.

[198] Dawson, *Christian Figural Reading*, 15.

[199] Ibid., 224 n.30.

[200] The incongruity of figural reading practices can have the effect of reorienting the reader to God, however, through the perception of beauty. As Byassee with respect to Augustine: "…Augustine sees scripture as a display of the beauty of God that draws its hearers more deeply into the divine life. Figurative reading displays the Lord's beauty in such a way as to work on its hearers, reorder their desires, and lead them by means of these converted affections toward God." (Jason Byassee, *Praise Seeking*

changes the usual understanding of Abraham as being the father of the Jews, which would not be at all incongruous, to being the "father of all who believe during uncircumcision" (πατέρα πάντων τῶν πιστευόντων δι᾽ ἀκροβυστίας), which is indeed incongruous. The incongruity can be found in shifting the valence of the term "father" from the biological sense as the physical progenitor of the people of Israel to a spiritual sense where Abraham is now the father of all believers. Rather than focusing on physicality, Paul emphasizes faith by so doing. This enables Paul to do two things: a) to affirm Abraham as the physical progenitor of Israel,[201] and b) to emphasize the idea that faith is what is crucial for one to be "reckoned righteous." Paul has utilized the importance of Isaac's physical birth and the actual advent of the people of Israel in a nation of real people as a means to emphasize the righteousness of faith that Christ accomplished precisely for the transformation of real, bodily people into children of God. While Abraham is now affirmed as the spiritual father of all who believe, his fatherhood comes to its *telos* in the person and work of Christ. This is accomplished to the point that it is possible, by extending Paul's logic, to say that Abraham's story is a pre-figuration of Christ.

Galatians 3 makes a similar figural move. As a good Jewish rabbi, Paul seizes upon a minute textual detail and reads the singular "offspring" in Gen. 12:7 not as

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Understanding: Reading the Psalms with Augustine [Grand Rapids: William B. Eerdmans Publishing Company, 2007], 119.)

[201] Far from being against the body as some would read Paul, he is very much interested in the body and historical concerns. This can be seen in his argument just a little while later in Rom. 4:19 where he appeals to the very bodily and earthly concerns of what it means to physically father and bear children. And as seen there, he uses this very physicality as a means to emphasize the message of the Gospel. Paul is not trying to slough off the body; rather, he is interested in infusing the physical with greater import. To in-spire it, if you will.

referring either to Isaac, the child of the promise, nor to Israel collectively which is another possible though distant referent; instead, he takes this odd singular form of the word and applies it figurally to Christ.[202] This disorienting move is authorized by the logic of Paul's reading the story in light of the Gospel message, and it does not abolish the importance of Isaac and Israel "by the flesh" but rather magnifies their importance by placing them as the indispensable agents through whom Jesus the Christ came. Becoming types of Christ is to increase the importance of the type, not to decrease it in my description of Pauline logic. This means that Paul sees the promise made to Abraham in Genesis not only being the instrument that created a nation. Rather, it promises and in so promising empowers the coming of Christ himself who is the *telos* of the faith of faithful Abraham.

Paul's figural reading tendency serves to warrant his doctrinal tendency and so his particular doctrinal claims. The ordering of the historical tendency to explicate the "plain sense" of the text and its implications followed by the figural tendency to relate it more directly to Christ is important here. In analyzing the reading habits of medieval Christians, de Lubac hints at the importance of this type of ordering when he speaks of moral (tropological) readings being "profane" readings if they are performed prior to

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[202] R. Longenecker details some of the options here and then concludes: "The Judaizers in Galatia were undoubtedly proclaiming that God's promises were given only to Abraham and his "seed," the Jewish people (understood as a generic singular), or possibly, as Daube suggests, to Abraham and his "seed" Isaac (understood as a specific singular). Some of the Galatian Christians seem to have been taken in by their argument. Paul, however, in what appears to be an argument directly *ad hominem* in nature, "deliberately furnishes them with a deeper application" of the promise of God made to Abraham and his "seed" (D. Daube, *The New Testament and Rabbinic Judaism*, 441). Based, it seems, on a corporate solidarity understanding of relationships in the divine economy, and coupled with the previous argument of v 15, Paul's point here is that not only was the promise to Abraham established on the principle of faith before the law was introduced but also that God had in mind in the Abrahamic promise not those who observe the law but primarily Christ (and, as we shall see in v 29, Christ's own)." (Longenecker, *Galatians*, 132.)

figural reading.[203] He points to a popular medieval mnemonic, "allegory [teaches] what

you should believe"[204] as an indication that any reflection on morality must first be

based upon figural reading (allegory in the mnemonic) because it is that figural reading

which teaches "what you should believe" – i.e., doctrinal claims. Figural reading

provides the needed imagery and content upon which further thought can reflect.

Doctrine teaches the Christian faith because it forms a person to think and act as a

Christian; it provides the rules that guide how this occurs. When it comes to scriptural

interpretation in particular, it teaches a Christian to read the OT through the Gospel of

Christ, finding him present throughout. Such an understanding is integral to the

Lutheran practice of distinguishing Law and Gospel.

A misunderstanding of doctrine would be to think that it provides particular

propositions that are clear-and-distinct claims that correspond directly (and universally)

to some aspect of reality.[205] Rather, like creeds (which are universal to the orthodox

Christian community and also irreversible doctrinal statements sometimes termed

dogma),[206] doctrine serves to indicate a particular community's understanding of reality

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[203] When commenting upon Cassian's willingness to engage in "profane tropology," de Lubac writes:
"From before [Cassian's] time, the explication of Scripture gave rise at times to a tropology that was more
or less profane and at times to a sacred tropology. When tropology came after allegory – and even,
sometimes, after anagogy – it was sacred. It depended on faith. When it came before, it was profane – in
principle, at least. But it was understood that a Christian author could not rest content with it for long.
And that is why we see that Cassian, who first place tropology right after history, only comments on it in
the last instance, as if he meant to render to it all its Christian significance." (de Lubac, *Medieval*, 137)
[204] The full quote is: "The letter teaches events; allegory what you should believe; morality teaches what
you should do; anagogy what mark you should be aiming for." (quoted in: de Lubac, *Medieval*, 1)
[205] I have in mind Lindbeck's description of a cognitivist approach to doctrine, but it also should be said
that an experiential-expressivist view would be similarly critiqued. Cf. Lindbeck, *Nature*. Op. cit.
[206] Regarding the distinction between doctrine and dogma, Jenson writes: "Some but not all doctrines are
dogmas. The distinction is perhaps most clearly marked by the notion of irreversibility. Every theological
proposition states a historic choice: 'To be speaking the gospel, let us henceforward say "F" rather than
that other possibility "G."' A dogmatic choice is one by which the church so decisively determines her

in light of Christ and traces the trajectory such an understanding evokes, forming habits of thought and action in the process.[207] Returning to Paul's treatment of Abraham in Romans and Galatians, in both stories Paul reads figurally as a means to warrant doctrinal claims that assert the priority of the promise over the Law. The logic of this approach brings Paul to the point that he makes rather stunning claims about the Law when divorced from the promise: rather than being an avenue to a blessed life with God as His child, performing it without faith in Christ and as a means to please God is to place oneself under the curse of the Law.[208]

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own future that if the choice is wrongly made, the community determined by that choice is no longer in fact the community of the gospel; thus no church thereafter exists to reverse the decision." (Jenson, *Systematic Theology*, I:17.)

[207] It should be obvious here that creeds involve propositions even as they function as doctrinal rules of discourse. Murphy points this out: "My point here is to argue that doctrines conceived as grammatical rules governing the use of the Christian conceptual scheme cannot fail to entail or presuppose beliefs about reality. In other words, doctrines by their very nature *as rules* carry propositional content. This is part of my answer, on Lindbeck's behalf, to Frei's moderate propositionalists." (Nancey Murphy, *Beyond Liberalism & Fundamentalism: How Modern and Postmodern Philosophy Set the Theological Agenda* [Harrisburg, PA: Trinity Press International, 1996], 130.)

[208] This is not to naïvely assert, in a manner common up to the last couple decades, that Judaism is a religion of works and not promise. The promise and faith are surely operative in the Jewish community today as well as in Second Temple Judaism (as E.P. Sanders makes clear despite many faults in his argument; E.P. Sanders, *Paul and Palestinian Judaism* [Philadelphia: Fortress, 1977].). But while questions regarding supersessionism are constantly being raised in my treatment of Paul's reading styles, it is beyond the scope of this paper to treat them adequately. Stated briefly, my view is that throughout the Pauline corpus, but particularly in Rom. 9-11, Paul gives us no warrant for the negative judgment that Israel according to the flesh will not be saved. Rather, he suggests that God will be true to His promises and save all Israel (Rom. 11:26), and his historical realism and figural reading style would demand this point. How such salvation occurs Paul does not say (beyond the fact of Israel's election in the promise God made to them) because it is at this point that Paul breaks off into a doxology in the face of the mystery of salvation. So while this type of language prohibits negative judgments regarding Israel according to the flesh, neither does it allow anything but hesitant and circumscribed positive judgments of the same. What is quite clear in Paul is that salvation comes through Christ, and it is this positive claim that, in my understanding, Christians are called to forward. In my view and considering the entire biblical corpus, Christians are called to proclaim what we have been told about Christ in the NT, and that is that no one comes to the Father but by him (cf. John 14:6 not to mention Paul's entire argument about his Gospel). But this positive (and exclusive in John) statement should be held just as a messenger holds the message entrusted to him: it is what she is to say and claim upon the authority of the Sender. But at the same time, just like the full mind of the Sender is not made privy to the messenger, she is not authorized to make judgments beyond her ken. And the ultimate judgment regarding the salvation of the Jews is one such thing beyond the ken of Christians such that all one can do is turn to praise: "Oh, the depth of the

After providing a reading of the Abraham story in Romans in order to speak

about how one becomes righteous by faith, Paul immediately turns to the implications

this bears for the life of a Christian. This intimate connection between becoming

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riches and wisdom and knowledge of God! How unsearchable are his judgments and how inscrutable his ways!" (Rom. 11:33) What cannot be ceded by Christians at the risk of heresy is the fact of God's promises to Israel and the crucial role that historical Israel plays in revealing the Christ. Without this robust understanding of historical Israel, Paul's Christological arguments are vacated. What also cannot be ceded, however, is that Christians have been given a message to proclaim, and they must proclaim it. To speculate outside the NT witness on a matter that Paul himself could not address, dissolving into praise instead, is the same as the messenger to usurping the place of the Sender. This means that Christians are not authorized to proclaim another name under which people may be saved or another way to salvation outside of Christ. If it turns out that the Father has another mechanism for salvation in mind (or even that somehow salvation in Christ will be accomplished for all), this has not been revealed to Christians and so they should remain silent on it. Rather, Christians should always point to Christ and him alone as the one in whom sure confidence might be found. Because of this, I strongly object to B. Longenecker's characterization of Galatians where he writes: "Nonetheless, in his letter to the Galatians (written prior to Romans in any scholarly reconstruction), Paul attempted to sever an organic relationship between Israel's story and that of Christians... This is not to suggest that the Galatian letter completely decouples the story of Israel on the one hand and the stories of Jesus and his followers on the other, for the Christ event had initial effectiveness with regard to Israel's redemption (3:13; 4:4-5). Moreover, the consequent effects of the Christ event included the enlivening of a lifestyle that was already envisaged by the law given to Israel (5:13-14). But nonetheless, Galatians 3-4 releases a devastating flood against a scheme in which Christians are to envisage themselves as participating in an ongoing story of Israel's salvation history. What Paul purposefully avoided saying about Israel, along with what he avoids saying about Abraham and Christ, amounts to a rejection of the notion of organic linearity in which the gentiles participate in Israel's 'spiritual blessings'." (Bruce W. Longenecker, "Sharing in Their Spiritual Blessings?: The Stories of Israel in Galatians and Romans," in *Narrative Dynamics in Paul: A Critical Assessment*, ed. Bruce W. Longenecker [Louisville: Westminster John Knox Press, 2002], 74.) To avoid saying something (and it is fraught with danger to say "purposefully") is not to release a "devastating flood" against a position; this would be an inappropriate application of the principle of the excluded middle. Rather, Paul is simply being to some degree vague in Gal. 3-4 regarding the organic unity of the Church with Israel; that is, he leaves open that more can be said, which he does in fact say later in Romans as B. Longenecker notes earlier ("In Romans, the relationship is occasionally depicted as organic, with the stories of Christ and of Christians as emerging naturally from within the ongoing story of Israel; gentiles who believe in the 'servant to the circumcised' are participating in the fulfillment of Israel's story [11:17-24; 15:8-10, 27]." Ibid.) Moreover, besides this logical error, B. Longenecker ignores evidence within Gal. 3-4 that indicates an organic relationship between Israel and the Church, such as: the gospel being preached beforehand to Abraham (3:8); the proving of the priority of the promise over that of the law by appealing to the Abraham story in the first place (3-4); asserting that the law is not contrary to the promise (3:21); the law as guardian within a story of waiting for the promise to be fulfilled in Christ (3:23-4); the assertion that being Christ's is to be Abraham's offspring (3:29); a reference to "the fullness of time" (τὸ πλήρωμα τοῦ χρόνου) thereby implying continuity (4:4); the appeal to the children of Abraham and Hagar as being applicable to the Gentile Christians in Galatia (4:21-31); and the explicit claim that the Galatian Christians are to be compared to Isaac who was a child of the promise (4:28). All these statements of Paul militate against a view that Paul is in any way decoupling the Christian's story from that of Israel. For a treatment of Paul's thought that sees Israel and the Church as organically connected in that Abraham is father of both Jews and Gentiles , see: Richard Hays, *The Conversion of the Imagination: Paul as Interpreter of Israel's Scripture* (Grand Rapids: William B. Eerdmans Publishing Company, 2005), 61-84.

righteous before God and living in that righteousness can be seen linguistically via Paul's

use of the inferential particle οὖν (therefore) that indicates that what follows is

predicated on what precedes it. Paul writes:

> Therefore, since we have been justified by faith, we have peace with God through our Lord Jesus Christ. Through him we have also obtained access by faith into this grace in which we stand, and we rejoice in hope of the glory of God. More than that, we rejoice in our sufferings, knowing that suffering produces endurance, and endurance produces character, and character produces hope, and hope does not put us to shame, because God's love has been poured into our hearts through the Holy Spirit who has been given to us. (Rom. 5:1-5; ESV)[209]

Having read the Abraham story figurally in light of Christ and having exposited Habakkuk

2 thereby, Paul describes doctrinally the consequences of that reading – that we have

peace with God and live lives characterized by faith, hope and love.[210] In Paul's

description, one who believes in Christ and so has been justified before God partakes of

a strange type of joy – a joy that can endure suffering and see that suffering as the

means to ultimately produce hope through the development of endurance and

character. To read this with Ochs, Paul treats the presence of suffering as a sign that the

one who will redeem it lives and will act on our behalf. Paul describes the believer as a

person who has come into an intimate relationship with Christ and so already partakes

of the promised redemption even while awaiting its consummation. The doctrinal

points that the promise is prior to the Law and that faith is prior to works issues forth in

a moral reading – that no matter what may happen, no matter what suffering one might

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[209] Δικαιωθέντες οὖν ἐκ πίστεως εἰρήνην ἔχομεν πρὸς τὸν θεὸν διὰ τοῦ κυρίου ἡμῶν Ἰησοῦ Χριστοῦ δι᾽ οὗ καὶ τὴν προσαγωγὴν ἐσχήκαμεν [τῇ πίστει] εἰς τὴν χάριν ταύτην ἐν ᾗ ἑστήκαμεν καὶ καυχώμεθα ἐπ᾽ ἐλπίδι τῆς δόξης τοῦ θεοῦ. οὐ μόνον δέ, ἀλλὰ καὶ καυχώμεθα ἐν ταῖς θλίψεσιν, εἰδότες ὅτι ἡ θλῖψις ὑπομονὴν κατεργάζεται, ἡ δὲ ὑπομονὴ δοκιμήν, ἡ δὲ δοκιμὴ ἐλπίδα. ἡ δὲ ἐλπὶς οὐ καταισχύνει, ὅτι ἡ ἀγάπη τοῦ θεοῦ ἐκκέχυται ἐν ταῖς καρδίαις ἡμῶν διὰ πνεύματος ἁγίου τοῦ δοθέντος ἡμῖν.

[210] The ordering is important. Partaking of Christ's righteousness by faith (peace with God and a life according to the virtues) comes about as a consequence of faith in Christ; a life of righteousness is not a prerequisite to becoming righteous before God.

endure, the Christian is able to ultimately have hope in a final redemption. In this way, with de Lubac, we see Paul's doctrinal reading tendency preceding his moral reading tendency. It serves to provide the necessary rules for Christian habits of thought and action such that moral reflection finds a foundation within a distinctively Christian tradition of thought. Paul's paraenesis at the end of Romans (12-15) should be read in this way as well, and though characteristically moral reflection is missing from the immediate end of Paul's reading of the Abraham story, we do find some again located after the doctrinal section in 5:16-6:10. In these two letters, I read Paul's practice as mirroring what de Lubac described as a "sacred" pattern. He follows the ordering of reading historically, then figurally, then doctrinally before engaging in moral reflection / paraenesis. While it is possible to find a doctrinal reading in these two letters where a moral reading does not follow, what is not found is a moral reading without a preceding doctrinal one.

Paul's eschatological reading tendency is also displayed after his doctrinal tendency. In the passages we have been investigating in Romans and Galatians, the eschatological tendency is found principally in the language of being "heirs", of possessing the Spirit, of "salvation," "peace with God" and "righteousness." It is important to note that these terms have valences that are relevant for the present day as well as at the eschaton. This is because that end-state is continually breaking into history. Paul's understanding is that present time is suffused with the glory that is to come; the "not-yet" is already "now" though not fully so. It is glimpsed as through a mirror darkly. Because of this, Paul can urge the glories of the "righteousness of faith"

for the present time even as he can point to its final consummation in the future such

that what is experienced now is only a shadow of what is to come. Such a dynamic

empowers Lutheran discourse on Law and Gospel in order to proclaim that presence of

that proleptic righteousness. For example, I see Paul understanding Abraham as already

being reckoned righteous and having been clothed in Christ's righteousness because he

trusted God's promise. This trust in the promise bore fruit in a life of righteousness

before God and was the beginning point of an ongoing conversation with God (to use

Jenson's description[211]) or to partake of a filial relationship with Him that will continue

into eternity. By trusting, by looking to God for all the good things he was promised,

Abraham already partakes of a filial relationship with God before the eschaton, and his

faith, hope and love for God spurred by the promise continue to characterize his life as

well and pull him forward into a deeper relationship with God. This means that in

speaking of trust with respect to Abraham, Paul is reading both historically and

eschatologically at the same time. When Paul continues in Rom. 5, he writes of

salvation from God's wrath thereby connecting the historical instance of faith with an

eschatological state of avoiding punishment (which is itself predicated on the idea that

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[211] "God's word is actual as conversation with certain creatures. In the creation narrative, God first creates by words in the third person: 'And God said, "Let there be…"' But at the end a special act of creation is introduced: 'Let us make man in our image, after our likeness…' With this special creature, God's discourse changes: the blessing of fertility given to other animals becomes a speech of moral commission that requires acceptance. The conversation so initiated continues as the dialogue of the drama told by the gospel and Scripture… The 'word of the Lord' is, again, a Shekinah-figure; the event takes Abraham for a walk. Where this Word has come, genuine conversation, even argument, occurs. And our side of this exchange constitutes our righteousness, that is, our authenticity in one community with God. Thus the act of faith's righteousness is prayer; Abraham is the father of faith precisely by the freedom of his verbal reply to God. What differentiates the worship of god from a religious relation to impersonal deity is that God must be spoken to. It is therefore decisively characteristic of Israel's faith that her prayers are lavishly documented in her Scripture, and that the dominating content of that prayer is recitative reply to the Lord's historical and thus verbal agency." (Jenson, *Systematic Theology*, I:79-80.)

Christ bore this wrath for us). In Galatians, an example of an eschatological reading

tendency comes with the idea of believers possessing the Spirit of God. By participating

in the Spirit now, this is a pledge of an even deeper participation to come in an

eschatological future. As heirs, Christians currently possess God's Spirit and experience

salvation in the "now-time" that comes through the righteousness of faith in Christ even

as the Christian looks forward to her inheritance in the coming kingdom in faith, hope

and love. And as should now be obvious, Paul's eschatological reading tendency is as

thoroughly informed by and infused with his understanding of the Gospel message as it

was in the reading tendencies we have already investigated. In this reading of Paul in

light of Lutheran concerns, Paul's ultimate goal in what he does is to always magnify

Christ.

To summarize this section, it is crucial to note that even as Paul has different,

characterizable reading tendencies when it comes to OT Scripture, none of them are

performed in a vacuum. First they are always done relative to his Gospel message.

Second, they tend to bleed together and overlap to present a holistic approach precisely

through their ultimate unity in proclaiming the Gospel of Christ. In this reading, insofar

as Christians are inheritors of Paul's reading *praxis*, they read OT Scripture not on its

own and for its historical sense (though they do read it for that) but also expand that

reading, striving to see Christ in it. The OT scriptures become the seedbed for Christian

and, in this context, Lutheran thought which views OT Scripture as reaching its full

fruition in the coming of God's Son in Jesus of Nazareth. Jesus as the Christ cannot be

understood for Paul outside of the OT Scripture in this reconstruction of his logic;

however, neither can OT Scriptures reach their final *telos* without pointing to Christ for

Paul. As the seed produces the tree and reaches its full maturity and completion in it,

so, too, for Paul do the OT scriptures produce the proper understanding of Jesus the

Christ and only accomplish their goal when that happens. Paul's Gospel is the product

of a long interaction with Israel's scriptures performed in light of the events of the life of

Jesus of Nazareth, and in turn, such an understanding refigures how Paul understood

the content and purpose of those scriptures. While this may be pushing the seed-fruit

metaphor too far, the light of Christ shines upon the OT scriptures yielding the fruit of

the Gospel message even as the sun shines upon the shoot produced from the seed

thereby causing it to grow.[212] The relationship is organic for Paul, not mechanical.

This implies that for this reading of Paul, the "plain sense" of Scripture is not

purely and simply the words on the page over which anyone who knows the relevant

linguistic conventions can debate the meaning and even possibly arrive at an agreement

over what it says. The words as actually written and understood in natural language are

of course crucial, and their message as such may not be violated. But this is only the

most rudimentary apprehension of the sense of a passage for Paul (plain-sense$_1$).

Rather, for Paul, the "plain-sense" of Scripture is how that Scripture testifies to Christ;

the "plain-sense" is reading it in light of the Gospel. I call this plain-sense$_2$. Plain-sense$_2$

is thoroughly and irremediably inter-textual for Paul. It is a habit of reading that is

performed by reading actual texts, such as Paul's programmatic reading of Habakkuk 2:4

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[212] There is a biblical image here of the root/stem to tree metaphor to which Paul appeals from Isaiah 11:10 in Romans 15:12 to show that Christ is the hope of the Gentiles that is apropos: "The root of Jesse will come, even he who arises to rule the Gentiles; in him will the Gentiles hope."

in Romans and Galatians, in light of the Gospel message for the sake of proclaiming

Christ. As seen even in Paul's figural reading tendency, plain-sense$_2$ cannot violate

plain-sense$_1$, though it can and does certainly enliven it (or, said theologically, inspire it).

Neither can plain-sense$_2$ be reduced to plain-sense$_1$, however. For Paul, plain-sense$_2$ is

the basic meaning of the OT texts and is thus the irreducible datum for a Christian

interpretation of them. Without it, the reading is not yet a Christian one, and the texts

remain a "letter that kills"[213] that awaits the breath of the Spirit that gives life. The

habit that yields particular plain-sense$_2$ readings is one that has an imagination shaped

by the Gospel (internalism) to be able to notice suffering in the world (objectivism) and

heal it in light of the message of Christ (a reparative rationality). Such a procedure is

distinctively Pauline. It is also applicable to my portrayal of the scriptural logic of early

Lutheranism that I term "proclamatory pragmatism" and attribute to Paul. Another

implication is that while Christians can and must discuss plain-sense$_1$ of the text of

Scripture, unless that discussion yields plain-sense$_2$ readings, it will remain ultimately

unsatisfying for one formed to think in this way.[214] Paul's theological *habitus* "naturally"

leads him to read in this fashion, and it is the same *habitus* that he seeks to inculcate in

his reader.

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[213] This is a quotation from Paul in 1 Cor. 3:5-6: "Not that we are sufficient in ourselves to claim anything as coming from us, but our sufficiency is from God, who has made us sufficient to be ministers of a new covenant, not of the letter but of the Spirit. For the letter kills, but the Spirit gives life." (ESV)
[214] This is a lot of the frustration that many Christians feel toward biblical commentaries that are only interested in the historical aspects of Scripture and do not engage in its figural, doctrinal, moral or eschatological aspects as well or that leave the Gospel of Christ to the side completely. There is a sense that something is missing, that there has to be more here to arrive at a consequential reading of the text. It is a plain-sense$_1$ reading that never achieves plain-sense$_2$.

Faith, Hope and Love: Hosting a Telic Dialog

Having covered my reading of Paul's Gospel and its relationship to his different

reading tendencies, I now turn to how what I read as his conception of faith, hope and

love as those virtues which host the dialog between the Gospel message and particular

scriptural reading tendencies and how they also draw scriptural inquiry forward. These

virtues are open-ended and continually drive Paul's readings of Scripture for the sake of

proclamation.[215] They are not clear-and-distinct claims to be adjudged propositionally

true or false but rather those virtues that drive Paul to produce such claims and so have

the character of A-reasonings. They also operate *telically* within Paul's scriptural logic

that I chart in that they both describe Christian life in the present state but contain

within themselves as their object a vaguely envisioned end-state in which the Christian

ultimately trusts, ultimately hopes for, and ultimately loves. That eschatological end-

state that is partially realized in the present is a life in filial relation to God not darkly as

now but clearly at the end of days. This is the full maturation of the faith, hope and love

that the Christian exhibits now and is the goal of Christian life. As such, the virtues of

faith, hope and love that this vision inspires can be seen to function *within Paul's logic

as I diagram it relative to Lutheranism*[216] as types of final causes that draw scriptural

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[215] While Paul does not explicitly say that these virtues drive him or draw him on in so many words, insofar as he exhibits the habits he urges on others and insofar as those habits are witnessed to in his letters, I think that it is possible to hypothesize that Paul displays these same virtues in his reading of Scripture. This is so because he does repeatedly describe the Christian life or life in the Spirit as being characterized by faith, hope and love, so it stands to reason that he himself finds these traits operative in his own life. Further, Paul repeatedly urges Christians to imitate him (1 Cor. 4:16, 11:1; and Phil. 3:17), so his urging to them can also be taken as a token of his own habit.

[216] I emphasize this because, as I mentioned earlier, this section is not positing final causation (or any causation at all) as a principle of the universe but rather as a helpful way to describe a particular, finite system of reasoning – Paul's scriptural logic – by making a transcendental deduction from that logic to

inquiry forward.[217] Peirce speaks of causation functioning teleologically in numerous

locations throughout his corpus that can serve to help understand how faith, hope and

love function as virtues of scriptural inquiry (even as they are virtues of Christian life

generally for Paul) within Paul's scriptural practice. I illustrate this in two steps. First, I

bring in T.L. Short's account of causality in Peirce to clarify Peirce's conception. Second,

I test Short's account of final causality against Peirce's claim that the "Neglected

Argument" provides warrants to hypothesize God's reality to see if it can account for

how musement[218] draws such a hypothesis; this serves to validate Short's reading of

Peirce. Throughout both of these steps, I bring Paul into the conversation to show how

this analysis of final causation can better serve to understand his scriptural practice and

the role of faith, hope and love therein in order to show its relevance to the early

Lutherans and provide a means to mediate the "Battle for the Bible."

 Short's analysis of Peirce yields two different types of causality: "mechanistic"

which is similar to Aristotle's account of efficient causality and "anisotropic" which is

similar to (but not the same as) Aristotle's account of final causation. Short writes:

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what must lie behind it to make such logic possible. Even more particularly, my claim is that in tracing the early Lutheran's appropriation of Paul, such an understanding is necessary.

[217] Martin writes of Paul's teleological approach: "Paul's teleology is full of promise, not presence. Paul's teleology insists not on current fulfillment of purpose, as one would find in Aristotle, Galen, Eusebius, or Hegel. Paul's teleology, rather, points out just how the current social and political situation [and I would add, the position of the individual before God] needs radical redemption and revolution. It is a teleology not of fulfillment but of promise. Not of certainty but of hope." (Dale B. Martin, "Teleology, Epistemology, and Universal Vision in Paul," in *St. Paul among the Philosophers*, eds. John D. Caputo and Linda Martin Alcoff [Bloomington & Indianapolis, IN: Indiana University Press, 2009], 98)

[218] Peirce defines "musement" as "Pure Play": "Pure Play has no rules, except this very law of liberty. It bloweth where it listeth. It has no purposes, unless recreation. The particular occupation I mean… may take either the form of esthetic contemplation, or that of distant castle-building…, or that of considering some wonder in one of the Universes or some connection between two of the three, with speculation concerning its cause. It is this last kind, - I will call it 'Musement' on the whole, - that I particularly recommend, because it will in time flower into the N.A." (EP 2:436) Note that here Peirce is not strictly speaking of the Neglected Argument but rather the Humble Argument. He acknowledges the difference in the "Additament" to the "Neglected Argument" essay.

> …two sorts of processes are distinguished by their form, one involving variable steps with constant type of result, the other, constant rule by which one step follows another but with variable result. Such a rule is a mechanistic law, as we have defined the term. Processes with variable steps and constant type of result are those Peirce called "finious" and we call "anisotropic". In either kind of process, the constant element is something general, a rule governing the steps or a type of outcome…
>
> …Notice that a process can be grouped with different others, one grouping revealing its mechanical aspect, the other its anisotropic aspect, if it has one.[219]

These two "aspects" of a process can be understood in pragmatic terms as two moments in dialogic relation to each other where. That is, where there is a process that displays both types of causation, each aspect defines the other according to their points of vagueness. Mechanistic causes define a particular rule for a set of steps but without any particular result being in view; it is concrete regarding process but vague regarding outcome. Conversely, anisotropic causes define an end-state or result but without any particular rule for a set of steps; it is concrete regarding outcome but vague regarding process.

How these two types of causation are in dialog with each other depends upon the specific situation in view. For example, the meaning of the locution "Jesus [i.e., the one God raised from the dead] is Lord" in a given context is determined by the formation of the person who is speaking or hearing that locution. This formation will cause the person to take it as a meaningful utterance or not (it may be apprehended as simple nonsense), to see it as meaningful to others but not to oneself, or to grasp it in faith, hoping for the realization of a world wherein the full import of such a statement might be made apparent to all, and working in love toward God and others to make it happen. This apprehension of an end-state that is characteristic of one formed by the

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[219] T.L. Short, *Peirce's Theory of Signs* (Cambridge: Cambridge University Press, 2007) 136-7. Hereafter, PTS.

Spirit to exercise faith in its reality and hope for its realization enables one to work in love to spread the message of this good news to all. This is to say that faith, hope and love function together as a final cause in Peirce's sense of the term as a "type for which selection is made," as Short writes:

> A final cause, then, in Peirce's but not in Aristotle's sense of that term, is a type for which selection is made. The selection can be made consciously and deliberately, as by a human agent, or in Darwin's phrase, naturally, by no agent at all. As Peirce suggested, though for the wrong reason, this conception of final cause includes but is broader than our ordinary idea of purpose. And we may then define teleological explanation as explanation by final causes; it is a subtype of anisotropic statistical explanation.[220]

The "teleological explanation" that I am offering as an account of Peirce's logic is that faith and hope in a particular end-state (that all might share in a filial relationship with God) draw forward the work of proclamation via scriptural inquiry in love, and it is all three together that function as a kind of final cause. It is in view of this revealed end-state that Paul himself operates and according to which Paul makes selections in how to approach topics so that the proclamation might go forward. Pauline inquiry, then, is drawn forward by the exercise of these virtues.

Said differently, God's Spirit forms people to live as if a particular vision of the world were true and already present, and it is a world that is seen through the eyes of a crucified, resurrected and living Lord. The virtues draw one toward a particular outcome of a vision of life in filial relation to the Father that is the outcome of this anisotropic (and eschatological) process.[221] The process itself mechanistically moves

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[220] PTS 138-9.

[221] James Liszka describes anisotropic / finious processes as follows: "What explains finious processes is the likelihood of the end regardless of the mechanism by which it is realized, thus mechanism cannot explain why the end is the inevitable result; while in mechanistic action, the means determine the end state. What is fixed, so to speak, in finious processes – and what makes them irreversible (or more precisely, highly unlikely – is the end; in mechanistic processes, what is fixed are the means. Finious

forward by the production of particular habits of thought and action that result in

particular locutions that guide the believer toward that end state. Yet even here, it

continues to be the work of the Spirit in a Pauline (and Lutheran) understanding where

it is the Spirit speaking the Word into particular situations to transform individuals in the

event of proclamation which can also have a sacramental dimension.[222] The specific

locutions or the results of any given locution are unknown beforehand which is to be

expected in a process that is ultimately anisotropic. Even so, a general trajectory in the

habits of thought and action of a believer can be discerned by what she actually does

and says.[223]

    This teleological explanation of Pauline logic utilizes claims that are, in Ochs'

terms, "non-foundationalist truth claims, which are truth-claims that are non-discrete,

non-universal, non-necessary and non-impossible."[224] The claims in this explanation are

non-discrete because the way faith, hope and love work out in any given situation is

unknown and may vary widely; they are non-universal because not everyone has a faith,

hope and love that are rooted in Christ, and the warrants for these distinctively Christian

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processes may set the stage, in fact, for purposive agency, since what agency does is to intentionally use various means to accomplish an end." (James Liszka, "Teleology and Semiosis: Commentary on T.L. Short's *Peirce's Theory of Signs*," *Transactions of the Charles S. Peirce Society*, 43 no. 4 [2007], 641)

[222] Baptism is the prime Pauline example here. Paul views baptism as the means by which believers are united with Christ's death so that they might be united with Christ's resurrection (cf. Rom. 6) and also as that which clothes believers with Christ (cf. Gal. 3). Baptism, then, becomes in Pauline logic a mechanistic cause in the life of the believer that serves to push her toward a life of filial relation to the Father but also forms within her faith, hope and love that draw her to Him as He calls her by the Spirit.

[223] Robert Jenson beautifully characterizes the *telos* of Christianity at the end of his systematic theology when he writes of what I described as a "filial relation": "The point of identity, infinitely approachable and infinitely to be approached, the enlivening *telos* of the Kingdom's own life, is perfect harmony between the conversation of the redeemed and the conversation that God is. In the conversation God is, meaning and melody are one. The end is music." (Robert Jenson, *Systematic Theology, Vol. 2* [Oxford: Oxford University Press, 1999] 369)

[224] PW 134.

virtues remain hypotheses that are offered to others for adoption; they are non-necessary because it is only in the event of proclamation that the Pauline vision of a filial relationship with God is apprehended, and this depends upon the working of the Spirit; and they are non-impossible because it is within the power of God to call people to Himself through His Son by the power of the Spirit by creating within them faith, hope and love for Himself.

Peirce's "Neglected Argument" (NA) can be viewed as providing a teleological explanation as to how the hypothesis of God "naturally" arises through musement. Peirce writes the following regarding the role of experience in this argument: "An 'Experience' is a brutally produced conscious effect that contributes to a habit, self-controlled, yet so satisfying, on deliberation, as to be destructible by no positive exercise of internal vigor."[225] Relating this to Paul, it is precisely this type of experience that Paul has in mind in my reading of him when speaking of the forceful activity of the Spirit. The Spirit's activity may not be a physical experience like a punch or stubbing one's toe, but it is a brutally-produced experience nonetheless in these terms from Peirce. The working of the Spirit produces a conscious effect upon the one who endures it, and this contributes to a new set of habits that are self-controlled and satisfying such that once tasting new life in Christ, no positive exercise of internal vigor could make one want to destroy it.

Musement in the Peircean sense is a discipline that results in experience in the sense described above. For Peirce, it is pure play. The mind is set free to go where it

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[225] EP 2:435.

will as it muses upon what Peirce calls the "three universes" – those of First, Seconds

and Thirds.[226] As the mind freely plays in its consideration of those universes, it notes

their many interconnections. Drawn by this, it begins to alight on how these

interconnections result in the growth of the universes which is, in itself, a shocking

development. Through musement, Peirce writes that one will eventually alight upon

warrants that:

> …inevitably suggest the hypothesis of God's Reality… [I]n the Pure Play of Musement the
> idea of God's Reality will be sure sooner or later to be found an attractive fancy, which
> the Muser will develop in various ways. The more he ponders it, the more it will find
> response in every part of his mind, for its beauty, for its supplying an ideal of life, and
> for its thoroughly satisfactory explanation of his whole threefold environment.[227]

Peirce's view of the relationship between efficient and final causation in what Short calls

"anisotropic processes" is on full display here.[228] Peirce, like Paul, provides a

teleological explanation for the results of concrete, forceful experiences (the

mechanistic moment) that will eventually have a particular character or result which the

process itself calls forth as a warranted hypothesis (the anisotropic moment).[229]

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[226] The "three Universes" are: first, "all mere Ideas" whose "Being consists in mere capability of getting thought;" second, "the Brute Actuality of things and facts" whose "Being consists in reactions against Brute forces;" and third, signs whose "Being consists in active power to establish connections between different objects, especially between objects in different Universes." (EP 2:435)

[227] EP 2:439.

[228] Anisotropic processes always contain both mechanistic and anisotropic elements according to Peirce: "Final causality cannot be imagined without efficient causality; but no whit the less on that account are their modes of action polar contraries." (CP 1.213) As I mentioned earlier, they are not polar contraries but two moments of a dialogic relation. Further: "Efficient causation is that kind of causation whereby the parts compose the whole; final causation is that kind of causation whereby the whole calls out its parts. Final causation without efficient causation is helpless; mere calling for parts is what a Hotspur, or any man, may do; but they will not come without efficient causation. Efficient causation without final causation, however, is worse than helpless, by far; it is mere chaos; and chaos is not even so much as chaos, without final causation; it is blank nothing." (CP 1.220)

[229] I believe it best to regard Ochs' deployment of the category of reparative claims as itself displaying a type of teleology that cannot be encompassed by the sole criterion of whether or not it heals suffering. In Ochs' reading of Augustine, he portrays Augustine's reparative *habitus* as both being able to see suffering (objectivism) and being prepared to heal it (internalism) according to a habit characterized by confessional, transformational and Trinitarian moments. What is lacking here is an explicit reference to a

When it comes to the hypothesis of God that results from musement upon the connections of the three universes, the hypothesis itself must be understood according to the law of vagueness for Peirce: "…the hypothesis [of God's reality has] but one way of understanding itself; namely, as vague but as true so far as it is definite, and as continually tending to define itself more and more, and without limit."[230] Even so, there are things about the hypothesis of God that results from musement that are problematic for Peirce, specifically the idea of purpose and so of growth in God which, to him, appears to be a contradiction. He writes: "Yet a purpose essentially involves growth, and so cannot be attributed to God. Still it will, according to this hypothesis, be less false to speak so, than to represent God as purposeless."[231] In this way, Peirce attributes a character to his hypothetical God – that of purpose – even as he

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particular message, e.g., the Gospel in Paul's practice that unifies them and vaguely describes the final state to which they point. That is, Ochs appears to characterize Augustine only according to capacities that work themselves out in solely mechanistic ways. As Peirce writes, this is problematic because: "Efficient causation without final causation… is worse than helpless…; it is mere chaos." (CP 1.220) Having a capacity to attend to some problem is an insufficient basis for an action that could heal that problem unless some type of final state *that has a particular (though vague) character* is in view; without this, what is left is chaos, an end-state incapable of being evaluated outside of existential categories. I am unsure if Ochs would agree to this, but it is my thought that his own work demands such a category in order to be consistent. In the terms of RR, reparative claims as demonstrated by someone exhibiting a reparative rationality (Augustine) can only achieve their goal when the agent of repair has some *characterizable* sense of how the desirable end state should appear. This characterization must be able to be expressed in propositions even though it cannot be properly apprehended apart from its performance, just as a B-Reasonings are necessary but insufficient in and of themselves to apprehend an A-Reasoning. What is most important for Augustine, then, in any particular moment of repair, could be seen as a token of his apprehension of what functions as "Gospel" for him, and this can and must be expressed as a proposition because only then can it be evaluated according to its beauty, and only in so doing does it express its teleological pull upon the situation in question. *In short, purposes are characterizable (though, again, how that particular purpose might be understood in any given situation differs as does one's appreciation of it throughout the course of her life). The maxim to "heal suffering" can only accomplish its goal when such characterizable purposes are operative, whether or not they reach the level of explicitly being characterized.*

[230] EP 2:439.
[231] EP 2:440.

acknowledges that one cannot speak definitively about God.[232] Similarly, Paul's claim

that "Jesus is Lord" remains vague as it awaits the final consummation and so is not fully

understood properly at the present time (our idea of "lordship" only partakes in what

Christ's final "lordship" actually looks like), though Christ's lordship does penetrate the

veil of the "now-time" in particular instances.

As mentioned in numerous places, I hold that Paul's scriptural practice has an

explicitly reparative goal – to repair the relationship between a lost humanity and its

God to bring all people into a filial relationship with their Father, and to participate in

the healing of all creation that was subjected to the power of sin – and it is Paul's faith,

hope and love that draw his scriptural inquiry on in the hope that the event of

proclamation would occur. Any healing that occurs as a result of the adoption of Paul's

reparative claims will reflect his vision of a desired end-state and will reflect the vision

of what Paul and his community find to be most beautiful. Paul is drawn to heal

suffering, but not to heal suffering in general. Rather, in the context of Lutheran

concerns of distinguishing Law and Gospel, I take Paul's goal as healing suffering in light

of the Gospel of Christ, and this healing is the point of the proclamation and is precisely

that to which faith, hope and love draw Paul.[233]

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[232] Purpose and growth are not things that are difficult to attribute to a biblical idea of God. God is said to have "repented" of his actions in the OT and to have purposed to send His Son in the NT. The biblical God is not an impassible God for Christians; the death of the Son on the cross is the most definitive proof that God does change. Cf. Jenson, *Systematic Theology*, I:42-60, 90-114.

[233] To return to Peircean themes, the filial relationship with God that Paul describes involves the process of semiosis. That is, to be in relationship to God is to be immersed in signs inasmuch as human communication cannot take place without them. In return, God Himself is the originator of signs as a means of communication and even of creation – the signs of God, such as His Word, are creative of what they say (e.g., וַיֹּאמֶר אֱלֹהִים יְהִי אוֹר וַיְהִי־אוֹר). Moreover, to be created by God is to be created by His Word, to be created by that which is itself a sign, and yet that Word, that sign, is also God. It is not too much to say that human personhood is intimately tied with the process of semiosis such that the origination of

Specific Instances of Paul's Scriptural Practice: Food Sacrificed to Idols

Having given an analysis of the logic of Paul's proclamatory practice in the

context of an investigation of the scriptural logic of early Lutherans, I now turn to a

specific problem that Paul addresses both in Romans 14 and in 1 Corinthians 8 – that of

the conscience with respect to food sacrificed to idols. Here, Paul is concerned to

develop a Christian ethic of respecting the conscience of the one "weak in faith" in order

that their faith in Christ might not be shaken unnecessarily; in short, these are examples

of Paul's moral reading tendency and how it relates to the earlier reading tendencies. It

is a good example of Paul's proclamatory practice because in love it keeps the

importance of the faith of the believer first and foremost even as it hopes for the

strengthening of the one weak in faith, and it does so by employing a logic of vagueness

to accomplish this goal.

Romans

In the text from Romans, Paul is in the midst of creating an ethic capable of

including both Jews and Gentiles as members fully able to participate in the communal

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human beings is a matter of the development of the sign and that to relate to God via signs is to participate in Him. In characterizing Peirce's view of the individual, Lane writes: "A person, then, is an animal who is conscious of her interaction with her environment, and that consciousness consists in part of the thought-signs that exemplify the same external thoughts as are exemplified by the thought-signs of other animals." (Robert Lane, "Persons, Signs, Animals: A Peircean Account of Personhood," *Transactions of the Charles S. Peirce Society* 45 no. 1 [Winter 2009], 10.) If Peirce is correct (and if Lane's characterization of his view is correct), then by making semiosis constitutive of human being can be translated into a Christian sense of participating in Christ and so in God. Santaella is also curious regarding the relationship between individuals and world via semiosis though without dealing with its theological implications. (Lucia Santaella, "2007 Presidential Address: Pervasive Semiosis," *Transactions of the Charles S. Peirce Society* 45 no. 3 [Summer 2009]: 261-72.)

life of the Christian church in Rome. He begins the section with a gnomic statement of doctrine: "Accept the one weak in faith, but not to quarrel over opinions." (Rom. 14:1)[234] This statement functions doctrinally to govern the rest of his treatment of communal boundary markers that separated Jew from Gentile – specifically, in this case, dietary laws and festival days. He expresses what, on the surface of this pericope and taken in isolation, could only be described as a cavalier disregard for dietary law and the observance of prescribed festivals. He seems to regard the one stronger in faith as eating everything, while the weaker in faith eats only vegetables. Yet Paul commands that neither the one who eats everything nor the one who eats only vegetables should judge the other. That is, the act of eating is a neutral phenomenon in itself for Paul as I read him here. Likewise, the observance or non-observance of festival days is a matter of indifference from the perspective of the community insofar as here Paul explicitly instructs the church in Rome to fully accept both those who choose to observe the days and those who do not.

Paul's apparent indifference toward Jewish dietary laws and festival observances is puzzling were this text taken in isolation from his overall argument in Romans with respect to the role of the Jewish law in the life of the Christian community. After circumcision,[235] there was likely no more prominent marker that set apart Jew from Gentile in Rome more than the Jewish observance of dietary laws and the Sabbath day. Paul's almost casual treatment of it here is possible only because he has already set the

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[234] "Τὸν δὲ ἀσθενοῦντα τῇ πίστει προσλαμβάνεσθε, μὴ εἰς διακρίσεις διαλογισμῶν." I take the preposition "εἰς" as specificative, marking the particular aspect of concern for Paul in determining how the weak in faith are to be accepted into the life of the Christian community.

[235] And, of course, this marker is generally unobserved or unnoticed, unlike the much more public observance of days and dietary restrictions.

tone with respect to the law earlier in his epistle, most tellingly when dealing with the

covenant of circumcision. I take this tension over the question of the law in Paul in

chapter 14 as indicative that more context is necessary to understand him in this

chapter.

In Romans 2, Paul relativizes the role of physical circumcision by claiming its

proper observance as being, in the first place, a matter of the heart. He states: "For one

is not a Jew in appearance, nor is circumcision in the appearance of the flesh, but one is

a Jew in hiddenness, and circumcision is of the heart by the Spirit not by the letter,

whose praise is not from humankind but from God." (Rom. 2:28-29)[236] It is important to

note here that Paul does not categorically deny the role of circumcision or even its

continuing observance in some communities[237] but rather argues against its sufficiency

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[236] "οὐ γὰρ ὁ ἐν τῷ φανερῷ Ἰουδαῖός ἐστιν οὐδὲ ἡ ἐν τῷ φανερῷ ἐν σαρκὶ περιτομή, ἀλλ᾽ ὁ ἐν τῷ κρυπτῷ Ἰουδαῖος, καὶ περιτομὴ καρδίας ἐν πνεύματι οὐ γράμματι, οὗ ὁ ἔπαινος οὐκ ἐξ ἀνθρώπων ἀλλ᾽ ἐκ τοῦ θεοῦ."

[237] Galatians 5 is, of course, the *locus classicus* of the view that Paul saw circumcision *per se* as the problem because in submitting to the law of circumcision, one is at the same time, Paul argues, submitting to the entirety of the law thereby becoming liable to uphold the whole law. However, in Galatians he is speaking to Gentiles who are not part of Israel according to the flesh and therefore have no command similar to that given to Abraham's physical offspring. They would rather be taking upon themselves the obligation of the whole law rather than being born into the community formed by God for the specific purpose (from a Christian point of view) of bearing witness to Christ in whom all nations are blessed. God initiated Israel's election; the initiative lies with Him, not with Abraham nor any other human agency. For a Gentile to voluntarily take upon the covenant of circumcision would be to miss the point of Israel in the first place – to witness to Christ – and thereby to ignore the present reality of that to which Israel witnessed. Expanding this statement of Paul from the particular context of addressing Gentiles who were being deceived by Judaizing Christians into a general prohibition of circumcision performed on a religious basis to all would be unwarranted. Simply put, Paul did not have the circumcision of Jewish Christians in view. Witherington takes a similar view regarding the positive role that circumcision did and may still have: "Paul then in vv. 25–28 critiques a person who bears the outward sign of Jewish faith in the form of circumcision but fails to keep the covenant that circumcision signifies. Inconsistency and hypocrisy are again Paul's target, especially since this person portrays himself as a teacher of Gentiles. Paul is quick to add that he does not mean that circumcision is of no value. But what is of infinitely more value is keeping God's commandments whether or not one is circumcised. Paul will stress that circumcision of the heart is also of far more value than outward circumcision. A real Jew is one who has had his heart transformed or circumcised by the Spirit, which can operate inwardly in a way that the written code cannot. Here Paul draws on Deut. 10:16 and Jer. 4:4, which speak of the circumcision of

regarded as a physical sign simpliciter, as if it would carry the same significance bereft of the attitude of faith of the circumcised toward God. Circumcision is not a simple signifier of inclusion into the people of God (Israel) in this reading; Paul is indicating that for the sign to be effective a third thing must be present. That third thing is not evident upon the surface but rather a phenomenon of hiddenness – the faith in the heart of the believer. In chapter 2, Paul's relativizes the role of circumcision and of the Jewish law in general not by denying its proper role and function (cf. chapter 3 for an indication as to the value of being a Jew and of circumcision) but rather by situating it as being the proper expression of a faithful relationship within the context of Israel as the people of God witnessing to God's promise of salvation.

Similarly, in chapter 4 Paul moves to a discussion of Abraham respecting the timing of the promise relative to the covenant of circumcision.[238] As with circumcision being a matter of the heart in chapter 2, here Paul emphasizes the primacy of that which elicits or provides the ground for faith – the promise of God. In the life of Abraham as narrated in the Torah, God's promise to Abraham predated circumcision. Paul takes this historical observation as a telling indication that faith was always primary. It is faith that, for Paul, makes circumcision into a sign of God's favor, not the other way around. For Paul read in this context, faith could and did exist without the

the heart. The latter text indicates that the phrase refers to repentance, but the former text seems closer to Paul's thrust, which suggests that the phrase refers to a humble response to God's grace and love." (Ben Witherington III and Darlene Hyatt, *Paul's Letter to the Romans: A Socio-Rhetorical Commentary* [Grand Rapids: Wm. B. Eerdmans Publishing Co., 2004], 90–91.)

[238] In Galatians 3, Paul appeals to the timing of the giving of the Mosaic Law, counting 430 years between the covenant with Abraham and Sinai. In this later, more developed letter, Paul appeals specifically to the covenant of circumcision as itself post-dating within the life of Abraham the giving of the promise thereby demonstrating that faith is prior even to circumcision which is the more primeval covenant than the Sinaitic.

physical sign insofar as it clung to the word of God spoken to Abraham in Genesis 12 of which circumcision in Genesis 17 was the sign. Again, this does not mean that circumcision was unimportant or unnecessary for Israel; it does mean that circumcision is only properly received in faith. This situates circumcision as a sign of God's promised salvation and so creates hope in the one who has faith in the promise.

In these two prior discussions of circumcision which is the most indelible and physical of the Jewish boundary markers, I take Paul as relativizing its importance by placing circumcision within the context of faith. The one who is truly circumcised is the one who trusts in the promise that is at the heart of covenant itself. For Paul, this was always the point of circumcision. It was never simply and only a ritual cutting of the flesh but rather was a sign of the promise for those who believed. Christ is the fulfillment of the promise of which circumcision was a sign. This does not necessarily abrogate the continuing practice of circumcision within the Jewish community for Paul, but it does indicate that circumcision is unnecessary for Gentiles because what is at its heart – faith in the promise which is the same as faith in Christ – is now given freely in the proclamation and in baptism.

Returning to Romans 14, Paul is not here glibly throwing out Jewish identity markers. Rather, he has already re-situated the most important of such markers, circumcision, earlier in the letter in order to show its importance relative to the promise. Circumcision was never to be understood as a substitute for faith in the promise but rather that which gave faith tangible expression. Similarly, the dietary laws and festal observation performed their function of giving faith its expression. This is

why Paul can repeatedly make claims that situate dietary laws and festal observations

relative to their expressing faith in God. For example:

> The one who observes the day, observes it to the Lord; the one who eats, eats to the Lord for he gives thanks to God, and the one who abstains [from eating], abstains to the Lord and gives thanks to God. (Rom. 14:6)[239]

> For if we live, we live to the Lord; and if we die, we die to the Lord. Therefore, if we live or if we die, we are the Lord's. (Rom. 14:8)[240]

In both theses verses, Paul is placing covenantal dietary laws (and by implication,

observing days) and even of living and dying within the purview of faith. For Paul,

boundary markers were intended as testimonies to God for those who believe.

As long as an action is done out of love for the Lord and so is of faith,[241] Paul did

not object to the observance of Jewish boundary markers. Given that Paul explicitly

allows both their observance and non-observance, there is no question in plain-sense$_1$

whether or not Paul regarded the observance of such boundary markers as being

essential to the Christian life. Plainly, for Paul, they are not, and this principle distilled

from Paul's understanding of the Christian mind formed into the image of Christ is key

to his approach to issues regarding Jewish boundary markers. But for one who does

decide consciously to eat or not to eat, Paul did say: "Let each person be convinced in

his own mind." (Rom. 14:5)[242] This is not an appeal to conscience (συνείδησις)

understood as something that testifies to one's actions being adjudged sinful or

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[239] "ὁ φρονῶν τὴν ἡμέραν κυρίῳ φρονεῖ · καὶ ὁ ἐσθίων κυρίῳ ἐσθίει, εὐχαριστεῖ γὰρ τῷ θεῷ· καὶ ὁ μὴ ἐσθίων κυρίῳ οὐκ ἐσθίει καὶ εὐχαριστεῖ τῷ θεῷ."

[240] "ἐάν τε γὰρ ζῶμεν, τῷ κυρίῳ ζῶμεν, ἐάν τε ἀποθνήσκωμεν, τῷ κυρίῳ ἀποθνήσκομεν. ἐάν τε οὖν ζῶμεν ἐάν τε ἀποθνήσκωμεν, τοῦ κυρίου ἐσμέν."

[241] Paul has spent much of the previous thirteen chapters clarifying what he means by faith such that performing an action "for" or "to" the Lord should not be misunderstood as performing and action that merits a response. Rather, faith simply expresses itself in joy and thankfulness to God, and it is in this sense that Paul intends his remarks regarding eating "to the Lord" or observing "to the Lord" to be taken.

[242] "ἕκαστος ἐν τῷ ἰδίῳ νοῒ πληροφορείσθω."

righteous, wrong or right, in the same sense as it is used regarding the action of the law in Romans 2:15. The whole point of the discussion in chapter 14 is that such considerations are inappropriate when it comes to the observance of boundary markers such as dietary laws and festal observance. Rather, Paul clarifies his statement both in what immediately follows when he says that both the one who eats and the one who abstains both do it unto the Lord.   That of which one should be fully convinced is not whether to eat or not *per se* but rather that if one does eat, she does it to the Lord or if one does abstain, she does it to the Lord. All things should be done in faith and out of love for God. Paul is urging the Christian to be convinced that the sign of eating / abstaining testifies to the activity of God in Christ for her and others who are similarly formed to understand what she is doing.

Paul is able to urge this type of respect for differing views and practices because he has first adopted a particular stance toward the law that he urges upon his auditors. That is, the promise at the basis of the covenant was fulfilled in Christ. Circumcision was a sign of that previously existing promise. Likewise, dietary laws and festal observances are also signs of the promise given to Israel. Boundary markers such as these were never intended, in my reading of Paul's thought, to be apprehended apart from faith in the promise and the hope for its fulfillment that made them necessary in the first place. Now that that promise had been fulfilled in Christ, there is no need for Gentile

believers[243] to take upon themselves a law that cannot save but rather to model the faith of Abraham.

Even more, Paul makes a theological judgment on the matter that he expects his auditors to follow insofar as they are more fully formed in Christ. He summarizes this theological decision explicitly when he writes: "Do not destroy the work of God on account of food; on the one hand, everything is clean, but on the other, it is evil to cause another person to stumble by eating." (Rom. 14:20)[244] Here Paul models the perspective he expects that the fully-formed Christian should possess. For such a person, all food is clean, and her conscience should not be swayed one way or another by eating. At the same time, out of love for the one "weak" in faith, such a "strong" person is to have regard for those who are not yet formed in Christ to the same degree of freedom. For a less formed or "weak Christian, the "strong" Christian is to voluntarily and out of love for the other restrict her freedom in the matter of eating, knowing that it does not matter one way or another because all food is clean, to avoid giving unnecessary offence to the "weak" Christian.

It is necessary for the "strong" Christian to voluntarily restrict her own freedom because of the nature of the phenomenon of eating foods (or observing days) as being clean or unclean relative to the conscience of the individual in question, and the Christian is also responsible for what her actions might do to her neighbor. For Paul, the

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[243] As mentioned earlier, Paul is silent regarding whether or not Jews should continue to follow all or at least some of the laws of the Sinaitic covenant. Making such observance a requirement for salvation would certainly run afoul of Paul's logic, but voluntary continued Jewish observance of the covenantal laws would seem to be licit in a Pauline universe.

[244] "μὴ ἕνεκεν βρώματος κατάλυε τὸ ἔργον τοῦ θεοῦ. πάντα μὲν καθαρά , ἀλλὰ κακὸν τῷ ἀνθρώπῳ τῷ διὰ προσκόμματος ἐσθίοντι."

orientation of the individual's conscience actually performs a role in making a food clean or unclean to that person.[245] That is, the conscience is world-formative for that person and able not only to affect her attitude toward the world but also to effect, to create a reality within that world. Paul makes this explicit when he says earlier: "I know and am persuaded in Lord Jesus that nothing is unclean in itself, but to one who considers something to be unclean, to that person it is unclean." (Rom. 14:14)[246] In this matter, it is the conscience or committed understanding of an individual that makes a food unclean *for that person*. Paul is not here outlining a general rule of the uncleanness of foods based upon an individual's conscience but is rather recognizing the role of that conscience in forming the reality of a food's uncleanness for the person concerned. One who considers a food unclean and therefore unpleasing to God if eaten cannot eat that food in order to honor God. That would be to engage in a simple contradiction. Rather, because one cannot eat that food to the honor of God, the food itself becomes unclean to that individual.

However, having one's conscience bound to consider some foods as unclean and other Jewish boundary markers attached to the Law is a sign of a weak faith for Paul. It is not something to be desired or formed in Christian individuals but rather is something from which it is desirable to free the weak Christian's conscience out of love for that individual. This is because the fully-formed Christian conscience in this matter would regard all foods as clean and able to be eaten to the honor of God, just as other

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[245] I should note that an individual's conscience is itself not an individual affair but rather something that has been formed both by an individual's experiences and judgments but also by her community that provides her norms and concepts by which she judges matters and interprets her experience.

[246] "οἶδα καὶ πέπεισμαι ἐν κυρίῳ Ἰησοῦ ὅτι οὐδὲν κοινὸν δι᾽ ἑαυτοῦ, εἰ μὴ τῷ λογιζομένῳ τι κοινὸν εἶναι, ἐκείνῳ κοινόν."

boundary markers of Jewish identity have been relativized to a certain time, place, people and purpose. Bondage to observing certain foods as clean and others as unclean is not reflective of the conscience formed in Christ and is something that should be remedied by making what is in fact true for the strong Christian known and formed in the weak Christian. It is a matter of a growth in maturity in the faith. Because Paul provides an authoritative (and negative) response to the question: "Are some foods unclean?," he gives a means by which the weak Christian's conscience might become increasingly strong. Such a stance provides the mechanism that frees consciences bound to something inappropriate to the Christian life thereby enabling growth in faith and understanding. This is to use doctrine as a negative rule of discourse. In this way, Paul's discussion pushes towards the proclamation that can transform a Christian's conscience from being weak to becoming more mature, and such transformation bears quite directly upon the Lutheran practice of distinguishing Law and Gospel and how it relates to the competing foundationalisms in the "Battle for the Bible."

First Corinthians

When dealing with food sacrificed to idols in 1 Corinthians 8, Paul begins with a discussion of the concept of knowledge (γνῶσις). This is necessary for Paul, assumedly, because the Corinthian church operated with a different conception of what knowledge meant. Precisely what that concept of knowledge was is unclear, and many have theorized possible scenarios that more or less do justice to the text.[247] For my purposes

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[247] Thiselton surveys a number of approaches to "knowledge" here. He quotes Barrett who indicates that Paul uses "γνῶσις" "in a plain, non-technical sense… [as] a good thing, but it is inferior to love, and may

in reading Paul in the context of the Lutheran "Battle for the Bible," I will only note that

the type of knowledge operative in the Corinthian context was of such a type that its

exercise ignored the needs of the individual and community. If one possessed

knowledge, then that one was justified in exercising that knowledge in whatever context

because it was "true," whether or not it adversely or even beneficially affected the

neighbor. Knowledge was a possession, belonging to the one who owned it and was

rightly applied regardless of outcome. It is possible to read this as an internalist and

relativist foundationalist tendency. In this sense, the Corinthian concept of knowledge

was an absolute to be maintained regardless of context. Paul could not see how this

would accord with Christian love toward neighbor.

Paul refigures this understanding of knowledge by taking it out of the realm of

unchanging idealities available only to particular individuals and/or sub-communities

and by situating it within the context of the Christian life characterized by love in service

to the neighbor. He points out that in a Christian context, knowledge is to be in service

to love to both avoid the "puffing up" (φυσιόω)[248] that comes as a result of pride in

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lead ot an exaggerated individualism which loses concern for the neighbour." (C.K. Barrett, "Things Sacrificed to Idols," in *Essays on Paul* [London: SPCK, 1982], 7, quoted in Anthony Thiselton, *The First Epistle to the Corinthians*, The New International Greek Text Commentary [Grand Rapids: Eerdmans, 2000], 621.) Thiselton further quotes Mitchell in seeing it as "contributing to community division… in the justification it provides for certain controversial actions." (M.M. Mitchells, *Paul and the Rhetoric of Reconciliation* [Tübingen, Mohr and Louisville: Westminster/Knox, 1992], 126, quote in Ibid., 621-2) Thiselton continues to survey multiple views, from that of Käsemann's emphasis upon an earthly realism contra a spiritualizing view of life in the Spirit, to Gardner's emphasis upon the practicality of γνῶσις, to Maly's emphasis on contrasting γνῶσις with ἀγάπη. (cf. Ibid., 621-8.) Thiselton himself takes the view that Paul is distinguishing between knowledge as something possessed (the Corinthian understanding) and knowing as an activity (what Paul is urging). (cf. Ibid., 624-5.)

[248] Used 6 times in 1 Corinthians (4:6, 18, 19; 5:2; 8:1; 13:4) and only once elsewhere in the Pauline correspondence (Col. 2:18).

one's knowledge and to accomplish the "building up" (οἰκοδομέω) of the other that love entails.

Through a careful manipulation of tense and voice, in verses 2-3 Paul strengthens this initial claim by emphasizing the role of love in producing the knowledge appropriate to a Christian. One who imagines (δοκεῖ; present active) that she has come to have known something (ἐγνωκέναι; perfect active infinitive) really does not yet know (ἔγνω; aorist active) as it is necessary (δεῖ; present active) to know. On the contrary, if that person loves (ἀγαπᾷ; present active) God, she is known (ἔγνωσται; perfect passive) by Him. Looking at verse 2, Paul begins with the active knower who believes to have attained[249] a type of knowledge along the Corinthian lines – unchanging, "true" and justly applied regardless of whether or not it serves the neighbor. This type of knowledge "puffs up" the knower insofar as she believes that she has attained a higher grasp of ultimate reality[250] understood in itself and on its own terms. Even without the second half of the verse, Paul explicitly indicates that he does not consider this type of knowledge to be knowledge appropriate to a Christian context by including the verb "δοκέω"; indeed, this implies that such knowledge only "seems" to be knowledge or is "considered" knowledge by some, thereby invalidating this conception of knowledge altogether. The use of the aorist in vs. 2b also serves as a simple denial of the

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[249] The perfect tense emphasizes the past appropriation of knowledge that has an ongoing effect. It also implies that knowledge understood in this way is somehow complete or sufficient for any given purpose.
[250] Here, I have in mind a vague concept similar to that of the Platonic forms that underlie perceptible reality. I say "vague" because I do not think that the popular conception of knowledge in Corinth that Paul is here refiguring is solely attributable to Plato's thought or to any other precise view of ultimate reality. Rather, being a popular view operative within a community composed not solely of scholars but also of the uneducated, it is much more likely that a simplified apprehension of an unchanging ultimate was all that was operative at the time.

completion of knowledge assumed to be attained in the perfect of 2a. But if this invalidation were considered to be a description of ultimate reality and therefore a simple rejection of the Corinthian's knowledge because it failed to match up with that reality, then Paul would be agreeing with such a view of knowledge and thereby engaging in a contradiction. Simply put, if Paul denies that knowledge is an absolute description of an unchanging reality (and therefore to be bluntly applied regardless of context), he cannot do this by substituting another item of knowledge taken as the proper description of that unchanging reality without re-inscribing the error he desires to amend. Rather, as becomes apparent in verses 4-6, the view of knowledge Paul is championing is what "we know" (vs. 4) or that which is "for us" (vs. 6). That is, Paul proffers his understanding of knowledge as that which builds up the neighbor in love as that which is appropriate specifically for the Christian community. Surely, he desires that all would understand knowledge in such a way, but neither does he indicate that such a view of knowledge would be comprehensible by one not formed to think as a Christian. This is to read Paul as a model for pragmatism. It is also noteworthy that Paul does not here provide logical warrants as to why the prior Corinthian view of knowledge is inadequate; rather, he simply asserts its insufficiency and relies in the remainder of the chapter on the aesthetic appeal of a knowledge in service to the neighbor as itself a warrant for changing conceptions of knowledge from that prevalent in Corinth to one more in line with a Christian view.

After refuting the Corinthian view of knowledge, Paul re-emphasizes knowledge's connection with love for the Christian. And in a typical Pauline reversal,

knowledge turns out to be, in the first place, being known through the exercise of love.[251] To love is to open oneself to being known by the other not just as a gathering of bits of data or information but rather in entering into the situation of the other so fully that her thoughts and actions become recognizable or familiar. This type of loving knowledge is never comprehensive but rather is always growing organically. While discontinuities exist, even these become opportunities for greater appreciation and better understanding of how the other might react to new situations. For Paul, love as a way of knowledge emphasizes the connection between the lovers who know each other as a type of habituation to the intricacies of the other's personality, yet it does so in such a way that particular "points" or propositions can be predicted to be true of the other in a given situation. The discussion of knowledge working through love throughout this chapter bears witness to the need to take into account the needs of the other in love, even as there is a particular proposition that Paul considers true for the Christian in her relation to God in Christ in the sense that such a proposition functions doctrinally as a negative rule of discourse.[252]

After establishing what he holds to be the proper stance toward knowledge for a Christian, in my reading Paul deals with the question of food sacrificed to idols directly.

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[251] There is a textual problem where some early mss. omit "τὸν θεόν" and "ὑπ' αὐτοῦ" from vs. 3. For my purposes, there is no need to make a strong choice between keeping or omitting the phrases as both serve my point. Metzger's discussion on the textual issues is helpful as he theorizes, with the UBS4 committee, that the omission of "τὸν θεόν" was due to assimilation to verse 2, and that the omission of "ὑπ' αὐτοῦ" is also accidental (cf. Bruce M. Metzger, *A Textual Commentary on the Greek New Testament*, 2nd ed. [Stuttgart: Deutsche Bibelgesellschaft / German Bible Society, 1994], 490-1.).

[252] As will become clear later, it is the position that idols are nothing and so eating food sacrificed to them is nothing. The only concern is for those whose consciences are wrongly bound to consider an idol something; for these people, the Christian should voluntarily curtail her own freedom to avoid causing the other to sin against her conscience.

Alluding to Old Testament scriptural teaching, Paul declares: "we know that an idol does not exist,[253] and that there is no God except one." (1 Cor. 8:4)[254] Because idols have no independent existence and are thereby powerless, and because there is only one God, food sacrificed to idols has no inherent uncleanness attached to it according to my portrayal of Paul's understanding of Scripture. The Christian is free to eat such food because there is no independent power that makes it an idol's possession or something even dedicated to a higher, godly power – because such powers simply do not exist. The Christian has nothing to fear if she eats, and she is free to choose not to eat as well.

However, when it comes to dealing with those who do not possess the knowledge that Paul shares (that an idol is nothing and only one God exists) in my reading, Paul urges the strong Christian to use her knowledge to nurture the weak. That is, the Christian is to recognize that her knowledge could lead them into behavior whose ramifications could be negative for others. It is possible that a Christian who knows that an idol is nothing might be observed by someone who believes in the existence and power of idols while she is eating food sacrificed to idols. This may give the weak person implicit permission to do likewise, even though she believes in the power of idols. By doing this, the knowledge which a Christian possesses becomes not a means for the freedom of faith but rather and instrument of bondage by causing someone to sin against their conscience by eating food attached to idols. Knowledge, in this case, is hollow because it is not exercised in a love that builds up the neighbor and encourages faith toward God. Rather, the Christian should use her knowledge of both the

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[253] Lit: "…an idol is nothing in the world…"
[254] "οἴδαμεν ὅτι οὐδὲν εἴδωλον ἐν κόσμῳ καὶ ὅτι οὐδεὶς θεὸς εἰ μὴ εἷς."

(non)reality of idols and of the conscience of the neighbor to voluntarily and freely restrict her own behavior for the sake of the neighbor in the hope of nurturing her faith.

In chapter ten, I take Paul as nuancing his position regarding idols and food sacrificed to idols. No longer is he simply asserting the non-existence of idols and the fact that there is only one God. Rather, while Paul does not retract his earlier analysis, here he indicates that the food is not actually being sacrificed to idols (which do not exist) but rather to demons understood as beings in opposition to God:

> What then do I say? That food sacrificed to idols is anything? Or that an idol is something? [I do not say this] but rather that which they sacrifice, they sacrifice to demons and not to God. I do not want you as partners of demons. You are not able to drink the cup of the Lord and the cup of demons; you are not able to partake of the table of the Lord and the table of demons. Or will we provoke the Lord to jealousy? Are we stronger than He? (Rom. 10:19-22)[255]

For Paul, just as partaking of the cup and the bread in the Lord's Supper[256] is to participate in the body and blood of Christ, so, too, is to partake of food sacrificed to idols to participate in demons. This would imply that there is indeed a power to be feared and respected attached to a willing and knowing participation with demons by consuming food sacrificed to idols.

Paul, however, maintains his original position asserting Christian freedom with respect to food sacrificed to idols. Because all the fullness of the earth is the Lord's, a Christian may eat whatever she wishes. This would imply that the prohibition Paul had in mind depended upon the context of receiving the food. Was it received in a context

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[255] "Τί οὖν φημι; ὅτι εἰδωλόθυτόν τί ἐστιν ἢ ὅτι εἴδωλόν τί ἐστιν; ἀλλ' ὅτι ἃ θύουσιν, δαιμονίοις καὶ οὐ θεῷ [θύουσιν]· οὐ θέλω δὲ ὑμᾶς κοινωνοὺς τῶν δαιμονίων γίνεσθαι. οὐ δύνασθε ποτήριον κυρίου πίνειν καὶ ποτήριον δαιμονίων, οὐ δύνασθε τραπέζης κυρίου μετέχειν καὶ τραπέζης δαιμονίων. ἢ παραζηλοῦμεν τὸν κύριον; μὴ ἰσχυρότεροι αὐτοῦ ἐσμεν;"

[256] It is possible that other types of meals are in view, but I take this to be a reference to the Sacrament of the Altar.

where other people intended to reverence idols (and so the demons behind the idols)? How could one do this without also by one's actions participating in the worship of idols? The context of reception would demand such an interpretation, and to receive food in this manner would be to participate in demons.

However, outside this context and in the context of the marketplace or other meals, the food is free to eat *depending upon the disposition of the "weaker" brother*. That is, Paul gives practical advice: if you go to a friend's house and are disposed to eat with that friend, eat whatever she places before you. On the other hand, if the host makes a point of saying that the food is sacrificed to idols, this is an indicator that the host may have a weak conscience on this point, thinking that idols are something. In this context, partaking of the food would be wrong, *not because it would be damaging to the Christian guest or because it would violate her conscience, but because of the damage it would do to the host's conscience*. Such a context is different than participating in an idolatrous worship service by partaking of food sacrificed to idols (which Paul warns against in vss. 14-22) at the "table of demons." Instead, it is similar to the situations envisioned in chapter eight where Paul again has the good of the neighbor in mind such that a Christian's knowledge of the freedom possessed in Christ should not become the occasion for the destruction of the neighbor but rather to nurture her.

In sum, the event of proclamation that Paul seeks becomes embodied through the virtues drawing forward scriptural interpretation that has discrete reading

tendencies in conversation with Paul's Gospel message. There are both mechanistic and anisotropic moments in this inquiry which is ultimately an anisotropic process that occurs in particular contexts for particular people. By engaging in this inquiry, Paul's practice results in proclamation when and where the Spirit wills to both repair broken relationships between individuals and God and to have the "mind of Christ" formed within those individuals. Such an event is beyond the control of any human being in my understanding of Paul; rather, there is a living faith, a living hope, and an abiding love that seeks to serve the neighbor, trusting in the work of the Spirit. This *habitus* is the form that Pauline theology takes in my reading as it is relevant to the early Lutheran's *praxis* of distinguishing Law and Gospel; it cannot be reduced to any particular locution but rather the entire process of weaving together particular types of readings of Scripture with the Gospel message in faith, hope and love. In short, it is this form of inquiry that I term Paul's "proclamatory pragmatism" and hold is of value in mediating the Lutheran dispute in the "Battle for the Bible."

Chapter Three: Law and Gospel – Proclamatory Pragmatism in the Lutheran Tradition

As I have been attempting to clarify throughout this dissertation, what I have described as Paul's "proclamatory pragmatism" in the previous chapter – using the terminology and conceptualities of "scriptural pragmatism" that I detailed in the first – is also a helpful way to describe an over-arching Lutheran theological *praxis* found in the Book of Concord[257] (BoC) and other Lutheran theologians that usually is called in

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[257] The Oxford Dictionary of the Christian Church contains a good summary of the contents and role of the Book of Concord in Lutheranism: "The 'Formula of Concord', the last of the classical *Lutheran formulae of faith, was drawn up in Mar. 1577, by a number of theologians, among them Jacob *Andreae, M. *Chemnitz, and Nikolaus Selnecker (1530–92). Internal disagreements within Lutheranism over the proper interpretation of the *Augsburg Confession (1530) followed the external peace established with the Peace of *Augsburg (1555). In 1567 Andreae was commissioned to produce a union formula. Initially unsuccessful, he later preached a series of six sermons which were summarized in 11 theses, known as the Swabian Concord of 1573 (revised by Chemnitz in the Swabian-Saxon Concord of 1575). Other Lutherans produced the Maulbronn Formula in 1576. The Elector of Saxony then assembled theologians to work on a common statement. The result was the Torgau Book, which was produced in 1576, combining the Swabian-Saxon Concord and the Maulbronn Formula. Andreae was asked to edit the results of these efforts and to provide a summary of their content. Thus the Solid Declaration (the Bergen Book of 1577) was produced along with an Epitome, which together constitute the Formula of Concord. The Formula treats various topics, such as *original sin and free will, the relationship between law and gospel, the Person of Christ, *adiaphora (things 'nonessential' to salvation), and eternal foreknowledge and Divine election. It denies that human merit and free will have any role in the justification of man and just as resolutely rejects *antinomianism; it upholds the bodily presence of Christ in the Lord's Supper irrespective of the faith of the recipient, affirms the Divine majesty of the man Jesus and thus also the omnipresence of the human as well as the Divine nature of Christ, stresses the necessity of resistance when a declaration of faith is demanded, and closely links Divine election to the word of the gospel. It appeals first to Scripture as the only 'rule and norm' of doctrine, followed by the early Church Fathers, the *Apostles', *Nicene, and *Athanasian Creeds, the Augsburg Confession of 1530 (to which P. *Melanchthon's 'Treatise on the Power and Primacy of the Pope' was appended in 1537) and its Apology (1531), the *Schmalkaldic Articles (1537) and M. *Luther's two catechisms (1529). These documents consequently became the basis for the Book of Concord (*Konkordienbuch*), published in German at Dresden in 1580 (the Latin edition appeared in 1584). Finally, an extensive 'catalogue of testimonies' (*catalogus testimoniorum*) from Scripture and the writings of the early church appeared in an appendix, testifying to the avowed ecumenical character of Lutheran doctrine, particularly its Christology. Thus while the Book of Concord represents a definitive collection of the principal confessional documents of Lutheranism, a certain hierarchy of authorities among the documents is recognised, the Augsburg

American Lutheranism "distinguishing Law and Gospel." Law and Gospel is the

traditional Lutheran hermeneutical lens for reading Scripture.[258] For this reason, in the

study of any Lutheran scriptural practice, one must contend with what it means to

properly distinguish the two.[259] While Lutheranism does employ a principle of *sola*

Scriptura, Scripture is never alone in Lutheran thought. *Sola Scriptura* is only

comprehensible when it is joined together with the other Reformation "solas": *sola*

gratia, *sola fides*, and *sola Christus*. *Sola Scriptura* is not *nuda Scriptura*. Therefore, to

understand the Lutheran scriptural practice described by distinguishing Law and Gospel,

one must also understand its relation to the Church's doctrinal deposit, her formational

practices, and the particular situations into which she speaks. Distinguishing Law and

Gospel is ultimately concerned with practical matters – the formation of the Christian

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Confession and Luther's Small Catechism assuming pride of place." (*The Oxford Dictionary of the Christian Church*, 3rd ed., s.v. "Concord, Formula (1577) and Book (1580) of.")

[258] Lohse emphasizes its importance to Luther via a concatenation of quotations: "What is of first importance is that Luther assigned highest relevance to the distinction. In 1521 he wrote: 'Almost all Scripture and the understanding of all theology hangs on the proper distinction between law and gospel.' In a sermon from 1532 he stated that the proper distinction 'between law and faith, commandment and gospel… is the highest art in Christendom.' In the commentary on Galatians (1531), we read: 'Whoever knows well how to distinguish the Gospel from the Law should give thanks to God and know that he is a real theologian.' In the first disputation against the Antinomians (1537), he wrote: "But now you have often heard that there is no better art of handing on and preserving the pure doctrine than to follow this method, that is, to divide Christian doctrine into two parts, law and gospel. And so there are two things set before us in God's Word, that is, the wrath or the grace of God, sin or righteousness, death or life, hell or heaven.' In a somewhat different formula Luther reproached Erasmus for omitting to distinguish the Old from the New Testament." (Bernhard Lohse, *Martin Luther's Theology: Its Historical and Systematic Development* [Minneapolis: Fortress Press, 1999], 267-8) Lohse goes on to comment that this Reformation distinction is a reworking of Augustine's prior distinction between law and grace. (Ibid., 268)

[259] Matthias Flacius wrote the first book on hermeneutics or interpretation theory (what he termed *ratio cognoscendi sacras literas*) in Lutheranism in 1567, entitled *Clavis Scripturae sacrae*. When dealing with how Scripture should be seen to be a unified whole, he, too, seized upon the phenomenon of distinguishing Law and Gospel as one of the possible keys according to Hägglund: "From what has been said, it is clear that Flacius emphasized the diversity within Scripture and its linguistic forms. It is therefore interesting to see how he formulated his conviction regarding the unity of Scripture. This unity can be summarized, for example, in the concepts of law and gospel or in the unity of the Old and New Testaments. In another way it can be expressed in the summary set forth by the catechism: the Apostles' Creed, the Decalogue, the Lord's Prayer, and the words of institution of the sacraments." (Bengt Hägglund, "Pre-Kantian Hermeneutics in Lutheran Orthodoxy," *Lutheran Quarterly* 20 [2006]: 320.)

and the clarifying of the Church's witness to Christ. However, in order to accomplish these practical goals, it utilizes speculative doctrinal formulations as a guide for the theologian with respect to what she should and should not say at any given point. It is my hope that offering up the logic of such an approach can aid in repairing the conflict I see between competing foundationalisms in contemporary American Lutheranism in the "Battle for the Bible."

In this chapter, I diagram the Lutheran practice of distinguishing Law and Gospel as evidenced in the Lutheran Confessions contained in the BoC and by other Lutheran theologians. I endeavor to show that the early Lutheran practice of distinguishing Law and Gospel is consonant with what I portrayed as the Pauline practice of proclamatory pragmatism in that it…

1. …is an interpretive *habitus* of a theologian that engages individuals within their contexts in light of Scripture that is also always in conversation with the doctrinal teachings and foundational practices of the Church in order to reorient the hearer or reader (or the Church as a whole) toward Christ.

2. …hosts a dialog between the corrective (internalist) and diagrammatic (objectivist) poles of repair and so embodies Ochs' "rule of pragmaticism" in its attempt to speak God's Word into a given situation in the life of the Church and of the individual Christian.

3. …is eminently practical in that its dual concern is for the formation of the Christian in helping her grow in her relationship to Christ and for the Church as a whole in order to clarify its witness to the work of God in Christ.

4. …utilizes a speculative doctrinal framework to empower this practical end, and this doctrinal framework spells out negative rules (non-negative assertions) for expressing the faith and life of the Church as it has actually occurred throughout her history in ways that avoid misunderstandings of Scripture and of the Church's life as the Bride of Christ.

5. …employs an anisotropic logic that hopes to produce faith in Christ in the recipient that leads to a life that bears the fruits of works of love for God and neighbor in a manner consonant with the role they play in Paul's scriptural *praxis*.

6. …urges a spiritual *habitus* of *oratio*, *meditatio*, and *tentatio*[260] as explicit principles of Lutheran inquiry, and that these principles can be mapped onto the virtues of faith, hope and love.[261]

7. …depends upon a commitment to a Christian realism that believes God to be speaking and acting in the present in particular situations through ordinary, everyday means such as objects (wine, bread, water) and people.

8. …entails a belief that not only can doctrines be in error but that entire theological methodologies can be unfaithful to the Christian proclamation of Christ.

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[260] Prayer, meditation and spiritual struggle (*Anfechtung*).
[261] These can also be seen as practices integral to forming a reparative rationality that has both internalist and objectivist tendencies in its attempts at repair.

I will explore these interrelated theses by utilizing Ochs' apparatus of the epistemological tendencies of internalism, objectivism and a reparative rationality as an heuristic guide and outline for my discussion. I will trace each of these tendencies in the Lutheran Confessions, supported by other Lutheran theologians, in order to clarify each of the theses listed above. This will involve some repetition in that the theses are interdependent, so clarifying one will inevitably involve clarifying the others. It is akin to attempting to describe a relationship in discrete terms; depending upon one's current situation and interest in that relationship, it will appear differently, yet none of those descriptions is sufficient to understand the relationship in isolation from the others. Rather, it is the totality that must always be kept in view.[262] Therefore, the remainder of this chapter will be organized in three sections – internalist, objectivist, and reparative – in order to bring each epistemological tendency within the Lutheran confessions into high relief as well as to clarify the theses listed above. The first section will explore the Lutheran spiritual *habitus* of *oratio*, *meditatio*, and *tentatio* as formative of the Law-Gospel theologian (internalist pole). The second focuses on the specific role that doctrine plays within the practice of distinguishing Law and Gospel as that which brings one up short or interrupts the flow of daily life by identifying errant habits of thought and action (objectivist pole). The final section focuses upon how Law-Gospel practice of reading Scripture hosts a dialog between these poles for the repair of the individual or of the Church (reparative pole). The hope is that the resulting diagram of

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[262] This is also in line with Peirce's semiotic. In order to understand a habit, one must engage in the interpretation of particular tokens of that habit. As this process continues, more context is created in the mind of the interpreter, and the interpreter's own habit is formed that is itself the product of her prior acts of interpretation.

an early Lutheran logic of Law and Gospel will provide the means to begin to repair the

contemporary problem of competing Lutheran foundationalisms in the "Battle for the

Bible."

The Internalist Pole – Lutheran Spirituality as a *Habitus* θεόσδοτος

Lutheran spirituality is predicated upon the conviction that God has already done

all that is necessary to bring humankind into a filial relationship with Himself by

declaring us to be righteous[263] through the life, death and resurrection of His Son, Jesus,

by the power of the Holy Spirit.[264] In this understanding of Lutheranism, there is

nothing left for the individual to do; all has already been done. One is made righteous[265]

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[263] And the declaration is effective in Lutheran thought, accomplishing what it says, as Schlink points out: "It the sinner is declared righteous by God, he is not only regarded as righteous; he *is* righteous. If he is 'accounted' altogether righteous and holy for Christ's sake, then he also *is* altogether righteous and holy (S.A. III, xiii, 1). As believers we are not only *called* the children of God, we *are* God's children… 'eternal life belongs to those whom God esteems righteous, and when they have been esteemed righteous they have become, by that act, the children of God and co-heirs of Christ' (Ap. IV, 333). Justification 'makes us sons of God,… it also makes us co-heirs with Christ' (Ap. IV, 196; cf. 356). God's justifying verdict is never 'merely' a verdict; this verdict posits a reality." (Edmund Schlink, *Theology of the Lutheran Confessions*, trans. Paul F. Koehneke and Herbert J.A. Bouman [St. Louis: Concordia Publishing House; Augsburg Fortress, 1961], 94.)

[264] This is the main point of Article IV of the Augsburg Confession on justification which is generally considered the heart of the Lutheran confession of faith. The idea of justification uniting one with Christ as its effect is pervasive in Luther, as Iwand points out in his study of Luther on the righteousness of faith: "Faith in Christ is not a foreign life, but is one that is intended for me and given to me. It is a righteousness that is laid hold of especially for me. Because Christ is present, better yet, because in him my righteousness is already present, Christ is therefore not an 'object' of faith, but through faith he lives in me. [Luther writes:] 'For when, in matters of righteousness, you discern between the person of Christ and your own person, then you are still in and remain in the Law and it lives in you, which means that you are dead before God and damned by the Law.' Luther did not like to define faith as something that distinguishes between the 'I' of the believer and Christ in the matter of righteousness before God: 'Even when we admit that a person with that kind of faith could be found, he would be dead in such a faith because he would have only the historical faith in Christ which even the devil and all godless people have.'" (Hans J. Iwand, *The Righteousness of Faith According to Luther*, ed. Virgil F. Thompson, trans. Randi H. Lundell [Eugene, OR: Wipf & Stock, 2008], 78.) Not only is a filial relationship in view (though that is one primary way our relationship to God is described), but so is one that sees union with Christ.

[265] The Lutheran Confessions describe righteousness in both active and passive terms, but the passive terms predominate because human righteousness is purely a gift from God. Regarding sin, the Augsburg Confession states: "Furthermore, it is taught among us that since the fall of Adam, all human beings who are born in the natural way are conceived and born in sin. This means that from birth they are full of evil

before God not by any individual effort or striving. This includes the act of faith if faith is construed as something originated in the individual and performed as an activity worthy of reward instead of something that arises by the activity of God and only received passively by the individual. Rather, in my description of early Lutheran spirituality, faith is purely receptive of the promise and begins in God's own gracious action.[266] That is, I

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lust and inclination and cannot by nature possess true fear of God and true faith in God." (AC II:1, German text) Sin is here being defined as that which opposes righteousness. It is described in both active terms ("evil lust and inclination") as well as in passive ("cannot by nature possess true fear of god and true faith in God"). In explaining these claims further, the Apology to the Augsburg Confession engages the arguments of their Scholastic who write in their "Confutation" of the Augsburg Confession that "…this article's declaration that original sin means that humanity is born without fear and trust in God is to be completely rejected." (John Eck et al., *The Confutation of the Augsburg Confession*, trans. Mark D. Tranvik, in *Sources and Contexts of the Book of Concord*, ed. Robert Kolb and James Nestingen [Minneapolis: Augsburg Fortress, 2001], 107.) In response, the Apology asks: "For what else is the ability to love God above all things with one's own power and to keep the commandments of God than original righteousness? What becomes of original sin if human nature by itself has the power to love God above all things, as the scholastics confidently affirm?" (Ap II:9-10) Most clearly, the Apology affirmatively quotes Anselm and then goes on to offer a definition of righteousness: "'Original sin is the absence of original righteousness.' But what is righteousness? Here the scholastics quibble over philosophical questions and do not explain what original righteousness is. Furthermore, in the Scriptures this righteousness includes not only the second table of the Decalogue, but also the first, which requires fear of God, faith, and love of God. Thus original righteousness was intended to include not only a balanced physical constitution, but these gifts as well: a more certain knowledge of God, fear of God, and confidence in God, or at least the uprightness and power needed to do these things. And Scripture affirms this when it says [Gen. 1:27] that humankind was formed in the image and likeness of God. What else does this mean except that a wisdom and righteousness that would grasp God and reflect God was implanted in humankind, that is, humankind received gifts like the knowledge of God, fear of God, trust in God, and the like?" (Ap II:15-8)

[266] The Lutheran Confessions are clear on this. For example, "…it is very foolish for the opponents to write that human beings, guilty of eternal wrath, merit the forgiveness of sins through an elicited act of love since it is impossible to love God until the forgiveness of sins is first grasped by faith. For the heart that truly believes that God is angry is unable to love God until he is shown to be reconciled." (Ap IV:36) "This faith is the true knowledge of Christ; it uses the benefits of Christ, it renews hearts, and it precedes our fulfillment of the law." (Ap IV 46) "Faith is that worship [*latreia*] which receives the benefits that God offers; the righteousness of the law is that worship which offers God our own merits." (Ap IV:49) "…faith does not justify or save because it is a worthy work in and of itself, but only because it receives the promised mercy." (Ap IV:56) "[Abraham] realized that God keeps a promise on account of his faithfulness and not on account of our works or merits… hearts only find rest when in these terrors they are convinced that we please God because he has promised, and that God keeps his promise on account of his faithfulness, and not on account of our worthiness." (Ap IV:58, Latin octavo edition of 1531, K/W 129) "However, although this faith resides in the will (since it is the desire for and the reception of the promise), nevertheless this obedience to the gospel is reckoned as righteousness not on account of our purity, but because it receives the offered mercy and believes that we are regarded as righteous through mercy on account of Christ and not on account of our fulfillment of the law or on account of our purity."

take the early Lutherans as believing that faith itself is elicited from, drawn out of, called

forth from the believer by the prior Word of God coming externally to her through

discrete means, whether those means be the preaching of the Gospel, baptism, the

Lord's Supper, or some other external, interpreted event, act of confession or Christian

conversation that conveys the love and forgiveness of God in Christ to that person.[267]

This means that one's righteousness is in the first and most important place –important

because it is originary of any other act of righteousness as the root is to the tree – a

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(Ap IV:283, Latin octavo edition of 1531, K/W164-5) "Instead, the human creature should be called and should be completely righteous and holy – according to both the person and his or her works – by the pure grace and mercy that have been poured and spread over us in Christ." (SA III:13:2) Moreover, the Lutheran scholastic tradition as found in the modern scholastic tradition exemplified by Francis Pieper agrees that faith begins in God's own gracious action even when emphasizing the necessity of faith as being itself an active clinging to Christ: "It is of the utmost importance that saving faith be regarded as *fides actualis*, or an active trust, just as the Lutheran teachers from Luther to Hollaz described it, as a desiring of grace, the stretching of the hands to Christ, clinging to Christ, and the like. **By this they did not ascribe to man the ability to produce such faith, nor did they make faith a work of the Law,** but by using this terminology they stressed the fact that the faith worked by the Holy Ghost through the Gospel is *fides actualis, actus apprehendi sive volendi gratiam*, the act performed by man whether he be awake or sleeping, whether he be an adult or a child, whether under normal circumstances when he is conscious of his faith or in the severest hours of trial when he imagines that he has lost his faith." (bold mine; Francis Pieper, *Christian Dogmatics*, electronic ed., vol. 2 [St. Louis: Concordia Publishing House, 1953], 436–437.)
[267] "We now want to return to the gospel, which gives guidance and help against sin in more than one way, because God is extravagantly rich in his grace: first, through the spoken word, in which the forgiveness of sins is preached to the whole world (which is the proper function of the gospel); second, through baptism; third, through the holy Sacrament of the Altar; fourth, through the power of the keys and also through the mutual consolation of brothers and sisters. Matthew 18[:20]: 'Where two or three are gathered…'" (SA III:4) "I believe that by my own understanding or strength I cannot believe in Jesus Christ my LORD or come to him, but instead the Holy Spirit has called me through the gospel, enlightened me with his gifts, made me holy and kept me in the true faith, just as he calls, gathers, enlightens, and makes holy the whole Christian church on earth and keeps it with Jesus Christ in the one common, true faith. Daily in this Christian church the Holy Spirit abundantly forgives all sins – mine and those of all believers. On the Last Day the Holy Spirit will raise me and all the dead and will give to me and all believers in Christ eternal life. This is most certainly true." (SC Creed:6) "Neither you nor I could ever know anything about Christ, or believe in him and receive him as Lord, unless these were offered to us and bestowed on our hearts through the preaching of the gospel by the Holy Spirit. The work is finished and completed; Christ has acquired and won the treasure for us by his sufferings, death, and resurrection, etc. But if the work remained hidden so that no one knew of it, it would all have been in vain. In order that this treasure might not remain buried but be put to use and enjoyed, God has caused the Word to be published and proclaimed, in which he has given the Holy Spirit to offer and apply to us this treasure, this redemption. Therefore being made holy is nothing else than bringing us to the Lord Christ to receive this blessing, to which we could not have come by ourselves." (LC II:38)

passive righteousness, one that comes as pure gift and as the result of God's promise.[268]

It can be described as something pronounced upon you as a forensic declaration of "not

guilty" before God.[269]

Oswald Bayer, in his magisterial study, *Martin Luther's Theology*, begins his

investigation into Luther's thought by rephrasing the question "What is theology?" into

"Who are you?"[270] He does this because, for Luther, one cannot answer the question of

theology in the abstract; theology is intimately tied to the theologian to the point that

the two cannot be separated. Theology is not merely speculation; it is rather immensely

practical in that it shapes the very character of the one who engages in it. It is to be

addressed by God and then to respond to that address:

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[268] "And because faith receives the forgiveness of sins and reconciles us to God, we are first regarded as righteous by this faith on account of Christ before we love and keep the law, although love necessarily follows." (Ap IV:114) "Therefore, after we have been justified and reborn by faith, begin to fear and love God, to pray for and expect help from him, to thank and praise him, and to obey him in our afflictions. We also begin to love our neighbor because our hearts have spiritual and holy impulses. These things cannot happen until after we have by faith been justified, reborn, and received the Holy Spirit." (Ap IV:125-6) "Therefore we cannot truly keep the law until we have received the Holy Spirit through faith." (Ap IV:132) "Likewise, when Dr. Luther wrote that the human will conducts itself *pure passive* (that is, that it does nothing at all), that must be understood *respectu divinae gratiae in accendendis novis motibus*, that is, insofar as God's Spirit takes hold of the human will through the Word that is heard or through the use of the holy sacraments and effects new birth and conversion. For when the Holy Spirit has effected and accomplished the new birth and conversion and has altered and renewed the human will solely through his divine power and activity, then the new human will is an instrument and tool of God the Holy Spirit, in that the will not only accepts grace but also cooperates with the Holy Spirit in the works that proceed from it. Therefore, before the conversion of the human being there are only two efficient causes, the Holy Spirit and God's Word as the instrument of the Holy Spirit, through which he effects conversion; the human creature must hear this Word, but cannot believe and accept it on the basis of its own powers but only through the grace and action of God the Holy Spirit." (FC Ep II:19) See also: Robert Kolb and Charles Arand, *The Genius of Luther's Theology: A Wittenberg Way of Thinking for the Contemporary Church* (Grand Rapids: Baker Academic, 2008).

[269] The idea of forensic justification has strong roots in Lutheranism. For example, Martin Chemnitz defends it throughout his magisterial *Examination of the Council of Trent* as in the following definition of justification: "It agrees entirely with the forensic meaning, that we are absolved before the judgment of God, for Christ's sake, from the guilt of sin and from damnation, pronounced just, and received to eternal life." (Martin Chemnitz and Fred Kramer, *Examination of the Council of Trent*, electronic ed., vol. 1 [St. Louis: Concordia Publishing House, 1999], 473.)

[270] Cf. Oswald Bayer, *Martin Luther's Theology: A Contemporary Interpretation*, trans. Thomas H. Trapp (Grand Rapids: William B. Eerdmans Publishing Company, 2008), 16.

> What is true instead is that the subject *receives*, in ever new ways, an *address*, which determines one's existence. The subject and that person's freedom are to be characterized therefore as a response, not as something that takes place somehow in absolute spontaneity. The question "Who am I?" can be answered adequately and appropriately only when I speak of God as the author of my life history and of the history of the world – as my poet and the poet of the whole world, so that one certainly must start not with speaking *about* him, but *to* him, must start with answering him. Such activity takes place in prayer, in the *oratio*: in praise and in lament – in the speaking of the heart with God in petition and intercession, with thanks and adoration.[271]

Here Bayer portrays Luther's view as beginning with a particular underlying reality – that

of a God who addresses His human creatures in love on account of Christ and engages

them in a conversation. Aware of this perceived reality (a reality that is only

apprehended through faith and so is a type of transcendental deduction based upon a

particular reading of Scripture) the theologian responds as one addressed by God in the

only way that is appropriate – through the language of prayer, *oratio*.[272] For Luther as

read by Bayer, the theologian does not simply begin to speak of God in the abstract as if

she could glimpse him more or less clearly and describe what she sees. Rather, any

speech regarding God is predicated upon a prior reality – being grasped by God through

His Word, His speech addressed to the particular individual. The individual must be so

formed to be able to respond, "Here am I, Lord," to the God who speaks to her: "...the

personal element is constitutive. One can thus speak of 'theology' only because each

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[271] Bayer, *Theology*, 16.

[272] Haemig writes regarding Luther's understanding of prayer: "Luther and his followers reformed both the theology and the practice of prayer. In late medieval Christianity, prayer was seen as a task done by monks (usually according to the monastic hours) or as a penitential work done by laity. Prayer was a good work for the Christian to do and achieve. Rather than issuing from and bearing witness to a trusting relationship, it was evidence of the medieval Christian's striving to prove something to God and to earn something. For Luther and his followers prayer was conversation within a relationship between God and humans, a conversation started by God's Word, a conversation that respected the integrity and creativity of both parties. Prayer did not depend on human worthiness but on the nature of God who had promised to hear prayer." (Mary Jane Haemig, "Prayer as Talking Back to God in Luther's Genesis Lectures," *Lutheran Quarterly* 23 [2009]: 290.)

woman or man is constituted as a theologian: namely, by the address of God, who has summoned me and all creatures to be alive."[273]

It is in this context that Bayer offer's Luther's "comprehensive answer" to the question of what makes a theologian: "(1) The grace that is worked through the Holy Spirit; (2) the agonizing struggle; (3) experience; (4) opportunity; (5) constant, concentrated textual study; (6) knowledge and the practice of the academic disciplines."[274] Of these, *oratio*, *meditatio*, and *tentatio* are later singled out by Luther as the most crucial practices because they apply not just to the professional theologian but to everyone who responds to God's address, for all who do so are theologians to one degree or another. Following Bayer, I will treat his discussion of each of these aspects before continuing on to focus, with Bayer, on the three practices of *oratio*, *meditatio*, and *tentatio*. This repetition gives me the opportunity to first give a plain-sense reading of Bayer's text (and through him, of Luther) before progressing to a deeper, interpreted diagramming of the dynamics of a Lutheran spiritual *habitus*.[275]

The Spirit's work of grace in creating and re-creating the human creature has pride of place in this treatment in that it situates the human creature firmly within the context of addressor-addressee that is the Creator-creature relationship. The Creator speaks life into being by the power of His Spirit, and life is. It is the Word that is prior and that establishes not just the possibility of speaking *of* God or *to* God but of speaking and being at all. Life, in this view, is principally an embodied linguistic response to a

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[273] Bayer, *Theology*, 16-7.
[274] Ibid., 17.
[275] I intend this procedure to mirror the Jewish reading style of *peshat* (plain sense) and *derash* (interpreted sense). See, for example: David Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York: Oxford University Press, 1991).

linguistic event. God's speech constitutes the individual, bestowing a particular *ratio* upon her that comes to being only in a conversational relationship to her Creator.

Such speech of the creature to the Creator works two ways for Bayer's portrayal of Luther – as distinct linguistic events that are "statements that attain to the highest level of accuracy"[276] and as those utterances which serve to re-orient the speaker and hearer to their relationship to God and world. Following Kant, Bayer sees this distinction in terms of the "academic" or "school task" and the "world-oriented" task.[277] The former task is that of the professional theologian and is appropriate only within a particular, narrow context while the latter is concerned to address "that which every human being encounters as a human, what happens without fail to each person; it deals with the ultimate goal of the human, with each individual's place in the world, with what each person plans for himself."[278] Since theology begins as a real-world response to a speaking God, on this reading Luther privileges the world-oriented task of theology above its school task. This is not to say that theology is not or should not be a discipline with particular methodologies that serve to guide its investigations – far from it. Rather, it is to point out that theology ultimately needs to address human creatures in their relationship to their Creator in the contexts within which they live every day. If it misses this task, it misses its *telos*. As Bayer writes,

> A theologian is one who, driven by agonizing struggle, enters with prayer into the Holy
> Scripture and interprets what is set forth within it, in order to give insight to others who

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[276] Bayer, *Theology*, 18.
[277] Ibid.
[278] Ibid., 18-9. In a graduate seminar at the University of Virginia, Peter Ochs made a similar distinction between academic communities as being specialized and therefore contrived communities and those he termed "baby communities," the real-world communities that are of much greater importance than the world of academe.

> are engaged in agonizing struggle, so that they in a like manner – with prayer – can enter into the Holy Scripture and can interpret it.[279]

The one addressed by God that is beset by the struggles of this world needs a Word to which she can cling, an understanding that is so formed to be able to see that Word addressed to her situation, and needs to be able to be so formed as to be able to speak this Word to others who are equally beset by the vicissitudes of life. In a manner similar to the way in which the speech of God creates its own hearers, so, too, does the speech of the theologian become the way in which others are re-oriented to their relationship to their Creator and is a step in their own formation as theologians. Ingredient within this theological *praxis* is the necessity of prayer (*oratio*) and meditation (*meditatio*) as a natural response to the one who creates. Realizing that life comes as a gift spoken by the Spirit, the theologian responds to that Spirit in prayer, and then meditates upon the task set before her which is to speak to those in agonizing struggle – but more on this later.[280]

The second and third aspects in Luther's list of what makes a theologian are closely interrelated in that *tentatio*, the agonizing struggle, occurs within the realm of suffered experience, *experientia*. *Tentatio* is the struggle that brings one to naught such that for the theologian, "everything disappears / and I see nothing but my nothingness and destruction."[281] It is, in Luther's terms, to confront the *Deus Absconditus*, God

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[279] Ibid., 19.

[280] "[Luther's understanding of *meditatio*] precludes one from walking away from the issue, though that is characteristic of our present situation: walking away into academic theology, into a professional type of public religion, and into silent private piety." (Ibid., 20.)

[281] Johann Heinrich Schröder, "Jesu, hilf siegen, du Fürste des Lebens," quoted in: Ibid., 20.

Hidden in His Majesty, God as He is Not-Preached and Not-Revealed.[282] Such an

experience arises nearly every day in this world as one confronts all of its injustices,

sicknesses, death, destruction – in a word, evil. It is that which calls into question God's

pronouncement of "very good" upon His creation and makes one doubt even God's own

Word. It is that which drives one to know more richly, to delve more deeply into what

God has said in order to escape those things about which He has not spoken but which

press upon us every day (why evil?) to those things that He has spoken, to those things

that He has revealed about his heart of love for His creation that is made manifest in

Jesus the Christ's incarnation, life, suffering, death, resurrection and ascension. In the

face of God-not-preached, in the face of the *Deus Absconditus* who stares back at you

from the darkness such that the face He portrays to you is indistinguishable from that of

Satan,[283] one has no hope except to flee to God preached, to God revealed in His Son by

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[282] In distinguishing between a biblical passage that relates to God as He is preached versus God hidden in His Majesty, Luther writes: "This word, therefore, 'I desire not the death of a sinner,' has as you see no other object than the preaching and offering of divine mercy throughout the world, a mercy that only the afflicted and those tormented by the fear of death receive with joy and gratitude, because in them the law has already fulfilled its office and brought the knowledge of sin. Those, however, who have not yet experienced the office of the law, and neither recognize sin nor feel death, have no use for the mercy promised by that word. But why some are touched by the law and others are not, so that the former accept and the latter despise the offered grace, is another question and one not dealt with by Ezekiel in this passage. For he is here speaking of the preached and offered mercy of God, not of that hidden and awful will of God whereby he ordains by his own counsel which and what sort of persons he wills to be recipients and partakers of his preached and offered mercy. This will is not to be inquired into, but reverently adored, as by far the most awe-inspiring secret of the Divine Majesty, reserved for himself alone and forbidden to us much more religiously than any number of Corycian caverns." (LW 33:138–9.) Kolb writes: "Wandering across the boundary into the swamp of trying to plumb the depths of God's inner being meant trouble, even death, for sinners, Luther believed. 'The secret will of the Divine Majesty is not a matter for debate, and the human temerity which with continual perversity is always neglecting necessary things in its eagerness to probe this one must be called off and restrained… Let it occupy itself with God incarnate, or as Paul puts is, with Jesus crucified, in whom are all the treasures of wisdom and knowledge, though in a hidden manner [Col. 2:3].'" (Robert Kolb, *Bound Choice, Election, and Wittenberg Theological Method: From Martin Luther to the Formula of Concord*, Lutheran Quarterly Books [Grand Rapids: William B. Eerdmans Publishing Company, 2005], 36.)
[283] While fully in line with Luther's thought, this startling claim comes from Gerhard Forde's reading of Luther found in: Gerhard Forde, *Theology is for Proclamation* (Minneapolis: Augsburg Fortress, 1990). For

the power of His Spirit. Only God preached can overcome God-not-preached for

Luther,[284] and the result of engaging in this agonizing struggle with God-not-preached

that causes one to flee to God preached is certainty:

> Certainty of salvation is much more than cognitive knowledge. When Luther
> accentuates *tentatio*, for him it involves the excess of *certainty* on the part of the one
> who knows, over against one's capacity to know in a propositional sense; said another
> way: experience over against knowledge. For the agonizing struggle "teaches you not
> only to know and understand, but also to experience how right, how true, how sweet,
> how lovely, how mighty, how comforting" not something such as your faith is, but what
> "God's *Word* is." Luther's translation of Isaiah 28:19 matches this way of thinking: "For
> agonizing struggle alone teaches one to pay attention to the Word."[285]

When one is driven to the depths of despair, to the depths of questioning "why?", to

the place where all "answers" mock the theologian, it is there that she is driven to

experience the reality of what God's Word teaches. It is only through this experiential

process that she can arrive at the confidence of the message of what God has done in

Christ, a confidence that is unattainable merely through reasoned argument or

propositional discourse. Rather, this confidence, this certainty, only arises when one

has actually tasted and seen God's goodness, not in the abstract, but in the deepest

inner parts of one's being.

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example: "The masked God – the God not preached – is hardly distinguishable from Satan." (Ibid., 16)
"For apart from the proclamation God and Satan are virtually indistinguishable." (Ibid., 20)
[284] For a good discussion of this claim, see: Ibid., 13-37. For example, Forde quotes Luther as follows:
"God must therefore be left to himself in his own majesty, for in this regard we have nothing to do with
him. But we have something to do with him insofar as he is clothed and set forth in his Word, through
which he offers himself to us and which is the beauty and glory with which the psalmist celebrates him as
being clothed. In this regard we say, the good God does not deplore the death of his people which he
works in them, but he deplores the death which he finds in his people and desires to remove from them.
For it is this that God as he is preached is concerned with, namely that sin and death should be taken
away and we should be saved. For 'he sent his word and healed them' [Ps. 107:20]. But God hidden in his
majesty neither deplores nor takes away death, but works life, death and all in all. For there he has not
bound himself by his word but has kept himself free over all things." (quoted in Ibid., 26-7; from Luther's
De Servo Arbitrio, LW 33:140) In commenting on this passage, Forde points out that the only defense to
God not preached is to flee to God as He is preached: "God not preached devours sinners without regret,
but the preached God battles to snatch us away from sin and death… For the point is that not theology,
but God preached is the only defense against God not preached." (Forde, *Proclamation*, 27)
[285] Bayer, *Theology*, 21.

Experience as something that is passively suffered when confronted by the Word of Scripture rather than actively created is plainly a part of the agonizing struggle for Luther. One does not seek to be reduced to nothing in struggling with the text; this would be to engage in a Cartesian exercise in creating "paper doubts," not real doubts that extend to the core of one's being.[286] Rather, the experience presses upon the theologian as she reads the text and confronts its claims. Such experience is not experience in general but is profoundly textual in that the text and world press upon the theologian, drawing her up short such that she is driven by this struggle back to God's Word in Scripture in her bewilderment and thus experiences the working of that Word more deeply.[287] Reflection upon an internal experience or an internal word derived from that experience without the mediation of Scripture would be profoundly foreign to Luther's thought; rather, he repeatedly emphasized the importance of experiencing the *external* Word of Scripture that comes to the Christian and re-creates her.[288]

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[286] This is, of course, a reference to Descartes' "methodological doubt" whereby he instructs one to doubt all things, even those things we really do not doubt. In addressing such Cartesian doubt, Peirce writes in his 1868 "Some Consequences of Four Incapacities": "We cannot begin with complete doubt. We must begin with all the prejudices which we actually have when we enter upon the study of philosophy. These prejudices are not to be dispelled by a maxim, for they are things which it does not occur to us *can* be questioned. Hence this initial skepticism will be a mere self-deception, and not real doubt; and no one who follows the Cartesian method will ever be satisfied until he has formally recovered all those beliefs which in form he has given up. It is, therefore, as useless a preliminary as going to the North Pole would be in order to get to Constantinople by coming down regularly upon a meridian. A person may, it is true, in the course of his studies, find reason to doubt what he began by believing; but in that case he doubts because he has a positive reason for it, and not on account of the Cartesian maxim. *Let us not pretend to doubt in philosophy what we do not doubt in our hearts.*" (EP I:28-9; italics mine) For Luther, the doubt inspired via *tentatio* is surely doubt that is in the heart; in fact, it is doubt that is so terrifying that it threatens to overcome the creature entirely.

[287] "…it is not experience as such that makes one a theologian, but experience with Holy Scripture." (Bayer, *Theology*, 22.)

[288] See, for example, Luther's 1525 "Against Heavenly Prophets in the Matter of Images and Sacraments" where he castigates the theology of his early teacher and then follower Karlstadt when he writes of their approach: "There you have their theology: Others are to learn outwardly by their word, which they call an external witness. But they themselves are better and superior to the apostles, and pretend to learn

This experience takes place at a certain time or occasion. It is the temporality of the instant that Luther emphasizes according to Beyer, more than "actual locality, personality, and individuality."[289] The occasion is radically bound to a particular instance of space-time such that it arrives unbidden and uncontrolled, but once it is there, it presents just the right opportunity for response:

> The *occasio* (occasion) is what is "chance" time for me, a favorable opportunity, which I myself cannot arrange for and cannot make happen by my effort, but which is preserved contingently for me instead and at the same time has a summons within it: "use the hour, and that which the hour brings with it"; *Carpe diem!*... "The occasion greets you and offers you its hair to grab, as if it would say to you: Look, now you have me, grab hold of me! Oh, you think, it will certainly come again. Well, then, it says, if you do not want to, then grab me by the rear in the backside!" It is thus important to seize the moment that is given, that "little moment," with utmost seriousness: to see the opportunity and to grasp it energetically, fully conscious of what you are doing, at that moment.[290]

The theologian in Luther's construal is prepared mentally, emotionally and spiritually to react and react properly to that special moment when it arises. She comprehends how fleeting those moments are and how irreplaceable and acts so that it does not go unrequited.

The irreplaceable character of these "chance events" has implications for the proclaiming of the Gospel message, a message that "needs to be freshly stated, again and again, without anything really new – anything really different – being spoken" such that what is said is indeed the Gospel, but the Gospel for that particular space-time

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inwardly in their spirit without an external Word and without means, though this possibility was not given to the apostles, but alone to the only Son, Jesus Christ. Thus you see how this devil, as I said already, disregards the external Word and does not wish to have it as a forerunner to the Spirit. Learn to shy away from such and be assured that these prophets are full of the devil." (LW 40:195) Luther repeatedly criticized those who thought that their internal experiences without an external Word from God were true revelations of God's Word. The Lutheran Reformers derogatorily termed those who advocated such an authoritative internal witness of the Holy Spirit as *Schwärmerei*, "Enthusiasts."
[289] Bayer, *Theology*, 23.
[290] Ibid.

event that arises unpredictably.[291] However, in a Lutheran Law-Gospel understanding, one does not just proclaim the Gospel without perceiving the intricacies of the situation; wisdom is demanded, and it is just such wisdom that the spiritual *habitus* I have been describing develops. The theologian does not apply any given method to determining whether to proclaim in the "chance event" a Word that kills (Law) or the Word that breathes life (Gospel); rather, it is "a skill that comes as favor, as the favor of the hour of God."[292] What is crucial is that God has developed within her a skill that enables her to correctly perceive "what is determinative concerning each *occasio*... [such that] one can concretely perceive the specific difference between law and gospel."[293] Because this is a God-given skill, one is immediately thrust back upon the first aspect of the *habitus* Luther describes – the grace that is worked by the Holy Spirit – and so back upon *oratio*, the prayer that God may indeed be present and active in the words of the theologian.

The fifth aspect, concentrated textual study, simply reinforces what has been said so far. The struggle that goes on in a theologian's experience is struggle over the text itself, making the text a part of her lived experience so that she tastes and sees that the Lord is good and is therefore prepared to speak from that well of experience into a situation as the occasion demands. Yet this textual study is not merely that which goes on privately behind closed doors; rather, it is situated in the midst of life as the public speaking and teaching of the text within the church. While this applies most of all to

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[291] Ibid., 24. In the terms of the last chapter, what never changes is the habit of interpretation or A-reasoning that I call Gospel$_A$ while the particular articulations of it do change given a particular context / occasion, Gospel$_B$.
[292] Ibid.
[293] Ibid.

those who are "regularly called",[294] Bayer is quick to point out that it is not restricted

only to the clergy. Rather, since all people are created within the context of being called

forth / created by the Word of God, they, too, answer that call by returning speech:

> …this means that the existence of *every human being* is constituted in a setting where one hears and reads: each person is addressed and receives communication in written form, so that each one can answer – in response to reading and hearing – but also because each one must answer for oneself.[295]

All Christians are to read and study Scripture and speak back what is elicited from them

by the Spirit simply because they are human, and to be truly human is to be in

conversation with God.

Interestingly, Bayer calls the sixth aspect – knowledge and practice of the

academic disciplines – "the least significant aspect for the 'world-oriented task' of

theology."[296] That said, the theologian, for Luther, still needs knowledge of the seven

liberal arts of classical education in order to carry out her task; education plays a role.[297]

Of these seven arts, what is most important is that which is emphasized throughout this

treatment of a Lutheran spiritual *habitus* – encountering texts and speaking one's

encounter with them – which corresponds to an emphasis upon grammar and rhetoric.

Grammar is that which enables the theologian to dig deeply into what the text actually

says and means. Implicit within this is that those who are best prepared to encounter

Scripture are those who know its original languages and so the rules of grammar most

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[294] "*Rite vocatus*," AC XIV. "*Rite vocatus* means called in a regular manner by a proper public authority. This is not a matter of 'ritual.'" (K/W 47, fn. 81) This is usually taken in American Lutheranism to refer to pastors who are called by congregations into the "Office of the Holy Ministry" who responsibilities include, among other things, preaching, teaching, administering the Sacraments and exercising doctrinal oversight publicly on behalf of the church.

[295] Bayer, *Theology*, 26.

[296] Ibid.

[297] They are divided into the trivium (grammar, dialectic and rhetoric) and the quadrivium (arithmetic, geometry, music, astronomy). Cf. Ibid.

appropriate to understanding them.[298] Once the meaning of the texts can be

understood according to their grammatical sense, one is able to speak them back to God

and to God's people in the language of prayer, of praise and of proclamation.[299]

Dialectic, normally second within the trivium, comes last in Luther's understanding in

that basic comprehension (grammar) followed by speaking what one has understood

(rhetoric) into a given situation most closely mirror one's relationship to God. In fact, if

dialectic is learned too early, the result is likely that the theologian "would rather teach

than hear, would rather judge than speak," and nothing good can come from this

situation.[300] Rather, the role of dialectic is to help clarify theological controversies

within an academic disputation, and this clarification can only come about once one has

so imbibed Scripture through the procedure of reading (grammar) and speaking

(rhetoric) it that the theologian knows that of which she speaks.

All these aspects go into what some Lutherans after Luther termed as a *habitus*

θεόσδοτος, a God-given skill. The tension within this term is apparent insofar as the

Aristotelian term *habitus* describes the result of intentional and methodological practice

where "one can realize one's potential,"[301] yet this is furthest from what has been

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[298] Bielfeldt writes: "The rise of humanism is important to Luther precisely because it provides linguistic tools for encountering the Gospel... Language is significant for Luther the theologian because it is the means by which the task of the theologian is realized: proclaiming the Gospel." (Dennis Bielfeldt, "Luther on Language," *Lutheran Quarterly* 16 [2002]: 195.)

[299] It would not be inappropriate to point out that this logic is the same as that which underlies a peshat-derash reading of Scripture: one first reads and understands what is written, then one speaks what one has read and pleonastically expands upon it and so interprets what is written. This is nothing other to reiterate that Scriptural interpretation, in Luther's view, is a matter of conversation – of hearing and understanding the address of God and responding to it.

[300] Bayer, *Theology*, 27.

[301] Ibid., 28. *Habitus* is the Latin translation of ἕξις that LSJ defines as "*being in a certain state, a permanent condition* as produced by practice (πρᾶξις), diff. from σχέσις (which is alterable)." (LSJ, s.v. "ἕξις") This is consonant with Aristotle's usage.

describe so far. From beginning to end, what Luther has in mind is a *habitus* that is not

formed by an individual's effort but is rather produced by the working of the Spirit in

her. It is the pure gift of the Spirit who works through all things, including those that are

most mundane and "ordinary" in life: "For all human educational activity is a result of a

divine gift of God, even when it is not so perceived."[302] Such an understanding of the

role of the Spirit in producing a *habitus* within an individual is predicated upon a deeply

sacramental view of the world where God indwells and infuses His creation with His

own presence such that all aspects of life are within the purview of his working.

Through all these things, as through means, God works life as He will, calling that which

is not into being and so giving that which He has called the opportunity to respond to

that call in a response of love and joy. But the calling and activity of God is always prior

and that upon which the very existence of life depends.[303] It is in this context that one

can coin the paradoxical-sounding term *habitus* θεόσδοτος, a term that is predicated

upon an understanding of human life as being from beginning to end a conversation

with God.

As demonstrated throughout this discussion of his work, Bayer makes clear that

Luther is committed to theology being principally about *sapientia* (wisdom) more than

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[302] Bayer, *Theology*, 28.
[303] This understanding comes out quite clearly in Luther's *Small Catechism* when he treats the first article of the Apostle's Creed: "I believe in God, the Father almighty, CREATOR of heaven and earth. What is this? Answer: I believe that God has created me together with all that exists. God has given me and still preserves my body and soul: eyes, ears, and all limbs and sense; reason and all mental faculties. In addition, God daily and abundantly provides shoes and clothing, food and drink, house and farm, spouse and children, fields, livestock, and all property – along with all the necessities and nourishment for this body and life. God protects me against all danger and shields and preserves me from all evil. And all this is done out of pure, fatherly, and divine goodness and mercy, without any merit or worthiness of mine at all! For all this I owe it to God to thank and praise, serve and obey him. This is most certainly true." (SC Creed:1-2)

understanding it as *scientia* (science).[304] Because theology is primarily an exercise in

developing an appropriate rationality rather than the simple acquiring of bits of

knowledge, the process is never finished according to Luther: "Theology is an unending

wisdom, because it can never be learned completely."[305] Rather, it is about the

formation of the theologian to be able to be the type of person who has "ears to hear"

and "eyes to see" what is occurring in the world such that the Word of God might be

spoken into that situation.[306] Such a formation comes about via a spiritual *habitus* that

involves *oratio*, *meditatio*, and *tentatio* as its principal components even as it is

understood within the larger context of the six aspects of what forms a theologian

discussed above. That is, the Spirit works in the theologian through a type of spiritual

askesis in order to, in the first place, be responsive to the address of God, and in so

doing, be of service to neighbor. This is essentially the role that internalism plays within

a reparative rationality as we discovered in chapter one, and the rest of this section will

be dedicated to a pragmatic analysis of the Lutheran spiritual *habitus* here described by

means of re-reading Bayer's understanding of Luther utilizing the terminology

developed in chapter one and also looking back to the role faith, hope and love played

in Paul's theological *praxis* in chapter 2. I will also be using Luther's own brief treatment

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[304] Cf. Bayer, *Theology*, 30.
[305] WA 40III.63.17f; quoted in Ibid., 31.
[306] This is obviously an allusion to Jesus' words in quoting Isaiah 6:9-10 regarding the interpretation of parables and again in his response to his disciples' misunderstanding of the parable of the leaven in Mark 8:18. In both cases, the problem Jesus identifies is the lack of a capacity to understanding akin to either having the means to hear or see or lacking those means. One is either the type of person who is capable of comprehending or one is not; it is a matter of who understands, not what is understood. Luther's focus on the "who" of the theologian parallels Jesus' concern about understanding his parables.

of this *habitus* found in his "Preface to the Wittenberg Edition of Luther's German

Writings" of 1539.

Oratio, for Luther, was first and foremost an expression of faith in the Spirit-

imbued nature of Scripture, the Word of God written.[307] He urges humility in the face of

God's Word such that one should "straightway despair of your reason and

understanding" and "kneel down in your little room [Matt. 6:6] and pray to God with

real humility and earnestness, that he through his dear Son may give you his Holy Spirit,

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[307] One of the "core" commitments Luther had was to the presence of the Holy Spirit in the words of Scripture such that Scripture is the Word of God written. This is different than Karl Barth's view of Scripture being the Word of God as "event" when he writes: "Recollection of God's past revelation, discovery of the Canon, faith in the promise of the prophetic and apostolic word, or better, the self-imposing of the Bible in virtue of its content, and therefore the existence of real apostolic succession, is also an event, and is to be understood *only as an event*. In this event the Bible is God's Word. That is to say, in this event the human prophetic and apostolic word is a representative of God's Word in the same way as the word of the modern preacher is to be in the event of real proclamation: a human word which has God's commission to us behind it, a human word to which God has given Himself as object, a human word which is recognised and accepted by God as good, a human word in which God's own address to us is an event. The fact that God's own address becomes an event in the human word of the Bible is, however, God's affair and not ours. This is what we mean when we call the Bible God's Word… *The Bible is God's Word to the extent that God causes it to be His Word, to the extent that He speaks through it*." (CD I:1:109; italics mine) As opposed to such an understanding of Scripture being God's Word in a particular "event," Luther sees God's Word being inescapably attached to the words of Scripture such that Scripture as an external word is a means of grace and so is united with God's Spirit as His Word. Werner Elert says it well when he writes of later Lutherans: "But there is no doubt that its core – the doctrine of the character of the Word of God as a means of grace and of the permanent union of the operation of the Spirit with the operation of the Word – belongs to the essential elements of Luther's theology and that, to prove this, the dogmaticians had the right to adduce various statements of the confessions. The doctrine is connected in the closest possible manner with the impact of the Gospel, since the turning from the fear of God's wrath to faith and to the new righteousness is brought about exclusively through the proclamation of the Gospel and, in a preparatory way, through the proclamation of the Law, therefore through the 'Word of God.' But if, on the other hand, faith is a product of the divine Spirit, the statement about the union of the operation of the Spirit with that of the Word is unavoidable. This union is necessary because, according to the conviction of all Lutherans, an operation of the Spirit that was not brought about through the external Word is fanaticism. It is permanent because over against the Word about Christ, which compels a decision, there can be no neutrality. Therefore he who hears or reads the Word is also called to by the Spirit of God." (Werner Elert, *The Structure of Lutheranism*, trans. Walter Hansen [St. Louis: Concordia Publishing House, 1962], 195.) I would also point out that the union of the Spirit with the Word is a corollary of western Christianity's insistence on the correctness of, if not the canonical licitness of unilaterally changing the ecumenical creed, the *Filioque*. Asserting the Spirit's procession through the Son provides the necessarily theoretical context to understand Luther's view of the unity of the Spirit with the Word of Scripture.

who will enlighten you, lead you, and give you understanding."[308] This is opposed to a

person who "seize[s] upon [the real teacher of Scripture] pell-mell with his reason and

become[s] his own teacher. For such practice gives rise to factious spirits who allow

themselves to further the delusion that the Scriptures are subject to them and can be

easily grasped with their reason, as if they were *Markolf* or Aesop's Fables, for which no

Holy Spirit and no prayers are needed."[309] By means of encouraging such prayer, Luther

is explicitly placing the interpreter of Scripture in the position of supplicant to the Holy

Spirit whom she trusts will enlighten her. One cannot approach Scripture as if it were

some other book that had the qualities of normal books; rather, Scripture is of a

different order altogether, and interpreting it as a Christian requires first being in a

relationship with the Interpreter Himself, the Holy Spirit. This relationship is predicated

upon faith as trust – trust that in Scripture there is life; trust that the Spirit will guide the

heart and mind of the interpreter; trust that God Himself is addressing you in His Word.

And it is because of this trust, this faith that the interpreter asks her dear Father to send

His Spirit to enlighten her as she reads His Word, and in so doing, demonstrates how, as

with Paul, this God-given spiritual *habitus* draws the interpreter's inquiry on as a type of

final cause. It is the beginnings of an anisotropic process where the endpoint is known –

a deeper relationship with God and so of service to the world – and is mediated through

praying for understanding the external Word, God's Word given in Scripture.

This leads to a process of *meditatio* or meditation upon what is read. Here is a

situation in which the mind is repeatedly brought into contact with the words of

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[308] LW 34:285-6.
[309] Ibid., 286.

Scripture to better understand "what the Holy Spirit means by them." It is a type of

musement in the Peircean sense, except where instead of musing upon the

interconnections of the three universes of First, Seconds and Thirds found in human

experience, it is musing upon the words of Scripture and their interconnections. Surely,

if Peirce's semiotic is correct, this also involves musing on the interconnections of

qualia, indices and symbols, but the world to be absorbed is the scriptural world and

how that world exists in interdependence with the non-textual world. For Luther, this is

a constant, never-ending process where one continually turns over the very words of

Scripture in one's head, repeating them aloud, saying what they say pleonastically to

expand upon their "plain sense" (Luther calls this "comparing oral speech and literal

words of the book"[310]) in the hope that one might finally understand them by the power

of the Spirit. It is a hope-filled enterprise that recognizes that "God will not give you his

Spirit without the external Word,"[311] so that if one hopes to receive it, one will continue

to muse upon it so that, in the end, one might arrive at a Spirit-filled hypothesis of what

it might mean.

 Bayer cautions that this meditation cannot be upon one's own "inner self" but

rather that it must be upon the actual words of Scripture which are external to the

theologian. He says that it…

> …involves the practice of reading and praying out loud and, what is still more important,
> that such activities are practiced with regard to Scripture… Such meditation does not
> just involve gazing at one's navel; it does not eavesdrop on the inner self. One's
> innermost being lives outside itself only when it is within the Word of God… Meditation
> thus cannot go deeper to what is behind the text of Holy Scripture, back to a time when
> there was so direct a relationship that communication was not necessary, concerning

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[310] Ibid.
[311] Ibid.

> which the text of Holy Scripture would then merely be an "expression" of what is deeper yet. Meditation moves instead within the realm of the Word that has been received; it is interaction with what is written and heard.[312]

This agrees with Peircean musement in that the externality of the object of meditation is crucial. Peirce does not encourage one to muse upon one's own thoughts or inner processes; rather, he says that musement is to be upon experience which is "a brutally produced conscious effect that contributes to a habit, self-controlled, yet so satisfying, on deliberation, as to be destructible by no positive exercise of internal vigor."[313] Here, one sees that experience is, in the first place, "brutally produced" by an engagement with the external world so that it forces itself upon the muser. The muser takes the percepts gained by this engagement with the external world and consciously reflects upon it so that it affects her habits of thought and action. An experience for Peirce is not something that merely "happens" to one, nor is it merely a matter of "subjective" reflection. Rather, following his semiotic, it lies in the mutually-interdependent interaction of engagement with the outer world (a percept) upon which reflection is initiated and turns. In a similar fashion, Luther's concept of meditation lies first in reading and repeating the words of Scripture (an interpreted percept[314]) such that reflection is initiated by the reading and repeating within the meditator and it is this interaction that spurs reflection. It is a process whereby a hypothesis of the meaning of the meditation / musement results in the firm conviction regarding a hypothesis of what

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[312] Bayer, *Theology*, 35.

[313] Taken from Peirce's 1908 "Neglected Argument for the Reality of God" found in: EP 2:435.

[314] This cannot be understood as a bare percept because it presupposes the use of symbols as found in language. It is for this reason that I call it an "interpreted percept". I also shy away from calling it a "perceptual judgment" in that rolling the words over and over again in one's mind during the free play of musement is not yet a convinced judgment regarding the meaning of what is being said. The phenomenon here is somewhere in between a bare percept and a perceptual judgment – hence the term "interpreted percept."

the text means for Luther in a similar manner to how meditating / musing upon the

interactions of the three universes of experience results in the firm conviction regarding

the hypothesis of God for Peirce.

As Bayer makes clear, meditation is not to solely be done in one's study by

oneself; it is a public exercise as well. By focusing on the words of Scripture, reciting

them, pleonastically repeating them and interpreting them for others, the Word

becomes more and more solid in one's heart and in the community of the Word, the

Church. It raises issues and does not allow one to escape them easily; it is an

engagement with the life of the community: "it precludes one from walking away from

the issue, though that is characteristic of our present situation: walking away into

academic theology, into a professional type of public religion, and into silent private

piety."[315] Instead, as with Peircean musement that produces the convinced hypothesis

of the reality of God, meditation is designed to bring about a conviction of what the

Word teaches. It is not a mere explication of the issues involved where no stance is

ultimately taken; this is too often what is done within religious studies departments and

is foreign to Luther's conception. Rather, it is publicly poring over the Word so that the

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[315] Bayer, *Theology*, 20. Candler speaks of the participation of the Christian in the ecclesial reality of the church in terms that are similarly geared toward the formation of the individual, though he does so by means of positing a speculative metaphysical order: "Participation, then, is not simply a principle of social relations, but of a metaphysical order. To participate in the body of Chirst as a pupil, or as a 'reader,' is thus to become part of a kind of pilgrim city whose origin and destiny is transcendent. One's allegiance to this body, effected by the sacramental rite of initiation in baptismal confession (as in the case of Victorinus) and sustained by the unceasing 'production' of the church in the Eucharist, cannot be divorced from the training in theological teaching, whether as student or teacher. To participate, therefore, in the ecclesial reality of the church, is not a separate activity from participation in the pedagogy of Christianity, nor is it apart from the participation of the body of Christ in the Trinity. As such, pedagogy, like liturgy, aims at the reordering of knowledge and desire, through the participation in the ritualized activity of reading and inscription into the continuing narrative community of interpreters that is the church." (Peter M. Candler, Jr., *Theology, Rhetoric, Manuduction, Or Reading Scripture Together on the Path to God* [Grand Rapids: William B. Eerdmans Publishing Company, 2006], 61.)

Word might take root in the hearts and minds of the hearers, changing their patterns of thought and action, changing their habits so that they might see with new eyes a new way of living within the world. It reorients speaker and hearer such that neutrality in its face is not a possibility; rather, a response is called for, drawn out of, elicited from the speaker and the hearer by the working of the Holy Spirit. While academic tools are important in forming minds to be able to rightly consider the Word, for Luther to focus on the Word solely or principally as an academician is to radically mistake what meditation is – something that serves to allow the living Word to grab the theologian, not merely something to be analyzed and dissected. *Meditatio* is not for coroners but theologians.

Meditation, in Luther's sense, is principally an exercise in hope. As *oratio* / prayer is principally about faith in the presence and working of the Spirit, *meditatio* / meditation is done in the hope that one might actually arrive at the proper interpretation of Scripture for the particular context in which the theologian finds herself. Faith and hope are conjoined in this *habitus* in that the prayer for the Spirit's enlightenment feeds the hope that such enlightenment becomes actual. Hope is ingredient within faith in that "[God's] command to write, preach, read, hear, sing, speak, etc., outwardly was not given in vain."[316] One hopes that not only will the proper thing be said in response to the address of God found in Scripture but also that the Word will not be "in vain," that it will accomplish its goal of transforming human hearts. It is a longing for what Christians have always prayed as encapsulated in ancient

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[316] LW 34:286.

Christian cry of *"Maranatha,"* "Come, Lord Jesus" where the eschatological reality

becomes instantiated in the present, the presence of the living Christ again becomes

manifest.

Yet in so praying and in so meditating, conflict and agonizing struggle – *tentatio*,

Anfechtung[317] – is always bound to come, and it is precisely in this conflict that one truly

becomes a theologian. As Luther writes:

> 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. I myself (if you will permit me, mere mouse-dirt, to be mingled with pepper) am deeply indebted to my papists that through the devil's raging they have beaten, oppressed, and distressed me so much. That is to say, they have made a fairly good theologian of me, which I would not have become otherwise. And I heartily grant them what they have won in return for making this of me, honor, victory, and triumph, for that's the way they wanted it.[318]

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[317] Luther describes his own *Anfechtung* in vivid terms in his 1518 "Explanations of the Ninety-Five Theses": "I myself "knew a man" [II Cor. 12:2] who claimed that he had often suffered these punishments, in fact over a very brief period of time. Yet they were so great and so much like hell that no tongue could adequately express them, no pen could describe them, and one who had not himself experienced them could not believe them. And so great were they that, if they had been sustained or had lasted for half an hour, even for one tenth of an hour, he would have perished completely and all of his bones would have been reduced to ashes. At such a time God seems terribly angry, and with him the whole creation. At such a time there is no flight, no comfort, within or without, but all things accuse. At such a time as that the Psalmist mourns, "I am cut off from thy sight" [Cf. Ps. 31:22], or at least he does not dare to say, "O Lord, … do not chasten me in thy wrath" [Ps. 6:1]. In this moment (strange to say) the soul cannot believe that it can ever be redeemed other than that the punishment is not yet completely felt. Yet the soul is eternal and is not able to think of itself as being temporal. All that remains is the stark naked desire for help and a terrible groaning, but it does not know where to turn for help. In this instance the person is stretched out with Christ so that all his bones may be counted, and every corner of the soul is filled with the greatest bitterness, dread, trembling, and sorrow in such a manner that all these last forever. To use an example: If a ball crosses a straight line, any point of the line which is touched bears the whole weight of the ball, yet it does not embrace the whole ball. Just so the soul, at the point where it is touched by a passing eternal flood, feels and imbibes nothing except eternal punishment. Yet the punishment does not remain, for it passes over again. Therefore if that punishment of hell, that is, that unbearable and inconsolable trembling, takes hold of the living, punishment of the souls in purgatory seems to be so much greater. Moreover, that punishment for them is constant. And in this instance the inner fire is much more terrible than the outer fire. If there is anyone who does not believe that, we do not beg him to do so, but we have merely proved that these preachers of indulgences speak with too much audacity about many things of which they know nothing or else doubt. For one ought to believe those who are experienced in these matters rather than those who are inexperienced." (LW 31:129-30) Exactly when Luther experienced these terrors is unknown.

[318] Ibid., 287.

Bayer emphasizes that what Luther has in mind here is not the experience of

persecution as such but rather the experience of the power and reality of God's Word

that comes in the midst of persecution.[319] As one prays for the presence of the Spirit,

meditates over God's Words, speaking them to herself and to others publicly, struggles

are bound to come. It is a struggle over the very truth of God, whether He can be taken

at His Word. This is to say that the plausibility, validity and efficacy of God's Word are at

issue (and so is the truth of that Word):[320] does it accomplish what it says? Can it be

trusted? Has one placed her trust and hope in something that is ultimately baseless and

vain? How much of a fool are you? All these questions and more swirl around the

theologian. It is a question of the very survival of one's faith, of one's ultimate hope; it

is the place where all supports are yanked away except for the thinnest of threads – the

promise that is found in the Word of God. It is only in enduring this agonizing struggle

that one ultimately learns how true God's Word is, how faithful and how full of hope.

The agonizing struggle is both a personal and a public struggle, as Luther makes

clear in referencing his many encounters with his theological opponents. It involves the

whole of the person at the deepest level where she questions herself, her beliefs, her

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[319] "…agonizing struggle is the touchstone that shows the Word of God itself to be credible and mighty within such struggle and when opposing it… It is not experience as such that makes the theologian a theologian, but rather experiencing the Holy Scripture." (Bayer, *Theology*, 37.)

[320] I here follow Ochs in connecting plausibility, validity and strength / efficacy to a pragmatic understanding of truth. This can be seen when Ochs writes of George Lindbeck's rule-based approach to Christian doctrine: "The rule approach would require distinguishing among three categories of truth-terms. At issue is a contemporary community's appropriation of an early Church doctrine such as, 'the dead are raised.' In terms of the pragmatic definitions of truth we supplied earlier, we would say that a specific *reading* of the rule, 'the dead are raised,' is *plausible* (has truth$_1$) if it respects the plain sense of Scripture and is *valid* for some finite Church community. This reading is *valid* (has truth$_2$) if it diagrams a community's indubitable beliefs in a way that would correct any problems in [the] plain sense of a given set of scriptural texts and, thus, in the communal behaviors appropriate to the plain sense. It is *strong* (has truth$_3$) if it in fact significantly transforms a community's plain-sense readings and its corresponding behaviors." (PPLS 310)

habits of thought and action – in short, her very existence as a child of God. Yet, as with

meditation, it is also a public phenomenon because the affliction is not merely that of

private intellectual angst or a type of ginned-up Cartesian doubt but rather is something

that is forced upon the theologian from external sources – in Luther's and in King

David's case (to whom Luther refers), these were the very many real, flesh-and-blood

enemies who confronted them. It was in the face of such conflict that the agonizing

struggle occurs, a struggle that involves body, mind and spirit.

In the face of such struggle, what drove Luther on was love – love of God, love of

the promise found in the Gospel, love of his community to whom the Good News had

come. Luther engaged in this struggle not just for his own sake as a type of purgative

askesis but because he was concerned to arrive at that which did not depend upon Him

– the Good News of Christ – so that not only he might imbibe the Gospel but that he

might also share it with others. It is a love born of God in that God first called Luther

into being and called him by the Gospel such that the only response to God's call in the

Gospel is that of a love that is the product of the faith the call elicits. One who is called

forth by God and loved by God responds to God in love and finds in *tentatio*, the

agonizing struggle, the place where that love is tempered. Learning just how good, how

powerful, how life-giving is God's Word results in being driven by love to share that

goodness, that power with others in order to kindle true life in them as well. "Love

bears all things, believes all things, hopes all things, endures all things." (1 Cor. 13:7) In

the agonizing struggle, all things are borne, are clung to in belief in the face of contrary

evidence, hoped to be true, yet still must be endured. *Tentatio* is that which binds

together faith and hope such that "faith, hope, and love abide, these three; but the greatest of these is love." (1 Cor. 13:13) Insofar as it is *tentatio*, the agonizing struggle that makes the theologian, it is a deep, burning love that does so.

To insert some more terms developed in the first chapter, it should be clear that this spiritual *habitus* has both a logical and therefore diagrammatic moment and a biblical and therefore corrective moment. The diagrammatic moment (which corresponds to Ochs' logical internalism) lies in the formation of the interpreter to have a new imagination, a habit of the free play of the mind to see new ways that situations can be solved, that the Word can be spoken, that Christ might be proclaimed more clearly than before. It is formative of the imagination. It yields new thoughts and new possibilities that did not exist before, bringing them from the realm of the merely possible yet unknown to the place where they become real possibilities.[321] The corrective moment (which corresponds to Ochs' biblical internalism) lies in the theologian's encounter with the Word of Scripture and in the operation of the Spirit to

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[321] For Peirce, a real possibility is that which *would* occur if a particular set of circumstances were true. In his 1905 article "Issues of Pragmaticism," Peirce writes in connection with the "scholastic doctrine of realism" which includes as its corollary, among others: "…there are… real *possibilities*. For possibility being the denial of a necessity, which is a kind of generality, is vague like another other contradiction of a general. Indeed, it is the reality of some possibilities that pragmaticism is most concerned to insist upon… Pragmaticism makes the ultimate intellectual purport of what you please to consist in conceived conditional resolutions, or their substance; and therefore, the conditional propositions, with their hypothetical antecedents, in which such resolutions consist, being of the ultimate nature of meaning, must be capable of being true, that is, of expressing whatever there be which is such as the proposition expresses, independently of being thought to be so in any judgment, or being represented to be so in any other symbol of any man or men. But that amounts to saying that possibility is sometimes of a real kind." (EP 2:354) In the context of the spiritual *habitus* under examination, this means that the theologian has presented to her through *oratio*, *meditatio* and *tentatio* a set of new propositions that she can anticipate coming to actuality – i.e., "capable of being true" – under a certain set of conditions, and these are now not only real possibilities in general and are therefore vague but are now real possibilities for her in her context and so now might become actual.

make her the type of person who can make the possible, actual, by speaking that Word which heals into a given situation.

In the Lutheran spiritual *habitus* of *oratio*, *meditatio*, and *tentatio* we find a process of formation that enables the Lutheran theologian to be so formed that she is ready to seize the occasion to speak God's Word whenever it presents itself. It is designed to create an imagination within the theologian that recognizes just how powerful and good the Word of God is not in the abstract but in concrete, real-life situations that plague people in this life. It is not an academic discipline *per se* even though theoretical speculation and disciplined inquiry are useful tools; rather, it is a way of recognizing the depth of both our separation from God if it were not for Christ and also how great and deep and powerful is the love of God found in Christ Jesus. It is formative of faith, hope and love which result in the drawing forward of the Christian into further inquiry into what it means to live in a filial relationship to God through Christ. This faith formation comes about both via a logical, diagrammatic moment in that it forms the imagination in such a way the hitherto unseen possibilities enter the realm of real possibilities, and it employs a biblical, corrective moment in that not only does it provide the theologian with possibilities, it enables her to be the type of person who can make what is merely possible, actual. It is, with Paul, a process by which the "mind of Christ" is formed in an individual such that she might be prepared to speak God's Word into the situations of life in which she finds herself, including that of the contemporary Lutheran "Battle for the Bible." In this way, the Lutheran spiritual *habitus*

of *oratio*, *meditatio* and *tentatio* pleonastically and practically repeats the original

urging of the Apostle to "become imitators of me, as I am of Christ."[322]

The Objectivist Pole – Doctrine as Rules for Proclamation

In the logic of proclamatory pragmatism that I see operative within early

Lutheran thought, doctrine should be understood as negative rules of discourse that

help to guide the proclamation. Doctrines arise from the impact of that proclamation

on the life of the individual and the church more broadly, and the point of asserting

doctrine is to accomplish the practical goal of inculcating faith, of forming a Christian to

be a particular type of person.[323] A corollary of this is that the speculative framework

that doctrine describes is subservient to this practical end. In this understanding of

Lutheranism, doctrine is not articulated in order to describe eternal verities for the sake

of such a description; rather, the speculative framework created is intended to shape

and form Christians so that their relationship to God in Christ is strengthened, so that

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[322] 1 Cor. 11:1. Cf. 1 Cor. 4:16; Eph. 5:1; Phil. 3:17.

[323] Thiselton's characterization of doctrine as formative of individuals in consonant with the goals of my approach when he writes: "The new turn in the argument has been to show that a stable tradition of doctrine, far from inhibiting innovative thought and action, and far from discouraging improvisation, provides the very ground for it. Only within a tradition of firm communal identity-markers can constructive 'going on independently' be distinguished from maverick idiosyncrasy and self-indulgence. Our chapter has shown, however, that this point does not rest upon theological special pleading. We have seen how 'following a rule' and participating in a form of life in Wittgenstein, and standing within a tradition on Gadamer, provide the frame of reference within which belief, understanding, practices, and performance intelligibly arise. But there is more to the matter than even this. For as we noted in Gadamer, Ricoeur, and Betti, and openness to what lies beyond the narcissistic horizons of the isolated self makes it possible to experience new horizons that are formative for a new self. The nurture of such formative change and growth within a stable life-form defined in terms of shared communal beliefs is the business of Christian doctrine. The notion that doctrine is unimportant, repressive, or merely theoretical would run against the grain of this chapter, as well as others." (Anthony C. Thiselton, *The Hermeneutics of Doctrine* [Grand Rapids: William B. Eerdmans Publishing Company, 2007], 97.) Here we see Thiselton sum up a number of concerns of the current project: to articulate the function of doctrine in formative terms as part of a larger process of reasoning; to maintain continuity with a particular tradition of thought as enabling truly new approaches to arise; and to ground this whole procedure upon a solid basis in a particular form of reasoning.

they might more and more come to know themselves as His dear children and God as their dear Father.[324] Further, it is drawn from Scripture just as is the message of the Gospel that drives scriptural interpretation.[325] I will argue for this understanding of doctrine by means of an appeal to particular Lutheran theologians but most of all by an appeal to the confessional documents of Lutheranism.

Doctrine, or more simply, "teaching," has always been at the core of the Lutheran Reformation. The Reformation was not, in the first place and from the perspective of the Lutheran theologians, a political or a social exercise but rather one of properly proclaiming the Gospel that had been handed down from earliest times.[326]

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[324] R. Preus quotes and comments on Melanchthon's 1559 dogmatics (the final edition) when he writes: "'It is beneficial to have clear declarations (*testimonia*) set forth as on a tablet concerning each of the articles of Christian doctrine arranged in good order, in order that, when we consider these things and tie them together, certain definite thoughts come to our view by which troubled people may be instructed, elevated, strengthened, and comforted.' Here we have a brief, clear statement: the purpose of dogmatics is to set forth the teaching of Scripture in an orderly way for the edification of the church. But as Melanchthon points out in his preface, the method in theology is entirely different from the method in philosophy. Philosophy begins with sense experience or prime notions, which are called principles. Theology does not operate with such demonstration but simply sets forth in proper arrangement those things God has revealed in His Word." (Robert D. Preus, *The Theology of Post-Reformation Lutheranism, Vol. I: A Study of Theological Prolegomena* [St. Louis, Concordia Publishing House, 1970], 81.) Here Preus emphasizes doctrines dual connection with Scripture and also with the practical end of encouraging Christian faith.

[325] Lohse makes a similar point when he speaks of an understanding of the entire breadth of Scripture being necessary for its coherence: "Still, in all Bible interpretation, next to the *scopus* of the individual text, the essential content of the entire Scripture must be in view, so as to avoid the danger of finding in the Bible merely a collection of various and sundry disconnected individual statements." (Lohse, *Theology*, 189.) Reno develops a model of what it means to interpret the Scripture theologically (which he tends to use interchangeably with "teaching" and so "doctrine"): "On the imperative of apostolic vitality the Protestant tradition has always insisted, and therefore, I think we can enlarge our definition of theological exegesis without controversy. Not only does a properly theological interpretation seek to show the conformity of church teaching with what the Bible says, theological exegesis also reads Scripture as the living language of faith. Or perhaps more accurately, precisely insofar as it shows the conformity of Scripture and teaching, theological exegesis saturates the life of the church with what the Bible says. To put the matter in into a formula, the more readily a reading of the Bible enters into the life and practice of the church, the more fully theological is the interpretation." (R.R. Reno, "Theology and Biblical Interpretation," in *Sharper than a Two-Edged Sword: Preaching, Teaching and Living the Bible*, eds. Michael Root and James J. Buckley [Grand Rapids: William B. Eerdmans Publishing Company, 2008], 8-9.)

[326] Schwiebert characterizes the Lutheran Reformation as principally a university movement, "an upper-strata movement in which professors, the clergy, and an educated laity were involved. The Reformation

This reality is highlighted in the famous *satis est* found in Article VII of the Augsburg

Confession that lays out what is necessary for unity in the church:

> Likewise, [the Lutheran estates] teach that one holy church will remain forever. The church is the assembly of saints in which the gospel is taught purely and the sacraments are administered rightly. And it is enough [*satis est*] for the true unity of the church to agree concerning the teaching of the gospel and the administration of the sacraments. It is not necessary that human traditions, rites, or ceremonies instituted by human beings be alike everywhere. As Paul says [Eph. 4:5, 6]: 'One faith, one baptism, one God and Father of all…"[327]

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began in Wittenberg and from there spread to the outside world among educated classes everywhere who, by a variety of ways, started local reforms in various communities. It often started with university students who had studied with Luther and Melanchthon or with converted clergy who urged a reform in the Roman church. As the reforms of Luther and his followers and Luther's 'new theology' spread among the intellectual classes, they enraged professors at several universities, and *Streitschriften* broke out for and against the Reformation by theologians, to which Luther and Melanchthon replied." (Ernest G. Schwiebert, *The Reformation, Vols. 1 & 2, The Setting of the Reformation and The Reformation as a University Movement* [Minneapolis: Augsburg Fortress, 1996], 491-2.) By terming the Reformation a "university movement," Schwiebert lends support to the claim that the primary goal was to reform teaching, to reform how the church proclaimed the Gospel both in her official doctrines and in her practice.

[327] AC VII:1-4 (Latin text); K/W 43. The German text reads as follows: "It is also taught that at all times there must be and remain one holy, Christian church. It is the assembly of all believers among whom the gospel is purely preached and the holy sacraments are administered according to the gospel. For this is enough for the true unity of the Christian church that there the gospel is preached harmoniously [*Einträchtiglich*] according to a pure understanding and the sacraments are administered in conformity with the divine Word. It is not necessary for the true unity of the Christian church that uniform ceremonies, instituted by human beings, be observed everywhere. As Paul says in Ephesians 4[:4-5]: 'There is one body and one Spirit, just as you were called to the one hope of your calling, one Lord, one faith, one baptism.'" (K/W 42) See also the "Binding Summary" of the preface to the Solid Declaration of the Formula of Concord, written a half century after the Augsburg Confession: "Fundamental, enduring unity in the church requires above all else a clear and binding summary and form in which a general summary of teaching is drawn together from God's Word, to which the churches that hold the true Christian religion confess their adherence." (FC SD Preface, Binding Summary:1; K/W 526) Here the language of the Augsburg Confession has been hardened into a set of discrete, propositional statements given in the form of theses and antitheses that are to be agreed upon by the churches as evidence that they are teaching the faith correctly. This is best understood as part of a long process of discussion and debate that took place within the German Lutheran estates of the 16th century such that all who were part of the process understood the contexts in which the propositions were adopted and so could judge whether or not the given propositions were faithful to Scripture *as applied to the specific controversies of the day and in a full understanding of those specific controversies*. In this way, propositional doctrine / church teaching was adopted as a sort of "badge" or "symbol" of what it means to agree upon the teaching of the faith (*fides quae* – see next footnote), yet it remains tied to particular historical situations. This is evidenced by the fact that each article addressed by the Formula begins with a description of the precise positions taken by opposing parties within a given debate, being careful to accurately and fairly represent their views before pronouncing a settled position to that debate. In this way, the structure of the Formula ineluctably ties its doctrinal teachings to the settling of particular historical debates so that the unity of the church (AC VII) might be preserved.

According to the Lutheran estates, nothing else than agreement concerning the pure

teaching of the Gospel and the right administration of the Sacraments is necessary to

have a united church, and they base this judgment upon a quotation from Ephesians

that speaks of a single faith and a single baptism where "one faith" corresponds to

proper teaching of the Gospel[328] and "one baptism" to the administration of the

Sacraments.[329] Rather than looking to particular ecclesial structures (e.g., apostolic

succession of bishops or union underneath the pope as Vicar of Christ), the Lutherans

believe that church unity was dependent upon proper doctrine / teaching and made this

the central task of the Lutheran Reformation, even as they expressed a desire to

maintain the ecclesial structures whenever possible – but not at the expense of the

teaching of the Gospel.[330] Nothing justifies rending the Church apart except to make

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[328] There is a classic scholastic distinction between the so-called *fides qua* and the *fides quae* here. The early 20th century Lutheran scholastic theologian, Francis Pieper, wrote of this distinction: "Again, while πίστις is usually used in the subjective sense, denoting the trust in the gracious promise of the Gospel (*fides qua creditur*), it sometimes is employed in an objective sense, denoting the 'dispensation of faith,' or the doctrine that men are justified and saved by faith in the Gospel (*fides quae creditur*)." (Pieper, *Christian Dogmatics*, II:450.) In AC VII, the Confessors take Eph. 4 to be referring not to the unity of the faith by which one believes (*fides qua creditur*) which is the actual trust one has in Christ and cannot be observed or judged but rather to the faith which is believed (*fides quae creditur*) or the teachings of the Christian faith which can be observed and judged. Reference to the "Gospel" here, then, is a reference to the teaching / doctrine that enables the right proclamation of the Gospel message.

[329] Klug writes of Luther: "If purity of teaching and doctrine was not the basis for unity in the church, then there was none. Christianity will be 'divided and split into almost as many sects as there are cities and people,' Luther warns, for there cannot be two ways to salvation, even as 'you surely cannot make two Christs who take away sin.' Luther was very sensitive on this point: that each man might claim the right, then, to interpret Scriptures on his own, on the grounds that he, too, has the spirit, with everyone 'becoming a doctor of it on his own,' thus 'dividing Christianity and undermining pure doctrine everywhere.'" (E.F. Klug, *From Luther to Chemnitz: On Scripture and the Word* [Grand Rapids: William B. Eerdmans Publishing Company, 1971], 67.)

[330] An example of this conviction comes in Article XXVIII of the AC, "Concerning the Power of Bishops" (all the following citations are from the German text). Therein, they repeatedly urge honor for those in for "both authorities and powers as the two highest gifts [i.e., the state and the church] of God on earth" (AC XXVIII:4; K/W 92); and again, "our people distinguish the offices of the two authorities and powers and direct that both be honored as the highest gifts of God on earth." (AC XXVIII:18; K/W 92) Even so, they detail the power of bishops in the spiritual estate as "a power and command of God to preach the gospel, to forgive or retain sin, and to administer and distribute the sacraments." (AC XXVIII:5; K/W 92) When

sure that the Gospel is properly taught because without the Gospel message, for

Lutherans, there is no Church though there may be bishops and popes.[331]

The Lutheran Reformation was a conservative movement at heart, seeking to

teach what the church had always taught regarding the Gospel message.[332] Even so,

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they betray this power by false teaching, they are not to be obeyed: "But whenever they teach, institute, or introduce something contrary to the gospel, we have God's command in such a case not to be obedient (Matt. 7[:15]): 'Beware false prophets.'" (AC XXVIII:23; K/W 94) The Lutheran estates go a step further when they reiterate their desire to honor the ecclesial structures (the bishops) in the church: "Our churches do not desire that the bishops restore peace and unity at the expense of their honor and dignity (even though it is incumbent on the bishops to do this, too, in an emergency). They ask only that the bishops relax certain unreasonable burdens which did not exist in the church in former times and which were adopted contrary to the custom of the universal church." (AC XXVIII:71-2; K/W 102).

[331] For example, Luther writes in the Smalcald Articles: "We do not concede to them that they are the church, and frankly, they are not the church. We do not want to hear what they command or forbid in the name of the church, because, God be praised, a seven-year-old child knows the church is: holy believers and 'the little sheep who hear the voice of their shepherd.' This is why children pray in this way, 'I believe in one holy Christian church.' This holiness does not consist of surplices, tonsures, long albs, or other ceremonies of theirs that they have invented over and above the Holy Scriptures. Its holiness exists in the Word of God and true faith." (SA III:12:1-3; K/W 324-5)

[332] This desire to teach what the Lutherans believed was always taught by the "universal" (*Gemeine* – equivalent to *catholica*) church comes out clearly in the AC's conclusion to part 1, the articles on faith, when they say: "Since, then, this teaching is clearly grounded in Holy Scripture and is, moreover, neither against nor contrary to the universal Christian church – or even the Roman church – so far as can be observed in the writings of the Fathers, we think that our opponents cannot disagree with us in the articles set forth above." (AC Conclusion to Part One:1; K/W 58; German text) This tendency to appeal not only to Scripture but to the Christian tradition as found in the various church Fathers can be found throughout the AC and the Apology to the Augsburg Confession as a way to appeal to what the "universal Christian church" has always taught. This move to the Fathers is also found, though to a lesser extent, throughout the remaining documents of the Book of Concord. The preface to the Book of Concord, written a half century after the AC, also explicitly states the desire to remain true to the teaching of the "universal" church when describing the work of the Lutheran Confessors: "They held fast with constancy to the teaching contained [in the AC]: teaching that was well founded on the divine Scripture and briefly summarized in the time-honored, ancient Symbols; teaching that was recognized as that ancient, united consensus believed in by the universal, orthodox churches of Christ and fought for and reaffirmed against many heresies and errors." (Preface:3; K/W 5) Thompson puts Luther's view this way: "As many have observed, Luther never intended to say anything original. In fact, throughout his life he was deeply suspicious of theological novelty. He was acutely aware that his doctor's oath had installed him as a teaching and as a defender of the truth, not as innovator. His responsibility was to expound the doctrine which God had given and which had been received by the Church. From his perspective, the break with Rome over the years 1517 to 1521 was not something he had initiated in a highly individual search for a new and purer truth, but something thrust upon him by an institution which had abandoned its own inheritance." (Mark D. Thompson, *A Sure Ground on Which to Stand: The Relation of Authority and Interpretive Method in Luther's Approach to Scripture*, Studies in Christian History and Thought [Waynesboro, GA: Paternoster, 2004], 252-3.) This conservative stance toward doctrine is also part and parcel of a Lutheran scriptural logic in what I describe as proclamatory pragmatism. Doctrines can undergo significant growth and development, but the basis of what the church has consistently taught

there was a dynamic character to this message in that it was conceived of as arising

from the proclamation and the impact that that proclamation made. The 20th century

Lutheran theologian, Werner Elert, in his work, *The Structure of Lutheranism*,[333]

describes the Lutheran approach to teaching the Gospel as arising from the

evangelischer Ansatz, the "impact of the Gospel", or, in the terms used in this

dissertation, the impact of the proclamation.[334] Regarding this *evangelischer Ansatz*,

Elert writes:

> What was so far set forth as the impact of the Gospel (*evangelischer Ansatz*) in Lutheranism appears as a great spiritual upheaval, as psychic occurrence that is experienced with elemental force first of all by the great individual and is experienced together with him and in the same way by others, but at the same time is "recognized" and expressed in theological formulae that become firmer and firmer. Among those affected no one, however, would have hesitated for a moment to give an answer if he had been asked what the driving dynamic of the mighty upheaval is. The answer is and could only be: the Gospel. This dynamic was not experienced as an emergence of inner powers, as an automatic relaxing of tensions in the psyche; it was heard as a Word from another world. In his *Loci* of 1521 Melanchthon had given the definition: "The Gospel is a promise" (*Evangelium est promissio*). Here lay the decisive break with the Gospel as a "heavenly philosophy" (*philosophia coelestis*) or as the "law of Christ" (*lex Christi*). Nor is it by any means merely a historical report. It is this too. But it is Gospel only because it contains a compelling "today," and even more because it is a "promise," because it reveals the potentiality of what is to come – the potentiality that always points beyond the "now" and the "here."[335]

This telling quotation helps in beginning to get a grasp upon the faithful yet dynamic

character of the role of doctrine within Lutheranism. The proclamation of Christ that

transforms the individual is primary and originary, being that which the "great

individual" experiences alongside others who have a similar experience of being grasped

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through the ages is not up for change. Novelty in the sense of abandoning the diachronic witness of the church is not consonant with the Lutheran logic I trace.

[333] Elert, *Structure*. Op. cit.

[334] Of course, the closer translation is "impact of the Gospel." However, the way that the "*evangelischer*" functions in Elert's locution "*evangelischer Ansatz*" is similar to the way in which I have been using the term "proclamation." Therefore, I substitute the term "proclamation" in the translation in order to keep my terms consistent throughout my treatment.

[335] Ibid., 179.

by the word of justification found in the proclamation. It is a "spiritual upheaval" or

"psychic occurrence" that totally re-orients her toward a type of relationship with God

in Christ, rearranging her habits of thought and action accordingly. This originary

experience is communal, being "experienced together with him and in the same way by

others," such that the mode of evaluation of the unity of experience is not a checklist of

characteristics but simply one of "recognition." One recognizes the work of the Spirit in

another. This work is then described and redescribed in propositional statements which

are nothing other than doctrinal statements such that the "theological formulae

become firmer and firmer." These theological formulae / doctrines serve as a means to

aid in the recognition of the proper working of the Spirit in another; one's confession of

faith is the only way to discern the Spirit's work.[336] However, what is most important in

this process and is the "driving dynamic" is the Gospel itself. It is the proclamation that

transforms and recreates individuals, giving them new eyes to see and new ears to hear

such that they come to recognize and celebrate the unity of Spirit that they have with

others. This opens up to them a new future by the modality of the promise, a promise

made by God in Christ that makes all things new both in the present but also in the

future. Imaginations are recreated and hitherto unforeseen potentialities become real

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[336] Bertram distilled five principles behind the Lutheran understanding of what it means to confess the faith. He views confessing as: 1) M*artyria* [not just in the sense of witnessing but witnessing under extreme pressure]; 2) Protesting Gospel-Plus [adding requirements for salvation outside of the work of Christ]; 3) Ecumenical [in its striving for church union via doctrinal agreement]; 4) Redefining Authority [asserting the authority of the Word over other authorities in the church]; and 5) Appealing to/for the Oppressed [in particular, those who consciences were being burdened by the spiritual authorities with many non-biblical traditions that were deemed necessary for salvation]. (cf. Robert W. Bertram, *A Time for Confessing*, Lutheran Quarterly Books, ed. Michael Hoy [Grand Rapids: William B. Eerdmans Publishing Company, 2008], 1-22). Confessing, then, is not only that practice that serves to identify where one stands, but it has other functions as well.

possibilities, and reveling in the futurity of the Gospel's promise also serves to imbue

the present with the coming joy. In the terms of the first chapter, the proclamation of

the Gospel (a Third) transforms the internal life of an individual or the life of a

community (a First) such that particular statements of doctrine arise to help

demonstrate how one so formed should approach an issue that is in contention (a

Second). This, in turn, yields new opportunities to proclaim (a Third), and the cycle

repeats. Yet the beginning point is always the proclamation that began with Christ

himself and the ramifications thereof, what Elert terms the *evangelischer Ansatz*, whose

message and logic continues today.

As it arises from the proclamation / *evangelischer Ansatz*, one of the principle

roles that doctrine plays within my construction of early Lutheran logic is that it

"hallows" God's name. This understanding of doctrine can be found most simply and

most clearly in Luther's *Small Catechism*[337] where Luther asks regarding the First

Petition of the Lord's Prayer ("May your name be hallowed"):

> How does [this hallowing] come about? Answer: Whenever the Word of God is taught clearly and purely and we, as God's children, also live holy lives according to it. To this end help us, dear Father in heaven! However, whoever teaches and lives otherwise than the Word of God teaches profanes the name of God among us. Preserve us from this, heavenly Father![338]

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[337] Luther's *Small Catechism* plays perhaps the most important role in the actual life and piety of the Lutheran Church across most American denominations. With the Augsburg Confession, it is the document most honored in denominational constitutions as being the "true" teaching of God's Word found in Scripture, and it is the only document mentioned at the rite of confirmation for lay people or when lay people transfer in to the Lutheran Church. For example, in the confirmation rite the confirmand is asked: "Do you hold all the prophetic and apostolic Scriptures to be the inspired Word of God and confess the doctrine of the Evangelical Lutheran Church, drawn from them, as you have learned to know it from the Small Catechism, to be faithful and true?" (The Committee on Worship of The Lutheran Church – Missouri Synod, *Lutheran Worship* [St. Louis: CPH, 1982], 206.) Furthermore, it was long the practice of many Lutheran denominations in America to have confirmands memorize the entirety of the Small Catechism, though this practice has begun to fade away toward the end of the 20th century and into the 21st.
[338] SC Lord's Prayer: 5; K/W 356.

Here, Luther postulates two aspects of human life that serve to make God's name holy among the Christian community: "pure" teaching and "holy" living. While the role of "teaching" certainly extends beyond the simple application or construction of doctrinal statements, it is certainly not less than doctrine. Doctrine teaches the community how to speak and act in such a way that their speech and actions bring honor and glory to God's name, and that the community does not use God's name, the name placed upon every Christian at her baptism, to speak that which is not true of God or to act contrary to how a child of God should act. Doctrine, as those statements which guard Christian speaking and action, serves to foster just such right speech and action.

From the time of Luther, doctrine, as the teaching of what God would have people know of Him and His relation to His people, is understood to be both unified and "pure." It should be understood as a body such that if one part of the body of doctrine, the *corpus doctrinae*, is errant, then the whole body of doctrine is affected. Like with gangrene, the incorporation of false doctrine may or may not eventually spread to kill the entirety of the body itself, but in no wise should it simply be ignored. Luther himself is particularly strong on this point, for example, in his "Great" commentary on Galatians when he comments on 5:10 where Paul is speaking of the one who "troubles" the Galatians:

> 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.[339]

He reads Paul as saying that more important than showing love to those who "trouble" the Galatians is to assert what is true in the realm of doctrine because it is doctrine that illuminates who Christ is; it is doctrine that makes faith possible. It is a whole, a single *corpus doctrinae*, such that one mistake in the whole body of doctrine renders all the doctrine wrong. To speak wrongly of Christ is, for Luther, to damage the very foundation of the faith (*fides quae*) such that an individual's faith (*fides qua*) is shaken.

Not only is doctrine unified and pure for Luther, it is also "heavenly" and to be strongly distinguished from what occurs in the vicissitudes of life on earth. While doctrine certainly has an earthly origin in that it begins from the proclamation of the Gospel in the man Jesus and in the mouths of the prophets and apostles, doctrine itself is to be identified as the teaching of the Word of God and so is ultimately of divine origin. This makes it maintenance extremely important, as Luther writes:

> 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. The devil would dearly love to corrupt and overthrow these; that is why he attacks us so cleverly with this specious argument about not offending against love and the harmony among the churches.[340]

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[339] LW 27:41.
[340] Ibid., 41–2.

The distinction between doctrine and life, "heaven" and "earth," is crucial to understanding Luther here. Doctrine is divine teaching that has arisen and continues to arise in particular historical situations from the *evangelischer Ansatz* and as such is simply the working out of the logic of the Gospel and so is part and parcel of the Gospel message.[341] In this way, for Luther, doctrine is something presided over and guided by the Spirit even as it is expressed by human beings in and for particular problems that have arisen in the life of the community. As God's own "heavenly" teaching, for Luther it is possible to have correct and pure doctrine in that one can know what God has revealed even as living that teaching out in "earthly" life is filled with vagaries and problematic situations. Such a problematic situation to be addressed by "pure" and "heavenly" doctrine is the much-discussed case of Philip's, Landgrave of Hesse, desire to marry a second woman and therefore enter into a bigamous relationship. Without getting into the details of the situation, Luther, along with other Lutheran theologians, sent Philip a letter rendering their considered theological opinion of the matter. While the letter is lengthy, the section most relevant to this discussion is the following:

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[341] While the Trinity, for example, did not receive an authoritative expression before the 4th century, its logic was already present throughout the early church's proclamation *in nuce* such that, for Luther, they already proclaimed God as Triune long before the creed's proclamation of *homoousias* insofar as they reflected what was found in Scripture as interpreted according to the Gospel. We see this when, in commenting on John 16:28 ("I came from the Father and am come into the world, and again I am leaving the world and going to the Father"), Luther writes: "At this point I do not intend to go into the sublime doctrine of the Holy Trinity: that in His divine essence Christ proceeds from the Father from eternity, as has been stated." (LW 24:408) Here, he treats Jesus comment as related by John as unproblematically and directly referring to the later creedal expression of the doctrine of the Trinity. He does this in many other places as well (e.g., cf. LW 1:9, 50, 58; 22:173-4, 283; 23:89; 24:290-1). For Luther, doctrine is simply the statement of what Scripture teaches, and as additional clarity comes to Scripture by utilizing doctrines that have been developed over the centuries, so much the better.

> But that in a certain case a dispensation [for a polygamous relationship] might be given, as for instance in the case of a captive in a strange land, who has become free and brings his wife with him, or in the case of some chronic disorder such as was thought of for a time with lepers – that in such cases, with the advice of their pastor, a man might take a wife again, not to bring in a law but as counsel for his necessity, this we do not condemn. Because it is one thing to bring in a law and another to use a dispensation, this we humbly beg you to observe.[342]

Here and throughout the letter, we see that Luther and the other signatories have no doubt regarding the doctrine of marriage. They believed strongly that it is to be between one man and one woman for life. However, while the doctrine of marriage is clear, human situations are not. They are messy. One can receive a dispensation from the proper doctrine if the extremities of the circumstances encountered have already yielded a less than desirable situation, and rectifying that situation would be worse than giving a dispensation.[343] But the key point is that doctrine does not change based upon the vicissitudes of earthly situations; if it did, it could not perform its function of ruling the proclamation and life. Instead, doctrine remains constant, "of heaven," and it is precisely as such that it is useful on earth.

What is most important to note in the context of proclamatory pragmatism is that the distinction between doctrine being of "heaven" and life being of "earth" serves a practical aim – the protection of proper teaching and the application of that teaching to particular situations. It is not a theoretical or metaphysical distinction such that

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[342] Martin Luther et al., "Confessional Counsel," letter dated December 10, 1539 in Phillip Melanchthon's handwriting, quoted in and translated by John Alfred Faulkner, "Luther and the Bigamous Marriage of Philip of Hesse," *The American Journal of Theology* 17, no. 2 (April 1913): 214. The signatories of the letter include: Martin Luther, Phillip Melanchthon, and Martin Bucer.

[343] The Evangelical Lutheran Church in Kenya, for example, does not insist that polygamous men who become Christian divorce all but one of their wives. To do so would create a worse situation for all involved – especially the women – and exacerbate social disintegration. Rather, they do insist that once a polygamous man becomes a Christian, he does not marry any more wives, and they prohibit him from becoming a pastor per 1 Timothy 3:2 which says that the *episkopes* is to be a "μιᾶς γυναικὸς ἄνδρα" – literally, a "one woman man."

doctrine becomes the apprehension of absolute universal truths and so is somehow

disconnected from an earthly, contextual origin. Rather, the distinction serves the

purpose of insuring that what can be known from the working out of the *evangelischer*

Ansatz as doctrines become more and more codified is maintained even as allowance is

made for the fact that the events of life do not follow a predictable form and defy easy

categorization. In fact, it is precisely the events of life that become the originary point

for additional doctrinal reflection. While the vast majority of particular cases will yield

no new doctrinal insight and are rather instances where teaching is applied to messy life

situations, there are some problems that arise that become paradigmatic for an entirely

new set of doctrinal reflections.[344] The deity of the Son was one such instance in the

early church and the debate over the role of faith in justification was another during the

time of the Reformation. What Luther's distinction does, however, is maintain the

importance of knowing and applying the proper teaching / doctrine even when the

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[344] Peirce's understanding of growth as the continuing working-out of the sign is an interesting addendum here. In his 1904 essay "New Elements," Peirce described what he held to be the goal of sign use which he called the "entelechy of being." Here, "entelechy" is "the very fact, that is, the ideal sign which should be quite perfect, and so identical, - in such identity as a sign may have, - with the very matter denoted united with the very form signified by it. The entelechy of the Universe of being, then, the Universe *qua* fact, will be that Universe in its aspect as a sign, the 'Truth' of being. The 'Truth,' the fact that is not abstracted but complete, is the ultimate interpretant of every sign." (EP 2:304) He believed that this ideal sign where the representamen and its object and interpretant unite perfectly comes by way of development from pure chaos, pure indeterminacy. He writes: "A chaos of reactions utterly without any approach to law is absolutely nothing; and therefore pure nothing was such a chaos. Then pure indeterminacy having developed determinate possibilities, creation consisted in mediating between the lawless reactions and the general possibilities by the influx of a symbol. This symbol was the purpose of creation. Its object was the entelechy of being which is the ultimate representation." (EP 2:324) This restatement of how creation came into being as proceeding from indeterminacy and chaos to having determinate possibilities mirrors the Genesis story of God speaking the universe into being from the primordial *tohu v'bohu* (תֹהוּ וָבֹהוּ) of Genesis 1. It is the sign that arises from the chaos that gives that chaos determinate possibilities which did not exist previously, and so growth occurs. In a similar fashion, doctrine develops from the chaos of everyday life, though on a much smaller scale. Even as life cannot be predicted and is chaotic, it provides the opportunity for new symbols, new doctrines to be interposed that bring an organization to that chaos thereby enabling more possibilities of living in the light of God's Word. Perhaps this is part of God's movement toward the "entelechy of being" at the eschaton.

situations to which it is applied are exceedingly difficult and resistant to an easy fix. In

this way, the distinction is part of the logic of Luther's and the Lutheran Reformation's

theological *praxis* and not a statement of metaphysical principles. It is a fully practical

distinction that allows doctrine to play the role it was intended to play – that of

interrupter, of guide, of curb, which is to say, of Secondness and so of objectivism.

Doctrine's Role as Negative Rules of Christian Discourse

In chapter two, I described the function of creedal statements in what I termed

Paul's proclamatory pragmatism as rules of discourse that descry the boundaries of

Christian thought. If one transgresses the boundaries laid out in the creedal statements

in one's theological *habitus*, then one is no longer acting as a Pauline Christian. Creedal

statements function as negative rules for Paul serving to regulate how Christians should

speak, how the proclamation should occur.[345] When it comes to particular creedal

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[345] As should be obvious, such a statement places me among the heirs of Lindbeck's cultural-linguistic approach to doctrine. See: George Lindbeck, *The Nature of Doctrine* (Philadelphia: The Westminster Press, 1984). However, Pecknold's corrective of Lindbeck via Augustine and Ochs helps to avoid a problem identified by Hütter regarding seeing doctrines as rules of discourse. Hinlicky characterizes Hütter's concern: "This approach allows (rare) truth claims to be made in first-order discourse of kerygma, but not be doctrine per se, unless doctrine comes to function as kerygma. In first-order kerygma, a claim to ontological correspondence may take place if and when a proposition is used in a way that corresponds with the truth it bears, but in second-order doctrine, there is only a claim to coherence with other beliefs we hold as true, as in a system of doctrinal rules. The latter to be sure finally depends on the former, where it will be as a total life form that there is or rather may be correspondence with God, which must in turn be eschatologically verified." (Paul R. Hinlicky, *Luther and the Beloved Community: A Path for Christian Theology after Christendom* [Grand Rapids: William B. Eerdmans Publishing Company, 2010], 373.) First-order kerygma, as Hinlicky/Hütter use the term, embodies a hopeful, anisotropic, eschatological claim that what is promised is, in fact, true and so bears an ontological correspondence. However, there is no way to know by sight that this is true beforehand. Rather, it is a speculative claim made by faith and embodies the true hope of Christianity, and living in this faith empowers the outworking of love. Taking seriously Paul's statements that we see in a mirror, and that darkly (1 Cor. 13:12), and that we walk by faith, not sight (1 Cor. 5:7), entails the avoidance of acting as if we do, in fact, see clearly and can directly apprehend, say, the forgiveness offered in the absolution. Indeed, for the Lutheran, it is surely present; however, this is technically a hypothetical claim that we fully trust and hope will be verified at the resurrection. By re-figuring Lindbeck's understanding of doctrine as rules of

statements, such as the creedal statement for Paul that "Jesus is Lord," this regulative

function for Christian language can be seen in re-wording the statement as the non-

negative assertion: "Do not speak or act as if Jesus is not Lord." In classical logic, the

logical force of such an assertion can simply be converted to the proposition "Jesus is

Lord" by means of equating a double negative with a positive. However, to do this in

the case of Christian doctrine would be to assert something inappropriate to the deity –

that God can be "captured in certain discrete propositions"[346] rather than being the

overflowing source of all descriptions. In short and in the terms of the first chapter, this

would be to reduce God merely to a series of B-reasonings rather than being the source

of all A-reasonings. Moreover, it would be to assert a speculative ontology that serves

no part in fostering the love of God or human beings[347] in that it cuts off inquiry rather

than directing the Christian to a life seeking to learn more of how God relates to

humanity, personally and communally, so that Christians might better reflect God's love

in the particular situations in which they live.[348] This is to cut off legitimate inquiry that

can serve the church in furthering her teachings and in fostering the Christian life. It is

also to engage in the sin of idolatry in its objectivist form, as detailed in chapter one, in

that by cutting off inquiry, a reparative rationality does not flow from it.

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discourse in pragmatic fashion as I do throughout this dissertation, the problem identified by
Hinlicky/Hütter dissolves.

[346] Ochs, *Another Reformation*, 56.

[347] This is in line with Augustine's famous dictum: "Whoever, therefore, thinks that he understands the
divine Scriptures or any part of them so that it does not build the double love of God and of our neighbor
does not understand it at all." (OCD I:XXXVI:40; Augustine, *On Christian Doctrine*, trans. D.W. Robertson,
Jr. [Upper Saddles River, NJ: Prentice Hall, 1958], 30.)

[348] To paraphrase Anselm's *fides quaerens intellectum*.

Rather, understanding doctrine as negative rules for Christian discourse can be understood via intuitionistic logic where doctrine functions as non-negative assertions.[349] For example, the classical doctrine of Mary as *Theotokos* should be understood as denying that one should speak of Mary as if she were not the Mother of God.[350] As such, it is an assertion that denies a negative (that Mary is not the Mother of God) as opposed to asserting a positive (that Mary is the Mother of God). If X = "Mary is the Mother of God," then we can write the function of the *Theotokos* as a non-negative assertion in the following manner: $\neg\neg X$. However, for intuitionist logic, $\neg\neg X \rightarrow X$ does not hold in all cases. That is, a double negation does not necessarily result in a positive for intuitionist logic because intuitionism is concerned not with truth values but rather with what can be proven, and "a proof that we can not have a proof of $\neg X$ is not the same as a proof of X."[351] According to the biblical story and the doctrine of the church, Mary is indeed *Theotokos*, but there is no way to prove this outside of that story itself to which the church appeals. That is, the *Theotokos* is a teaching / doctrine of the faith and so is not amenable to proof outside of the context of that faith and so of proof in general. This is not to deny that the claim of the *Theotokos* may indeed be true for all people; it is only to say that this side of the eschaton, it cannot be convincingly proven

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[349] Peirce's conception of truth pushes on to investigate more deeply the warrants that may attend to any particular claim rather than seeking to establish a timeless truth *per se*. Because of the concern for the way claims can be warranted or demonstrated within a particular logic and constructive provability is a concern for intuitionistic logic, using that logic to illustrate my point is helpful here.

[350] More technically, *Theotokos* means "God-bearer" in that Mary bore in her womb the God, but "Mother of God" tends to be used more and so I follow that translation here.

[351] Manuel Lourenco (a.k.a gribskoff), planetmath.org, last modified October 7, 2008, http://planetmath.org/intuitionisticlogic. Cf. also Joan Moschovakis, "Intuitionistic Logic", *The Stanford Encyclopedia of Philosophy* (Fall 2014 Edition), Edward N. Zalta (ed.), forthcoming URL = http://plato.stanford.edu/archives/fall2014/entries/logic-intuitionistic/; and: Rosalie Iemhoff, "Intuitionism in the Philosophy of Mathematics", *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition), Edward N. Zalta (ed.), URL = http://plato.stanford.edu/archives/spr2014/entries/intuitionism/ .

to be the case. Rather, the qualitatively weaker claim "it is not the case that Mary is not the Mother of God" (i.e., ¬¬X) functions as a rule to guide the speech of the Christian. In fact, the canons of the Councils of Ephesus (431) and Chalcedon (451) explicitly took the assertion of the *Theotokos* as a negative linguistic rule for speech and so as a non-negative assertion. This can be seen in the first anathema of St. Cyril of Alexandria that was dogmatically adopted by the Council when he wrote against Nestorius: "If anyone will not confess that the Emmanuel is very God, and that therefore the Holy Virgin is the Mother of God (Θεοτόκος), inasmuch as in the flesh she bore the Word of God made flesh [as it is written, The Word was made flesh] let him be anathema."[352] *Theotokos*, then, is a rule for the proper confession of the faith and, as such, remains a hypothesis of unknown extent until such time that God makes it plain.

Another implication of understanding doctrine as negative linguistic rules or non-negative assertions is that they open up multiple trajectories of thought rather than restricting doctrinal development to a single thread of development. More technically, doctrine understood as non-negative assertions are neither decidable nor stable, though they are testable within a particular community.[353] They are not decidable in that the law of the excluded middle does not apply (X ∨ ¬X) and so have what Peirce terms generality.[354] Confessing Mary as *Theotokos* does not entail a prohibition for confessing her as *Christotokos*, for example, as long as by "Christ" what is understood is one who is

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[352] Cyril of Alexandria, trans. Henry Percival, *Nicene and Post-Nicene Fathers, Second Series, Vol. 14*, eds. Philip Schaff and Henry Wace (Buffalo, NY: Christian Literature Publishing Co., 1900), revised and edited for New Advent by Kevin Knight, http://www.newadvent.org/fathers/3810.htm.
[353] Cf. Moschovakis, "Intuitionist Logic."
[354] For Peirce, "anything is *general* in so far as the principle of the excluded middle does not apply to it." (EP 2:351) Generality in this sense allows "the interpreter the privilege of carrying [the sign's] determination further." (EP 2:350)

both true God and true man. In this way, the non-negative assertion of the *Theotokos* is

not a binary of either Mary as Mother of God or not Mary as Mother of God; other

options are on the table as long as they are consistent with the necessary assertion

(necessary for Christians who seek to follow the ecumenical councils) of the *Theotokos*.

Due to this generality, one is not forced to choose X or ¬X and so the *Theotokos* lacks

decidability. Likewise, ¬¬X → X does not hold in the case of the *Theotokos* because of its

function as a linguistic rule and so the doctrine is technically "unstable." It, like other

doctrines, is able to undergo development, and this is what happened in the case of

Mary as well.[355] Not only was Mary considered to be *Theotokos*, she eventually came to

be regarded as *semper virgo* (eternally virgin)[356] as well, and this position was adhered

to though not insisted upon as doctrine by many Lutheran Reformers, including Luther

himself.[357] In fact, Mary is called *semper virgo* in the first part of the Smalcald Articles in

the official 1584 Latin translation of the 1580 Book of Concord.[358] This argues for

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[355] Hefner writes: "The church cannot attain doctrinal finality in describing itself, because it never stops growing and because there is no one set of criteria, images, or models of the church which can preserve all the church wishes to preserve." (Philip Hefner, "Ninth Locus: The Church," in *Christian Dogmatics*, vol. 2, eds. Carl E. Braaten and Robert W. Jenson [Philadelphia: Fortress Press, 1984], 200.) This observation is in line with what I identified as a lack of doctrinal stability. Doctrines grow, but they do not grow haphazardly. The need to respect and adhere to what has gone before and develop along the trajectory laid out by the church's prior doctrinal decisions. But they do grow.

[356] In the Roman Catholic Church, *semper virgo* became official doctrine along with the doctrine of her sinlessness among other titles ascribed to her such as "Advocate, Helper, Benefactress, and Mediatrix." (*Catechism of the Catholic Church* [New York: Doubleday, 1995] 274-5, no. 969. Cf. the entirety of Article 9, Section III, Paragraph 6 – "Mary – Mother of Christ, Mother of the Church."

[357] Luther wrote of Mary: "According to His humanity, He, Christ, our Savior, was the real and natural fruit of Mary's virginal womb (of which Elizabeth, filled with the Holy Spirit, said to her in Luke 1:42: "Blessed is the fruit of your womb!"). This was without the co-operation of a man, and she remained a virgin after that." (LW 22:23; cf. his extended discussion on how Jesus' "brothers" are to be understood on LW 22:214.)

[358] The Latin reads: "*…et ex Maria, pura, sancta semper virgini nasceretur…*" (SC I:IV; *Trigl.* 460 Latin text.) This has caused some to wonder if the Book of Concord teaches the eternal virginity of Mary as a doctrine, but most point to the fact that the 1584 Latin Book of Concord is a translation of the 1580 German, and that the eternal virginity of Mary is not named in the more authoritative, earlier German

regarding doctrine as logically unstable as negative rules of discourse in that doctrinal

claims undergo development and are further refined in manners that do not transgress

the original boundaries set by the doctrine but allow multiple possibilities within those

boundaries. Finally, while doctrine may not be technically decidable or stable, it is

testable ($\neg X \lor \neg\neg X$), but only within the context of its adoption. That is, doctrine comes

in response to particular historical occurrences where a problem arose within the

Christian community. This problem was discussed and the root disagreement identified,

and then the church – via the mechanism of ecumenical councils in Christianity's first

millennium and then via increasingly haphazard ways – decided how Christians should

speak regarding the issue based upon Scripture interpreted according to the rule of

faith. This Pauline methodology (cf. ch. 2) enables the church to compare particular

proposed propositions about the faith (Gospel$_B$) with Scripture understood in light of

the faith that is proclaimed (Gospel$_A$) and past propositions that had already been

adopted (Gospel$_B$). In this way, the church tested its proposed doctrines in order to see

if they were in accordance with Scripture understood via the Gospel and past doctrines

of the church. In the context of developing a proclamatory pragmatism geared to solve

the problem of competing Lutheran foundationalisms in the "Battle for the Bible," I hold

that doctrine is testable, but only within the parameters that the church has set up.[359]

Book of Concord and conclude that this was an unauthorized insertion by the editor of the 1584 Latin, Selnecker.

[359] What is discussed in this paragraph has some resonance with McLaughlin's RPM principle: "reality is polymorphic [RPM]… The universe – understood to mean the world-as-it-is independently of any particular observation of it – is intrinsically multifaceted and highly complected. No one perspective on any aspect of the universe can *comprehensively* represent it. The degree of diversity and complexity that exists in the universe ultimately thwarts all attempts at generalization or unification (understood as a consolidation of perspectives), and so of formulating any definitive scientific theory (or set of theories)."

We can see how the Lutheran Reformers treated doctrine as negative rules of

discourse or non-negative assertions within the Lutheran Confessions, such as the AC's

treatment of praying to saints in Article XXI,[360] the final article within the first section on

articles of faith and doctrine.[361] In this article, the Confessors make two doctrinal

moves. The first is to affirm that the saints should be honored by means of giving

thanks to God for their example, by having our faith strengthened by their example, and

by imitating their actions.[362] The second is to deny that a Christian's conscience should

be bound to pray to the saints or invoke them because…

(McLaughlin, "Peircean Polymorphism," 412-3. Italics mine) Doctrines can and must be formulated, but they are formulated for particular contexts and are not *comprehensive* in their scope. Rather, they must be pegged to a context, and as they are revisited, they may undergo development through further testing and the ascertaining of their utility for new contexts.

[360] Here is the text of the article in the AC: "Concerning the cult of the saints our people teach that the saints are to be remembered so that we may strengthen our faith when we see how they experienced grace and how they were helped by faith. Moreover, it is taught that each person, according to his or her calling, should take the saints' good works as an example. For instance, His Imperial Majesty, in a salutary and righteous fashion, may follow the example of David in waging war against the Turk.[360] For both hold a royal office that demands defense and protection of their subjects. However, it cannot be demonstrated from Scripture that a person should call upon the saints or seek help from them. "For there is only one single reconciler and mediator set up between God and humanity, Jesus Christ" (1 Tim. 2[:5]). He is the only savior, the only high priest, the mercy seat, and intercessor before God (Rom. 8[:34]). He alone has promised to hear our prayers. According to Scripture, in all our needs and concerns it is the highest worship to seek and call upon this same Jesus Christ with our whole heart. "But if anyone does sin, we have an advocate with the Father, Jesus Christ, the righteous…" [1 John 2:1]." AC XXI; K/W 58.

[361] The AC is broken up into two sections, the first being the articles of faith and doctrine which the Lutheran Reformers considered to be restatements of the way the faith had always been taught and which they did not consider to be in dispute as we can see from the German text: "Since, then, this teaching is clearly grounded in Holy Scripture and is, moreover, neither against nor contrary to the universal [the German text reads *gemeine* which is equivalent of the Latin *catholica* which is used in the Latin text of the AC] Christian church – or even the Roman church – so far as can be observed in the writings of the Fathers, we think that our opponents cannot disagree with us in the articles set forth above [i.e., the first 21 articles of the AC]." (AC Conclusion of Part One:1; K/W 58; German text) The last seven articles are over disputed matters such that: "Nothing contrary to Holy Scripture or to the universal, Christian church is taught in our churches concerning articles of faith. Rather, only some abuses have been corrected that in part have crept in over the years and in part have been introduced by force." (AC Intro to Disputed Articles; K/W 60; German text) This division intends to separate out what the Reformers considered settled doctrine functioning as constative truth claims from those articles they believed were in need of reform such that they are making reparative claims to fix what had gone wrong.

[362] Cf. Ap XXI:4-7; K/W 238.

> …Scripture does not teach us to call upon the saints or to ask the saints for help. Because neither a command, nor a promise, nor an example from Scripture about invoking saints can be brought forward, it follows that the conscience can find no certainty in such invocation. And since prayer out to be made from faith, how do we know that God approves such invocation? Without the testimony of Scripture, from what source do we know that the saints hear the prayers of individuals?[363]

Here the practical focus of the Confessors' theological method is on full display. What they are concerned about, in the first place, is how a particular teaching / doctrine might affect the faith of an individual by means of wrongly binding her conscience to a particular teaching that lacks sufficient merit. This is because the point of doctrine is precisely to encourage faith, to bring people into a trusting relationship with Christ, to re-orient individuals from being enemies of God into those who look to Him for all good gifts as His dear children. In order to accomplish this, particularly when controverted issues arise, Christians need to be guided by means of explicit doctrinal, propositional teaching that increases their understanding of the character of their relationship to the Father through the Son in their Spirit thereby deepening their trust in Him. Such trust must have a strong epistemological basis, and for Christians, Scripture forms just this basis.

Besides having a practical aim, in this article the Confessors employ a doctrinal formulation in a non-negative fashion. That is, they propound the proposition based upon Scripture that "[Christ] is the only savior, the only high priest, the mercy seat, and intercessor before God (Rom. 8[:34]). He alone has promised to hear our prayers."[364] The exclusionary particles "only" and "alone" are crucial here. If these statements were to be taken as positive assertions of an ontological reality (the reality that Christ is the

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[363] Ap XXI:10; K/W 238-9.
[364] AC XXI:2-3; K/W 58. German text.

sole mediator and the only one who hears prayers), then the Confessors would have included a prohibition stating that one may not pray to the saints; this is the force of the exclusionary particles. Yet they do not do this. Rather than forbidding prayer to the saints, they simply say that there is no command to do so and no promise attached to this type of prayer such that a Christian's conscience cannot be bound to regard such prayer as efficacious. But this is not to prohibit prayer to the saints. In this way, what we have is a weaker, more flexible statement of what it means to say that Christ alone is the mediator and that he alone promises to hear prayers. This makes best sense when read as a non-negative assertion understood as a negative rule of discourse saying: "Do not speak or act as if Christ is not the sole mediator between humanity and God;" or "Do not speak or act as if Christ is not the only one who has promised to hear our prayers." Such an understanding of the doctrine here promulgated would well explain how the Confessors could, on the one hand, give great respect to the saints while not disallowing prayers to them, and on the other, hold up Christ as the sole mediator and as the only one who has promised to hear prayer. A model of doctrine that regards doctrine as describing eternal verities has a much greater struggle explaining what the Confessors are doing here and how doctrine's goal is eminently practical – not to merely explain metaphysical structures but to employ speculative theology in order to increase faith. But in all cases, the Confessors' approach is thoroughly grounded within the tradition of Christian discourse and is not understandable outside of that discourse; the concept of praying to the saints (or not) has no meaning outside of this tradition, and so

the Lutherans' assertions are not foundationalist but rather expressive of a thoroughly

traditioned understanding.

Moving from the first intentionally confessional document[365] in the Book of

Concord to the last, the Formula of Concord lays out "the Binding Summary, Basis, Rule,

and Guiding Principle How All Teaching Is to Be Judged in Accord with God's Word and

How the Errors That Have Arisen Are to Be Explained and Decided in Christian

Fashion."[366] This rule turns out to be a list of documents that together set the relevant

context of interpretation by which later Christians can judge which doctrines are

appropriate expressions of this context or not. By creating such a context of

interpretation, the Formula avoids the critique of foundationalism because it situates

itself within a particular tradition of discourse. Within this tradition, it specifies

Scripture, the "three ecumenical creeds,"[367] and the various documents that end up in

the Book of Concord, beginning with the "unaltered edition of the Augsburg

Confession,"[368] as the "form" against which "all other writings are to be approved and

accepted."[369]

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[365] While Luther's catechisms were published prior to the presentation of the Augsburg Confession to the emperor, they were not originally intended as confessional documents *per se* but rather as a means to educate children and to train the heads of households in educating their children. It was only later that they received confessional status due to their great influence.

[366] Capitalization original to English text; FC SD: Binding Summary, title; K/W 526.

[367] FC SD: Binding Summary:4; K/W 527. I put this claim in quotations because Eastern Orthodox churches do not have a significant place in their liturgies for the Athanasian Creed, and the *filioque* of the Nicene Creed in the formulation accepted by the Lutheran Church (and the West generally) is explicitly rejected as non-canonical by the East and perhaps also as wrong doctrinally.

[368] FC SD: Binding Summary: 5; K/W 527. For more information on textual history of the Augsburg Confession, see: Scott Yakimow, "A Living Confession: Texts and Uses of the Augsburg Confession" (unpublished paper, Concordia Seminary – St. Louis, 2006).

[369] FC SD: Binding Summary:10; K/W 529.

Having specified the context of its interpretation, the Formula then describes its theological method as both affirming certain propositional, doctrinal statements and also, at the same time, condemning others. Its goal is to "set forth and explain our faith and confession in regard to each specific controversy clearly, straightforwardly, and unequivocally, in theses and antitheses (that is, as correct teaching and its opposite), so that the foundation of the divine truth in all these articles may be made obvious."[370] By doing so, "it presents the unchangeable, reliable truth."[371] This is to state nothing else that given a particular, contextual dispute, there is a particular, contextual way that that dispute should be settled by adopting propositional, doctrinal statements such that some avenues of discourse are disallowed and others are opened up. In so doing, the "unchangeable, reliable truth" becomes apparent through these propositions in that they display the proper spiritual *habitus* that is part and parcel of the goal of the proclamation; that is, the propositional, doctrinal statements function as unchanging, contextual tokens (Gospel$_B$) of the proclamation itself (Gospel$_A$). Given a particular set of circumstances, theses are adopted that resolve the dispute in question, and antitheses are also adopted that would directly contradict those theses, and in so doing, the truth of the proclamation (Gospel$_A$) is preserved and articulated within a given situation (Gospel$_B$).

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[370] FC SD: Binding Summary: 19; K/W 530.
[371] FC SD: Binding Summary: 20; K/W 531.

Moreover, not every dispute rises to the level of needing doctrinal resolution; rather, only those that are necessary to the Gospel itself demand such a resolution.[372] What differentiates unnecessary from necessary disputes is a matter of Secondness, of resistance when one of the previously-held doctrines or articles of the faith is directly contradicted by a given proposition understood according to the context of its promulgation. When a new doctrinal formulation produces controversy, one must first determine whether or not it conflicts with one of the articles of faith that has been previously adopted. This is done by understanding both formulations within each of their contexts and then making a judgment as to whether or not they are speaking of the same thing and whether or not they can be harmonized or if there is a simple contradiction. If there is a simple contradiction, then this becomes a matter for adopting a new doctrine to either clarify an aspect of previous teaching that lacked clarity (and in the process add to the development of doctrine via the adoption of new propositions) or to simply re-assert what had previously been taught (in this case, no doctrinal development occurs in the sense of adopting new doctrinal propositions, but the context of those original propositions may be expanded). Judging doctrines contextually is a crucial part of this process because it allows one to understand the goals of the doctrine, how it shapes the Christian life, and the other concerns that motivated its original proponents. Likewise, new doctrinal formulations or simple propositions about the faith also need to be understood contextually in order to get a

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[372] "Thus, we have come to fundamental, clear agreement that we must steadfastly maintain the distinction between unnecessary, useless quarrels and disputes that are necessary. The former should not be permitted to confuse the church since they tear down rather than edify. The latter, when they occur, concern the articles of faith or chief parts of Christian teaching; to preserve the truth, false teaching, which is contrary to these articles, must be repudiated." (FC SD: Binding Summary: 15; K/W 530)

grasp upon what they seek to accomplish and how this fits in with the faith as handed down through the church. In the end, however, it is a judgment call made by the church by those who have been so formed to make that judgment that becomes determinative in the adoption of new doctrinal propositions or the re-assertion of old propositions. This is the case even as the authority by which this is done is understood to be that of the Word of God as proclaimed in Scripture and then codified in the creeds and the Lutheran Confessions (at least for Lutherans who seek to maintain the importance of the Confessions).

This theological methodology can be found throughout the Formula. Each article begins by stating the *status controversiae* ("issue in contention") along with a context of (at least) two parties who held conflicting stances, details why this is not an idle quarrel, and then goes on to resolve the issue based upon the "binding rule and summary" elucidated above. For example, the first article on original sin begins with a thorough description of the stance that one party to the dispute took. It is worth quoting at length in order to display the depth of its contextual analysis and the care that was taken to accurately portray the position:

> First, a dispute took place among some theologians of the Augsburg Confession regarding original sin and its true meaning. One party contended that because "through Adam's fall the whole human nature and essence is corrupted," after the fall the corrupted creature's nature, substance, essence, even the noblest, most important part of its essence – the rational soul at its highest level and with its most foremost powers – is original sin itself, and has been called nature-sin or person-sin, because it is not a thought, word, or deed but the nature itself, out of which, as the root, all other sins arise. Moreover, there is therefore after the fall, because nature has been corrupted by sin, absolutely no difference at all between human nature of the human essence and original sin.

Here, the authors make clear that what is at issue is the teaching of original sin, a doctrinal article that had been promulgated in the West at least since Augustine. They

return to the defining instance of how sin came about by referencing Adam and Eve in the Garden and then analyze what occurred using categories derived from Greek ontology. However, it is important to note that what is crucial about those ontological categories is not a speculative assertion about the essence of sin but rather how this ontological speculation fuels particular linguistic formulations – that of "nature-sin or person-sin" – such that those who would adopt such an ontology would regard human nature as sinful. This would have the ill effects of implying that God is the author of sin since he creates a human nature that is identified as "original sin itself" (cf. FC SD:I:7).

Interestingly, what makes repudiating this position difficult is that it was Luther who first used the terms "nature-sin or person-sin." The authors of the Formula, however, avoid this problem again by appealing to an analysis of context by re-examining Luther's own usage of the terms. Rather than attributing sin to human nature *per se*, Luther intended this linguistic coinage to indicate that "our entire nature and person is sinful, that is, totally and thoroughly corrupted in God's sight and contaminated by original sin *as with a spiritual leprosy*."[373] This latter phrase is important because it corresponds to the second party's contention that original sin is a corruption of human nature and not to be identified with human nature itself.[374] In sum, what can be seen here is a careful, contextual analysis on the part of the Formula in that it is quite capable of affirming Luther's usage of the terms "nature-sin or person-sin" even while acknowledging that in a later usage, these same terms became

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[373] FC SD:I:6; K/W 533; italics mine.
[374] Cf. FC SD I:2; K/W 532.

problematic *due to the way they were deployed*.[375] Far from a foundationalist

understanding of the role of propositions, this contextual analysis demonstrates the

importance of context to the early Lutherans. It also shows that the function of

doctrines as negative rules of discourse (i.e., "do not speak as if original sin is not a

corruption of human nature but is rather to be identified with human nature itself") is

an appropriate way to describe the Lutherans' methodology in that it insists that

doctrine is about how one should speak and that language is taken within its context

and to be authoritative within that context alone.[376]

Doctrine as negative rules of discourse or non-negative assertions within

proclamatory pragmatism corresponds well with Luther's own comments regarding the

importance of assertions for a Christian. In his book, *De Servo Arbitrio* (frequently

translated as "The Bondage of the Will," but better understood as "The Boundness of

Choice"), Luther responds to a relatively brief treatise written by the humanist Erasmus

entitled *De Libero Arbitrio* ("The Freedom of the Will") that he had written against

Luther. In it, Erasmus argues against the desire to make firm assertions outside of those

demanded by Scripture and the Church but rather always being open to the revision of

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[375] Cf. FC Ep I:19-22; K/W 490-1.

[376] This concern for the role of language is stated explicitly in the Epitome to the Formula of Concord when it says: "Concerning the Latin words *substantia* and *accidens*, since they are not biblical terms and are words unfamiliar to common people, who do not understand them; the simple folk should be spared such words. But in the schools and among the learned, these terms are familiar and can be used without any misunderstanding to differentiate the essence of a thing from that which in an 'accidental' way adheres to the thing. Therefore, these words are properly retained in scholarly discussion of original sin." (FC Ep I:23-24; K/W 491.)

one's opinion on any given topic, particularly given the obscurity of Scripture.[377] In his

typically bombastic style, Luther responds:

> …it is not the mark of a Christian mind to take no delight in assertions; on the contrary, a man must delight in assertions or he will be no Christian. And by assertion – in order that we may not be misled by words – I mean a constant adhering, affirming, confessing, maintaining, and an invincible persevering; nor, I think, does the word mean anything else either as used by the Latins or by us in our time.[378]

Luther then goes on to marshal examples from Scripture to defend his stance (e.g.,

Matt. 10:32 & 1 Pet. 3:15), and then suggests the following rule of speech for a Christian

regarding assertions:

> This is how a Christian will rather speak: So far am I from delighting in the opinion of the Skeptics that, whenever the infirmity of the flesh will permit, I will not only consistently adhere to an assert the sacred writings, everywhere and in all parts of them, but I will also wish to be as certain as possible in things that are not vital and that lie outside of Scripture. For what is more miserable than uncertainty?[379]

And:

> Permit us to be assertors, to be devoted to assertions and delight in them, while you stick to your Skeptics and Academics till Christ calls you too. The Holy Spirit is no Skeptic, and it is not doubts or mere opinions that he has written on our hearts, but assertions more sure and certain than life itself and all experience.[380]

Throughout these quotations, Luther strongly connects the practice of making

assertions to particular attitudinal states (adhering, persevering, delight, certainty, etc.),

and by doing so he shows the practical aim of asserting is to give one's faith voice in a

particular situation. It is to express in propositions (Gospel$_B$) the content of one's faith

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[377] E.g., "And, in fact, so far am I from delighting in 'assertions' that I would readily take refuge in the opinion of the Skeptics, wherever this is allowed by inviolable authority of the Holy Scriptures and by the decrees of the Church, to which I everywhere willingly submit my personal feelings, whether I grasp what it prescribes or not. Moreover, I prefer this disposition of mine to that with which I see some people endowed who are so uncontrollably attached to their own opinion that they cannot bear anything which dissents from it; but they twist whatever they read in the Scriptures into an assertion of an opinion which they have embraced once for all." (Desiderius Erasmus, "On the Freedom of the Will," in *Luther and Erasmus: Free Will and Salvation*, eds. E. Gordon Rupp and Philip S. Watson [Philadelphia: Westminster Press, 1969], 37.)
[378] Ibid., 105.
[379] Ibid., 107-8.
[380] Ibid., 109.

(Gospel~A~) in a given circumstance, addressing a particular problem. This is evidenced by Luther's attribution of the writing of assertions "on our hearts" by the Holy Spirit. It is the event of the proclamation, the *evangelischer Ansatz*, that the Holy Spirit accomplishes in the Christian that enables her to speak confidently of what God has done and is doing. Giving voice to these assertions is delightful because doing so enables the Christian to express the hope the Spirit has placed within her as she takes a stand in a given context in order to more fully proclaim the faith. Assertions provide the Christian with certainty precisely because the Spirit is involved in their creation and they function to guide Christian thought and action. This guiding function shows the character of assertions as negative rules of discourse, and Luther himself frames the teaching / doctrine regarding the role of asserting in the Christian life as a rule of speech ("This is how a Christian will rather speak…"). The whole point of Luther's response regarding Christians and the practice of asserting is to tell Erasmus that he is not speaking like a Christian on this matter and that he needs to adopt a different rule to guide his speech; the rule proposed is that of making assertions because doing so both expresses the faith and gives certainty. Speech guides thought and is expressive of it.

As should be clear, doctrinal creation has both a diagrammatic or logical moment and a corrective or biblical moment in proclamatory pragmatism. The diagrammatic moment (which corresponds to Ochs' logical objectivism) is in the analysis of the contextual situation according to the logic of the Lutheran community thereby providing the theologian with resources to understand what problems exist that need a solution and a means to bring the results of analysis into a public discussion. The corrective

moment (which corresponds to Ochs' biblical objectivism) lies in searching the Scriptures for answers to the problems laid bare in a particular historical instance of church conflict. The corrective moment depends upon the diagrammatic moment to achieve clarity, and the diagrammatic moment is unable to reach its *telos* without a "third thing" that can interpose itself and actually solve the problem in the corrective moment. This follows the form of the scriptural pragmatism described by Ochs even as it applies that pragmatism more precisely to Lutheran reasoning via what I have termed proclamatory pragmatism.

In sum, just as the Lutheran spiritual *habitus* of *oratio*, *meditatio*, and *tentatio* formed the internalist pole of Lutheran scriptural practice, doctrine forms the objectivist pole. It is that which brings one up short, that interrupts one's daily practice in order to guide that practice and provide rules for how one should speak and act. It does this by employing a speculative theological framework, but it does not do so for the sake of that framework but rather to guide speech in order to inculcate faith in the hearer; doctrinal creation is ultimately a practical exercise for the Lutheran, not a speculative one, even as it employs speculation to accomplish this practical end. Because of the subservient role that the speculation plays in this practice, doctrine is best understood as non-negative assertions about whatever topic is being addressed (God, sin, salvation, Sacraments, etc.) in that the point of asserting is to create faith, not to grasp God by the nose and provide a definitive explanation of His being, His character, His actions, etc. Doctrinal creation and assertion is not to engage in a divine autopsy for Lutherans; it is rather to create faith by guiding one's speech and actions in the way they should go. It

does this via a diagrammatic analysis of past proclamation in order to make suggested

corrections to disputes that have arisen in the history of the church. In short, doctrine

guides the proclamation.[381]

A Reparative Rationality – Proclamatory Pragmatism as Law & Gospel

For Lutherans, the *praxis* of Law and Gospel (L&G) is undertaken by one so

formed in the virtues of faith, hope and love via the spiritual *habitus* of *oratio*,

meditatio, and *tentatio* and is guided by the doctrinal deposit of the church in order to

create faith in the hearer by means of the proclamation of Law that leads to repentance

or of Gospel that pronounces forgiveness.[382] It is God speaking through the speaker as a

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[381] This is in addition to its role in enabling one to hear the cry for help, which is the function of the objectivist pole within a reparative rationality for Ochs in his article, "Reparative Reasoning" (op. cit.).

[382] Robert Kolb puts it clearly that confessing one's faith in a Lutheran sense does not merely mean the recitation of doctrine but rather involves much more, touching upon the foundations of the church's life: "In witnessing to God's Word, the confessors at Augsburg and their heirs in the era of the Interims were also conscious that confession of the faith involves more than just "doctrine"—more than just the words which convey God's Word. The practice of the church—its liturgy and hymns, its public symbols and activities—also contributes to what people perceive and understand by "presenting the Gospel." Confessors must be sensitive to the dynamics of the wide range of human perceptions as they encounter the confession of the faith in all its many facets, realizing that each person has different presuppositions and understandings that have emerged from his personal social background." (Robert Kolb, *Confessing the Faith: Reformers Define the Church, 1530–1580*, electronic ed., Concordia Scholarship Today [St. Louis: Concordia Publishing House, 1991], 139.) Moreover, in his study of Luther's confessional material, McDonough comes to the following conclusions regarding Law and Gospel in Luther: "Three things seem to emerge conclusively from out study. Firstly, Luther's confessional writings expound fundamental doctrine according to a Law-Gospel plan of salvation, showing how God alone, to the exclusion of human merit and works, establishes, enforces, and fulfils all His precepts and promises – His Decalogue precepts and promises and His Gospel precepts and promises. Secondly, this totality of God's work, produced by the fullness of His Word – the Word as Law and the Word as Gospel – cannot be grasped, appreciated, and believed apart from what it primarily effects in the daily life of the Christian – namely, the tense dynamic personal experience of sinfulness and grace; that is to say, apart from an *erlebnismäßig* crisis of despair in self followed by the consoling reassurances of faith; apart from a crisis in which the sinner becomes permanently conscious of his moral impotence before the Law, his purely passive role in the spiritual struggle against sin and the transforming effects of faith, and the external or imputed character of his righteousness before God. Thirdly, this Law-Gospel experience, both in its cause and scope, is not a mere aspect of Luther's theology but the very heart and core of his basic convictions." (Thomas M.

means, a tool for proclaiming His own Word to that person at that place and at that

time.[383] It is a Scriptural practice in that not only does it seek to say what Scripture says,

it also seeks to create those who are able to reason as the authors of Scripture reason

such that its practitioners are able to respond properly to multiple contexts, saying what

is appropriate *at that time* and *in that place* in order to drive the hearer on toward

faith.[384] While employing many locutions, it is not merely about proper locution.

Rather, it refers to the proper deployment of particular locutions, that of God's promise

in the Gospel or judgment in the Law,[385] trusting that the Holy Spirit might so inhabit

McDonough, *The Law and the Gospel in Luther: A Study of Martin Luther's Confessional Writings* [London: Oxford University Press, 1963], 146.)

[383] The idea of God speaking through the preacher is well established in Lutheran thought, especially by Forde but going back to Luther himself. Wilson writes: "Luther spoke strongly for preaching because he was convinced that God himself is heard in preaching. God's Word is a living and a personal Word. Besides the preacher, God himself is also active in preaching, communicating and seeking personal responses from the hearer. Therefore, the key phrase to explain Luther's understanding of preaching is *Deus loquens*, God speaking, through persons, to persons… Preaching for Luther meant declaring anew through the human voice the judgment and the forgiveness of God. When a minister preaches so, in obedience to the Scriptures (the written Word), God's Word is heard simultaneously with the human word. How this happens is the mystery of preaching. Luther explained: 'Thus, the spoken word is indeed a human voice – but instituted by divine authority for salvation.'" (H.S. Wilson, "Luther on Preaching as God Speaking," *Lutheran Quarterly* 19 (2005): 72.)

[384] Scaer writes of the purposiveness of this process: "In Lutheran theology the law in its accusing function is anticipatory, therapeutic, and preparatory for the gospel. The law possesses positive characteristics in reflecting what God is in Himself and His continuing creative activity in the world through the law, but a sinner first recognizes this when he believes in Christ. By this faith he discovers that the God who in His revelation of law was displeased with him is his loving Father who accepts him in Christ and sanctifies him by His Spirit. Reconciliation between God and man has taken place already in Christ. The gospel is not mere proclamation, but derives its substance from what God is in Himself and what He did in Jesus Christ." (David Scaer, *Law and Gospel and the Means of Grace*, Confessional Lutheran Dogmatics, vol. VIII [St. Louis: The Luther Academy, 2008], 46-7.) Regarding the final sentence in the quotation: when I speak of "proclamation," I am not speaking of "mere proclamation" either but rather of something that has force and is transformative.

[385] Quoting Luther, Pelikan writes of distinguishing Law and Gospel: "'The truth of the gospel is this,' he said, 'that our righteousness comes by faith alone, without the works of the law,' and therefore the only 'real theologian' was one who 'knows well how to distinguish the gospel from the law.' 'The knowledge of this topic, the distinction between the law and the gospel,' he went on, 'is necessary to the highest degree, for it contains a summary of all Christian doctrine.' Everyone was to learn to make this distinction 'not only in words but in feeling and in experience [NB: here he connects the *praxis* of L&G to the formation of the theologian].' …The law, as the word of Moses directed to the outer life of men, was able to instruct and sanctify only the flesh, whereas the gospel, as the word of Christ directed to the inner life

what is said that faith will be created in the hearer, when and where the Spirit wills.

Both Law and Gospel have their roots in God; the Law is God's own action of

condemnation designed to effect repentance and the Gospel is God's own work to

create faith in the promise and effect salvation.[386] Distinguishing L&G is a sapiential

practice where a *habitus* of faithful care finds expression, where one who is formed to

be able to respond and to do so according to the teaching of the church is able to speak

a word from God into a given situation in order to either stop someone, drawing them

up short to bring them to repentance (Law) or to speak the word of forgiveness and

promise (Gospel) that frees them from their prior bondage to sin.[387] Its goal is always

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of men, was able to instruct and sanctify the spirit." (Jaroslav Pelikan, *The Christian Tradition: A History of the Development of Doctrine, Vol. 4, Reformation of Church and Dogma (1300-1700)* [Chicago: University of Chicago Press, 1985], 168.)

[386] Pelikan writes: "Nor were law and gospel distinct as to origin: God was the author of both. When God gave the law through Moses on Sinai, he accompanied it with signs of his power and holiness, to reinforce it by the declaration of his sovereignty… The Holy Spirit had revealed both the law and the gospel, and both were his truth; but his purposes in giving them, and therefore the effects that each was intended to have and did have, were completely different. (Ibid., 169-70.) Lutheran scholastic theology has distinguished between the activity of the Law in terrifying and condemning and the activity of the Gospel in breathing new life and re-creation in terms of God's alien and proper work, as Pieper indicates in the Epitome to the Formula of Concord: "In the Epitome terrifying with Christ's suffering and death is called 'a foreign work [*alienum opus*] of Christ, by which He arrives at His proper office [*proprium suum officium*], that is, to preach grace' (*Trigl.* 803 V, 10)." (Francis Pieper, *Christian Dogmatics*, electronic ed., vol. 3 [St. Louis: Concordia Publishing House, 1953], 235.)

[387] This is in accordance with Melanchthon's description of the distinction between Law and Gospel in his 1543 *Loci Communes*, a revision of the first work of systematic theology in the Lutheran tradition: "The Law, as we have said above, is a teaching that requires perfect obedience toward God, does not freely remit sins, and does not pronounce people righteous, that is, acceptable before God, unless the Law be satisfied. Although it has promises, yet they have the condition that the Law must be fulfilled. On the contrary, the Gospel, even when it makes its proclamation about repentance and good works, nevertheless contains the promise of the benefits of Christ, which is the proper and primary teaching of the Gospel, and this must be separated from the Law. For the Gospel freely forgives sins and pronounces us righteous even if we do not satisfy the Law. How these can be reconciled—that the Gospel along with the Law preaches about repentance and yet is a gracious promise—this we shall explain below. But first we must warn the reader that he must observe the difference between these promises, for the Law also has promises." (Philip Melanchthon and Jacob A. O. Preus, *Loci Communes, 1543*, electronic ed. [St. Louis: Concordia Publishing House, 1992], 81.) Regarding the contextual character of distinguishing between L&G, Lohse writes: "According to Luther, the distinction between law and gospel could be properly drawn only when drawn afresh, when the situation that it addresses is carefully noted. Where the 'law' is in fact already encountered, in suffering, temptation, or other severe experiences, the preaching of the gospel is

the event of proclamation in the sense developed in chapter two, and this goal finds

expression in the virtues of faith, hope and love that drive the practitioner on in seeking

to properly distinguish between L&G for a given situation.[388] In that way, the *praxis* of

L&G employs an anisotropic logic in a manner derivable from Paul's anisotropic

scriptural logic, and when viewed as a whole, it is a further development of the

proclamatory pragmatism that I described in my analysis of Paul and is best understood

in that context.[389]

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to be given priority. On the other hand, where the law is denied through self-confidence or hubris, a too hasty preaching of the gospel would only lead to one's feeling supported in self-righteousness. Luther's distinction is clearly related to the context of proclamation." (Lohse, *Theology*, 269.)

[388] Bayer emphasizes the contextual nature of the proclamation of the Gospel when he writes that it is only understandable within a particular story: "The *promissio*… needs the *narratio* to situate it. The stories that make up the main part of the biblical texts narrate the most varied life situations and range of emotions, all within a world that, like our own life, has a beginning and an end. In view of these stories, J.G. Hamann speaks of the 'truths of history, not only of past times but also of future times.' They prove their truth by the fact that they are read, preached and heard *typologically*. Narratives offer possibilities of identification. Suddenly, I see myself in these stories and hear them as my own story." (Oswald Bayer, "Preaching the Word," *Lutheran Quarterly* 23 [2009]: 258.)

[389] This is not surprising in that Luther's so-called "Tower Experience" was determinative for his understanding of the Gospel and so for the Lutheran Reformation as a whole, and this experience occurred during the course of Luther lecturing on Romans, Galatians and Hebrews. Most important for Luther, however, was the understanding of God's righteousness as described by Paul in Rom. 1:17. Luther, along with the medieval monastic tradition, believed that this righteousness was "the formal or active righteousness through which God is righteous and punishes sinners and the unrighteous." (Martin Brecht, *Martin Luther: His Road to Reformation 1483-1521* [Minneapolis: Fortress Press, 1993], 225.) Of this understanding of God's righteousness in connection with Rom. 1:17, Luther wrote many years later: "As if, indeed, it is not enough, that miserable sinners, eternally lost through original sin, are crushed by every kind of calamity by the law of the Decalogue, without having God add pain to pain by the gospel and also by the gospel threatening us with his righteousness and wrath… Thus I raged with a fierce and troubled conscience. Nevertheless, I beat importunately upon those Pauline passages, most ardently desiring to know what St. Paul wanted." (Martin Luther, quoted in Ibid.) This terror of conscience eventually led to Luther's life-changing revelation regarding the meaning of "the righteousness of God," which is, as Brecht describes it: "The gospel now says that the God of righteousness is the God of mercy. He does not punish, but he gives, and he justifies precisely through faith in the gospel." (Ibid., 226) This insight became the determinative insight for the Lutheran Reformation, and for this reason among others, it is not surprising that Lutheran thought tends to exhibit Pauline thought, not to the exclusion of the patterns of thinking present in the Gospels, for example, but rather as a matter of emphasis. Lohse summarizes Luther's change: "…according to Luther's unequivocal statement, at issue is the rediscovery of Paul's meaning in Romans 1:17, 'The righteousness of God is revealed in the Gospel.' Righteousness is received solely by faith. Previously, Luther had understood this verse in terms of punitive righteousness, as if the same God who threatened sinners through the law worsened his command and threat through the gospel. At that time, Luther did not take the comfort of the gospel from this verse. Now he realized

The *praxis* of properly distinguishing L&G is of crucial importance to scriptural

interpretation according to the Formula of Concord.[390] The article dedicated to it begins

with a panegyric on behalf of its importance and describes why it is important to

maintain the distinction between L&G:

> The distinction between law and gospel is a particularly glorious light. It serves to divide God's Word properly [cf. 2 Tim. 2:15] and to explain correctly and make understandable the writings of the holy prophets and apostles. Therefore, we must diligently preserve this distinction, so as not to mix these two teachings together and make the gospel into a law. For this obscures the merit of Christ and robs troubled consciences of the comfort that they otherwise have in the holy gospel when it is preached clearly and purely. With the help of this distinction these consciences can sustain themselves in their greatest spiritual struggles against the terrors of the law.[391]

As can be seen, the principle justification used for employing a scriptural hermeneutic of

L&G is for the sake of consciences; it has a practical end. The Lutheran Reformers are

concerned that the proclamation, which contains both Law and Gospel, might be

reduced merely to Law by making the Gospel into a Law by mixing them together.

Rather, Law and Gospel are both to be present, but they must be distinguished one

from the other. If this does not occur, then the promise contained in the Gospel is

abolished, and the entirety of the Christian proclamation becomes a proclamation solely

of Law devoid of the grace found in Christ. Doing this would lead to the continued

imprisonment of consciences to the power of sin and doubt.

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that in the gospel God reveals his righteousness as a gift and that it is received only in faith." (Lohse, *Theology*, 92.)

[390] Bohlman tersely summarizes Law and Gospel in relation to justification and Scripture in the view of the Lutheran Confessions this way: "We have also observed that the confessions emphasize that Law and Gospel are the basic message of Holy Scripture, that justification by grace for Christ's sake through faith is the center of all Scripture, and that the primary function of Holy Scripture is to make man wise unto salvation." (Ralph A. Bohlmann, *Principles of Biblical Interpretation in the Lutheran Confessions*, electronic ed. [St. Louis: Concordia Publishing House, 2000], 99.)

[391] FC SD V:1; K/W 581.

The controversy addressed in the article is primarily definitional. What is "the Gospel"? What is "repentance"? In order to repair this dispute among Lutherans, the article describes the contrasting positions in the following terms:

> One party held that the gospel is really not only a proclamation of grace but also at the same time a proclamation of repentance, which reproves the greatest sin, unbelief. On the other hand, the other party held and defended the view that the gospel is really not a proclamation of repentance or judgment, since this proclamation belongs strictly speaking to the law of God, which reproves all sin and thus also unbelief. Instead, the gospel is strictly speaking a proclamation of the grace and favor of God because of Christ.

It turns out that both sides have support from the historical usage of the terms "Gospel" and "repentance" in the church – even among Lutherans. For example, the term "Gospel" is sometimes used to refer to "the entire teaching of Christ,"[392] including the teaching regarding repentance. However, such an understanding is inappropriate when it comes to the distinction of L&G as it is used in a technical sense. That is, there are contexts in which it is appropriate to refer to all the teachings of Christ, including those of Law and repentance, but that context does not include situations where it is necessary to be careful to properly distinguish between L&G.[393] Rather, a "strict" sense is required when the distinction between the two is in view, and this "strict" sense is "when it includes not the proclamation of repentance but only the proclamation of the grace of God."[394] In a similar manner, "repentance" is understood in two senses: as "the

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[392] FC SD V:4; K/W 582.

[393] Note also the character of this linguistic analysis in terms of the previous section where doctrine is understood contextually as negative rules of discourse. This concern for understanding language within its context and guiding speech is demonstrated throughout the Book of Concord.

[394] FC SD V:6; Ibid. The scriptural support cited for this usage is interesting in the highly literal approach to understanding that it takes. The passage cited above continues: "…as in the subsequent passage in Mark 1[:15], 'Repent, and believe in the gospel.'" (Ibid.) Here, the Reformers read Jesus' words as indicating that he is himself engaging in distinguishing between L&G even within a single locution. That is, the first half of the compound sentence is the single imperative verb "repent" (μετανοεῖτε) and so is a statement of Law. The second half contains both the imperative word "believe" (πιστεύετε) but also a prepositional

entire conversion of the person" and as "to recognize sin truly, to be heartily sorry for it, and to abstain from it."[395] The former is appropriate to some contexts, but when distinguishing L&G, the latter understanding is needed. This linguistic, historical analysis was needed before a definition of L&G could be offered. The FC does this when it states, quoting Luther:

> Everything that proclaims something about our sin and God's wrath is the proclamation of the law, however and whenever it may take place. On the other hand, the gospel is the kind of proclamation that points to and bestows nothing else than grace and forgiveness in Christ, even though it is true and correct that the apostles and those who proclaim the gospel confirm the proclamation of the law (as Christ himself also did).[396]

Even the suffering and death of Christ for sinners can be a proclamation of the Law, for "what could be a more sobering and terrifying demonstration and proclamation of the wrath of God against sin than the suffering and death of Christ, his Son?"[397] This entire discussion regarding the definition of the Law and of the Gospel comes to a head when the FC, in its own words, provides the following "strict" definitions:

> We therefore unanimously believe, teach, and confess that in its strict sense the law is a divine teaching in which the righteous, unchanging will of God revealed how human beings were created in their nature, thoughts, words, and deeds to be pleasing and acceptable to God. This law also threatens those who transgress it with God's wrath and temporal and eternal punishments...[398]

> ...the gospel in its strict sense teaches what people should believe, namely, that they receive from God the forgiveness of sins; that is, that the Son of God, our Lord Christ, has taken upon himself the curse of the law and borne it, atoned and paid for all our sins; that through him alone we are restored to God's grace, obtain the forgiveness of sins through faith, and are delivered from death and all the punishments of our sins and are saved eternally.

> For everything that provides comfort – everything that offers the favor and grace of God to those who have transgressed the law – is and is called the gospel in the strict sense.

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phrase outlining the content of the belief ("in the gospel") and so is a statement of Gospel. So within this single short verse, the Lutherans saw justification in Jesus' own logic for the practice of properly distinguishing L&G.
[395] FC SD V:7,8; Ibid.
[396] FC SD V:12; K/W 583.
[397] Ibid.
[398] FC SD V:17; K/W 584.

> It is good news, joyous news, that God does not want to punish sin but to forgive it for Christ's sake.[399]

The point of so strictly distinguishing L&G always remains practical, even as the very terms of the definitions suggest. That is, as with Paul, the point is to so preach, to so teach, to so interpret Scripture in a particular context for a particular audience that the act itself is underwritten by and infused with faith that God's Word is powerful, with hope for a life with God in Christ, and all done with love for God and neighbor. The goal is that faith might be inculcated in the hearer such that the mind of Christ might be developed within her as she recognizes her status as a beloved child of God. For the Lutheran Confessors, even the proclamation of Law serves this purpose in the context of the *praxis* of L&G. They make this point by quoting Paul:

> …"the law is a disciplinarian, toward Christ, so that we might be justified through faith" (Gal. 3[:24]) and therefore the law does not point and lead us "away from Christ" but "toward Christ," who is the "end of the law" (Rom. 10[:4]). Therefore, the law is proclaimed so that people may be comforted and strengthened through the proclamation of the holy gospel of our Lord Christ. This gospel proclaims that through Christ God forgives all the sins of those who believe the gospel, accepts them for Christ's sake as his children out of sheer grace without any merit of their own, and makes them righteous and saves them. However, this does not mean that they may abuse God's grace and sin against it. In 2 Corinthians 3[:6-9] Paul demonstrates this distinction between law and gospel in a thorough and powerful fashion.[400]

As the reference to 2 Cor. 3 indicates along with the other Pauline references, the Confessors believed that they were saying nothing other than what Paul himself taught, and just as Paul's goal was the creation of faith in the hearer such that she might be

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[399] FC SD V:20-1; K/W 585.

[400] FC SD V:24-5; K/W 586. The citation from 2 Corinthians reads: "Not that we are sufficient in ourselves to claim anything as coming from us, but our sufficiency is from God, who has made us sufficient to be ministers of a new covenant, not of the letter but of the Spirit. For the letter kills, but the Spirit gives life. Now if the ministry of death, carved in letters on stone, came with such glory that the Israelites could not gaze at Moses' face because of its glory, which was being brought to an end, will not the ministry of the Spirit have even more glory? For if there was glory in the ministry of condemnation, the ministry of righteousness must far exceed it in glory." (2 Cor. 3:5-9)

made into a new creation in Christ, such is the goal of the Lutheran practice of L&G.

Paul's "killing letter" is understood to reference the function of the Law in putting to

death the old person, but this is done for the positive goal of creating new life by the

Spirit. It does not refer to Old Testament texts or laws *per se* because those texts and

laws can be understood either in terms of Law or in terms of Gospel, given the context,

just as even Christ's death on the cross can be understood in terms of Law or Gospel.[401]

Rather, the question is in how the texts are deployed – and not merely how they are

deployed by the one proclaiming, but how the Spirit chooses to use the words of the

proclamation. And this can be either according to the "ministry of condemnation" (Law)

or the "ministry of righteousness" (Gospel), both of which are activities of the Spirit in

applying the Law to one person and the Gospel to the other by means of the one

proclaiming.

To this point, I have been diagramming the *praxis* of L&G via what I call

proclamatory pragmatism and take to be rooted in Paul. However, properly

distinguishing L&G is not itself solely a diagrammatic practice. It is diagrammatic in that

it depends upon a logical analysis of the context and an understanding of how doctrines

might apply, but it is also corrective in that the whole point of L&G is to speak the Word

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[401] See above for Luther's comment on how the death of Christ can be understood as the most terrifying thing of all to a sinner on behalf of whom Christ had to die. The Ten Commandments could easily be read in the same way. On the one hand, they could be understood precisely as commands whose non-observance brings punishment (Law), but on the other hand, they could be understood as promises describing how the believer will be formed to act by the power of the Spirit (Gospel); both understandings are lexically possible. Further, Luther's treatment of Gen. 3:14b exemplifies how the Gospel can be found throughout the Old Testament (LW 1:182-98.) Moreover, Pelikan writes of Luther's lectures on Genesis that for Luther: "That exposition demonstrated, moreover, that, far from equating the Old Testament with law and the New Testament with gospel, he found the message of the gospel throughout the Scriptures… This meant that there was gospel in the Old Testament and law in the New. The distinction between law and gospel was not a matter of biblical location or of chronology, but of 'rightly dividing the word of truth.'" (Pelikan, *Reformation*, 169.)

in the proclamation that might inculcate faith. In that way, L&G hosts a dialog between the diagrammatic and corrective poles of proclamatory pragmatism thereby following Ochs' rule of pragmaticism. The diagrammatic pole is principally logical, clarifying the details of a situation and relating those details to doctrinal concerns. The corrective pole is principally biblical in that the Word is proclaimed, a Word that the Spirit uses to create faith. I place doctrine on the diagrammatic pole of this distinction because even though it arises from past paradigmatic instances of proclamation (the *evangelischer Ansatz*), once it is codified it functions to describe the logic of Lutheran thought and guide future proclamation. This means that doctrine is not itself to be identified with proclamation. Rather, it helps to analyze a given situation (a diagrammatic function) so that the right Word might be spoken to heal it (a corrective function).

In Article XXVII of the Augsburg Confession on monastic vows, we can see this dialogic interplay between logical and corrective poles take place. The article begins with a diagrammatic moment by putting the practice of monastic vows in the context of the "kind of life" in the monasteries and "how much happened in them daily that was contrary not only to God's Word but also to papal canons."[402] According to the Confessors, vows were introduced in the monasteries in order to curb the bad behavior that was occurring. Moreover, it argues that many other burdens were placed upon the young monks and that many monks and nuns entered the monasteries long before they could even understand the import of their vows. In addition to this, monastic vows were held up as being equal to the Sacrament of Baptism, thereby imbuing them among

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[402] AC XXVII:1; K/W 80. German text.

the monks and nuns with a false importance. And if this were not enough, the AC goes

on to say that the monastic life *per se* was held up as that which earns salvation and that

the monasteries no longer even teach Scripture which is a major change from when

they were instituted precisely to study Scripture. These problems form the initial

diagrammatic moment in the article.

The corrective moment comes next. Responding to this situation, the AC says:

"In the first place, it is taught among us concerning those who are inclined to marry,

that all those who are not suited for celibacy have the power, authority, and right to

marry. For vows cannot annul God's order and command."[403] It goes on to cite 1 Cor.

7:2 and Gen. 2:18 as scriptural support. God's command trumps papal law for the

Confessors in that it cannot be abrogated by human beings.

Applying this interplay between diagrammatic and corrective moments, the

Confessors begin to speak pastorally of particular situations, applying God's Law where

necessary and the Gospel as necessary in order to form the hearts and minds of those

reading the AC. It condemns those who insist "so strongly that vows must be kept

without first ascertaining whether the vow has integrity,"[404] because so many people

did not take the vows voluntarily nor with a full understanding of what their powers

toward chastity were. Others were persuaded to take the vows and so were deceived in

so doing. Others did so even when they were too young. Those who want to maintain

the vows are wrong to do so in the face of these situations. This is a speaking of Law.

Rather, human frailty should be taken into account, and in the face of God's command

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[403] AC XXVII:18; K/W 84. German text.
[404] AC XXVII:27; Ibid.

to marry, those who have taken vows should be released from them if they so desire. Even more, because vows and monastic service are not means of salvation but are rather humanly-contrived services, those who have taken such vows should be made aware that there salvation is not to be obtained through such services but rather through the work of Christ and Christ alone. This is a speaking of Gospel, for: "St. Paul teaches everywhere that righteousness is not to be sought in our precepts and services of God contrived by human beings, but that righteousness and innocence before God come from faith and trust, when we believe that God receives us in grace for the sake of Christ, his only Son."[405] It then transitions back to a speaking of Law by comparing this assertion based upon Paul with what is actually taught by monks which says that their "contrived spiritual status makes satisfaction for sin and obtains God's grace and righteousness."[406] Vows become complicit in a false service to Christ and must be rendered null and void because "those who want to be justified by vows are also cut off from Christ… for they rob Christ, who alone justifies, of his honor and give such honor to their vows and monastic life."[407] It continues on to describe the Christian life as one with true fear of God yet also with "confidence, faith, and trust that we have a gracious, merciful God because of Christ,"[408] such that we can call on Him and expect His help. This is again a speaking of the Gospel. In this way, the article on vows continues to oscillate back and forth in speaking Law as needed and Gospel as needed in light of its diagramming of the problems of monastic vows and its proposed correction that

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[405] AC XXVII:37; K/W 86. German text.
[406] AC XXVII:38; Ibid.
[407] AC XXVII:42-3; K/W 88. German text.
[408] AC XXVII:49; Ibid.

focuses on God's command to marry and on salvation only coming through Christ and not by vows or by being a monk.

Returning to an analysis of the pragmatic elements of L&G, not only does Ochs' description of scriptural pragmatism include the interplay of a diagrammatic with a corrective moment via the rule of pragmaticism, it also includes strong elements of Peirce's semiotic, and this is how I have also diagrammed the *praxis* of L&G.[409] I have charted the internalist moment in Lutheranism as that which corresponds to the spiritual *habitus* of *oratio*, *meditatio*, and *tentatio* as principally displaying elements of Firstness and so of iconicity. Likewise, I have described doctrine in objectivist terms and so as being an instance of Secondness in thought and so of indexicality. It is in the practice of L&G that we see the internalist and objectivist aspects of thought come together in the proper formation of symbols, of laws that take the form of propositions *for a given place* and *for a given time* such that they might become instances of proclamation, taken up by the Spirit who creates faith.

These semiotic elements are also to be found in the AC's discussion of monastic vows. It appeals to Scripture as authoritatively settling the debate via the creation of a doctrine that marriage has a divine command in Scripture while monastic vows do not. For the Confessors, the scriptural command then trumps those created by human beings. This functions indexically in their argument to interrupt, to bring up short those who would insist upon the integrity and validity of vows. Moreover, they also appeal to salvation as coming only by faith in Christ and not by monastic vows or the monastic

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[409] See chapter one.

estate, and these (non-negative) assertions also serve as indexical elements that serve to "peg" the argument to the way Scripture renders one's relationship to God in Christ. Likewise, there are iconic elements throughout the discussion in the descriptions of how Christians think, such as what constitutes "Christian perfection" in paragraph 49. Even more, the entire shape of the argument is to form within the mind of the interpreter a better perception of what it is to think and act as a Christian relative to the question of monastic vows; it is itself a performance that seeks to display a type of rationality. This is, of course, intimately tied to its overall reparative function when it forms particular propositions to convey this sense of bringing the interpreter up short and changing her mind regarding monastic vows. The ultimate goal is to enable the interpreter to be one who forms symbols in her own mind such that she can speak them into a given situation and say what should be said regarding monastic vows.

As in chapter one, following Ochs, we can combine the dialogic interplay between corrective and diagrammatic moments of pragmatic analysis as displayed via the rule of pragmaticism and place this interplay in dialog with the semiotic elements of his analysis in order to arrive at the elemental moment of proclamatory pragmatism found within the *praxis* of L&G. The elemental moment of proclamatory pragmatism lies in the event of repair, in the event of bringing a person or situation to God by means of the Spirit working through the Word to lay bare the cause and shape of the problem to one who is prepared to recognize its existence and able to heal it by speaking God's Word of Law or of Gospel as needed in order to correct that problem in light of Christ. Properly distinguishing L&G is itself a habit that is formed within the theologian through

this dialogic interplay of diagrammatic and corrective moments in light of spiritual formation and doctrinal guidance. As such, it is a God-given and divinely-formed A-reasoning that cannot be comprehended in words but yields many words that takes the form of B-reasonings. To help further clarify this characteristic of properly distinguishing L&G as a sapiential practice that has the character of a habit, I will proceed to give a diagrammatic reading of a sampling of theses from a very influential book in some corners of American Lutheranism entitled, *Law and Gospel: How to Read the Bible*, by the 19th century theologian C.F.W. Walther.[410]

Walther's treatment of properly distinguishing L&G takes place through the clarification of a series of theses[411] that are intended as general rules to guide Christian thought on the matter, most of which are explicitly formulated as negative rules of discourse that outline, in casuistic fashion, what it means to either improperly distinguish L&G or what it means to properly do so in a given context. The book itself is the record of a series of lectures that Walther gave on Fridays during the course of the 1884-1885 school year to ministerial students at Concordia Seminary in St. Louis.

In his introduction to this lecture series, Walther clearly lays out his goal as the transformation of his hearers when he says, in his own words,

> I wish to talk the Christian doctrine into your very heart, enabling you to come forward
> as living witnesses with a demonstration of the Spirit and of power. I do not want you

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[410] Another candidate for analysis of the reparative *habitus* of Lutherans in the application of Law and Gospel comes in the theses Luther constructed for the Heidelberg Disputation and the idea of being a theologian of the cross. Gerhard Forde has an excellent treatment of these theses that is compatible with my own. (cf. Gerhard O. Forde, *On Being a Theologian of the Cross: Reflections on Luthere's Heidelberg Disputation, 1518* [Grand Rapids: William B. Eerdmans Publishing Company, 1997].)

[411] See Appendix A for the theses themselves.

> to be standing in your pulpits like lifeless statues, but to speak with confidence and cheerful courage, offering help where help is needed.[412]

This simple statement demonstrates the goal of proclamatory pragmatism – to speak the words that God would have said in order to inculcate His teachings in the hearers in order to transform them, a transformation that does not come about by mere human arguments but is rather tied to the powerful working of the Spirit.[413] Moreover, this is done so that the hearers might themselves become the speakers, saying what God would have them say into various situations. This means that this lecture series is itself intended to be an exercise in L&G, serving to transform the hearts and minds of the students (internalism) by means of an engagement with Christian teaching (objectivism) in such a way that transformation occurs and that they might be able to proclaim Christ to others (a reparative rationality).

Turning to the theses themselves, the first four lay out the axiology of Walther's approach, describing the basic principles which it takes as a given and by which it will proceed. These are not deployed in a manner consonant with foundationalism, however. Rather, they are self-consciously and explicitly tied to a particular inherited tradition of discourse – that tradition formed by the proclamation of Christ and that continues to keep the Word of God as witnessed to by Christian Scripture as the living source and norm of that proclamation. In this way, it is best to read Walther's basic approach as non-foundationalist, being fully tied to the Lutheran tradition of thought. Walther's methodology consists of making theses and then backing them up principally

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[412] Carl Ferdinand Wilhelm Walther, *Law & Gospel: How to Read and Apply the Bible*, ed. Charles P. Schaum, trans. Christian C. Tiews (St. Louis: Concordia Publishing House, 2010), 9.
[413] Cf. my treatment of the "Spirit and power" in chapter two on Paul.

with support from Scripture and the Lutheran Confessions and clarifying them by reference to events in church history and examples.

The content of the axiological theses serve to define the topic and its importance. They claim that: 1) Scripture consists of two fundamentally different doctrines (Law and Gospel); 2) an orthodox teacher must rightly distinguish these two doctrines; 3) this is the "most difficult and highest Christian art" and is only taught by the Holy Spirit in conjunction with experience; and 4) distinguishing L&G provides great understanding of the Scriptures without which Scripture "remains a sealed book." Even though these theses form the foundation of Walther's treatment of distinguishing L&G, he treats them as rules of discourse as well – particularly in the context of sermon writing. As he says regarding the second thesis:

> Law and Gospel must be properly distinguished. Be careful to follow this rule when you write your sermons. Perhaps, for once, the words seemingly flowed into your pen. But I would advise you to read your sermon over and see whether you have rightly distinguished Law and Gospel. If not, your sermon is wrong – even though it contains no false doctrine.[414]

Not only is his advice here explicitly referred to as a rule, he differentiates between the proper distinction between L&G and doctrine. It is possible to be doctrinally correct but still be wrong regarding L&G. This is because while doctrine can indeed guide what should be said, it cannot provide an analysis of the situation into which it is spoken, and it cannot deal with the rhetorical elements of the sermon. That is, it cannot dictate how and in what way things should be said.

Moreover, as the second thesis says, Walther does not hold one to be an orthodox teacher unless that one is able to properly distinguish L&G; that is, knowing

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[414] Walther, *Law and Gospel*, 38.

doctrine is not sufficient. The practice of distinguishing L&G extends beyond this.

Moreover, the third axiological thesis parallels my treatment of the role of a spiritual

habitus in distinguishing L&G. As I said in the first section on internalism in this chapter,

one needs to be instructed by and formed by the Holy Spirit, and this involves the

agonizing experience, *Anfechtung*, that comes via *tentatio*. Finally, without such an

understanding of L&G, one will not be able to understand Scripture because Scripture is

not a static collection of doctrines but is rather a record of the proclamation as it has

occurred in the past. It is, in that sense, a living and dynamic book, and to understand it

and to be able to speak in the ways it recommends necessitates the formation of a habit

of properly distinguishing L&G.

After these foundational theses, Walther continues with a thesis dealing with

what he considers to be the most common mistake when it comes to distinguishing L&G

which is to turn Christ into a new Moses or Lawgiver such that "the Gospel [is

transformed] into a doctrine of meritorious works."[415] For Walther and the Reformers,

this is a basic confusion of Law and Gospel because the Law is intended to have a

diagnostic function in its theological use in showing one her sin; it is not itself a means

of salvation because no one can follow it. Rather, it is in the Word of promise contained

in the Gospel that awakens faith that salvation is found. One cannot earn salvation;

rather, in Christ, all has been earned. This is given freely to all, creating faith in the

hearers such that they are transformed into those who cling to Christ. This is the most

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[415] Walther, *Law and Gospel*, 2. Thesis V.

fundamental dispute that the Lutheran theologians of the Reformation had with Rome

of the 16th century, and Walther clearly portrays it as a problem with distinguishing L&G.

Including this with the observation cited above regarding confusing L&G yet

being doctrinally correct, we see that entire theological methodologies or rationalities

can be unorthodox or even heretical for Christians according to the logic set out in the

Lutheran Confessions that is displayed here by Walther. If the Reformation began with

a dispute over the proper distinguishing of L&G which is itself a question of displaying a

particular rationality, then the question of the rationality by which one operates cannot

be regarded as being of minimal importance. It is not enough to be doctrinally right; to

use the language of Paul, one must possess the mind of Christ, displaying the logic that

Paul himself employed. As I argue in this chapter, this is the logic that the Lutherans

further develop within their confessional documents and in the writings of chief

theologians such as Luther.

Having clarified that, in his view, turning Christ into a new lawgiver is a confusion

of L&G, Walther settles into a pattern regarding the formulation of the remainder of his

theses which are intended to train pastors in the *praxis* of L&G. Theses six through

twenty-five, by far the bulk of the theses, begin with the phrase: "You are not rightly

distinguishing Law and Gospel in the Word of God if…" This phrasing is plainly the

language of a negative rule of discourse as I indicated above regarding the role of

doctrine. It is also being employed purposively to form the mind of Christ in the hearers

by speaking to them of particular, highly contextual ways that one can be doctrinally

correct yet still remain unorthodox or even heretical. For example, the eleventh thesis,

which is typical of theses six through twenty-five, states:

> You are not rightly distinguishing Law and Gospel in the Word of God if you only want to
> comfort those with the Gospel who are contrite because they love God. You also need
> to comfort people with the Gospel who are only contrite because they fear His wrath
> and punishment.[416]

In his explanation of this thesis, Walther points to the function of the Law as only having

one role: "to lead people to the knowledge of their sins. It has no power to renew

[people]. *That* power is vested solely in the Gospel."[417] Rather, a sinner who fears

God's wrath and punishment is exactly the goal of the Law; in such a one, the Law has

played its role and reached its *telos*. In fact, "Blessed are the people who have been

brought to this point: They have taken a great step forward on the way to their

salvation."[418] As he continues, Walther continues to give context to his claim regarding

this particular case of confusing L&G thereby enabling his hearers to think in terms of

L&G. But in each and every thesis, Walther begins by analyzing the situation (the

diagrammatic moment) and then providing a scriptural corrective in order to form

minds thereby displaying his own reparative rationality and the rationality he desires to

be developed in those to whom he is speaking.[419]

Said in the terms of the first chapter, Walther hosts a dialog between the

corrective and diagrammatic poles of a reparative rationality and in so doing forms the

imaginations of the hearers (an iconic moment; internalism) to recognize problems and

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[416] Ibid., 3.
[417] Ibid., 260.
[418] Ibid., 261.
[419] Instead of "diagramming" and "correcting," Baue speaks of "explaining" and "exclaiming." These are
quite similar. Cf. Frederic W. Baue, "Luther on Preaching as Explanation and Exclamation," *Lutheran
Quarterly* 9, no. 4 (Winter 1995): 405-18.

recommend rules to solve those problems (an indexical moment; objectivism) such that they might be transformed and then transform others (a reparative rationality). Further, he is demonstrating an anisotropic logic in that he trusts that the Spirit will work through his words to create faith in his hearers, and he does so out of the hope that they might serve others in love even as he is serving them in love. That is, he engages in this form of inquiry with an end-state in mind, and it is the shape of that end-state that pulls him to respond to the particular situations encountered. This type of activity can only be done by one who is himself properly formed and who possesses the God-given spiritual virtues necessary for carrying out its work. Its concern is practical; it wants to produce people able to proclaim the Word of God, and doing so entails properly distinguishing L&G. However, to accomplish this, Walther utilizes doctrines as negative rules of discourse to guide the thoughts of his hearers. In sum, what Walther demonstrates here is the interpretive *habitus* or the rationality of a theologian that engages individuals within their contexts in light of the Scripture in such a way that it is always in conversation with the doctrinal deposit of the church in order to reorient the hearer toward Christ. I hold that it is this type of rationality that I call proclamatory pragmatism that should govern Lutheran scriptural practice and heal the competing foundationalisms of the "Battle for the Bible."

Finally, the logic of the *praxis* of L&G depends upon a commitment to Christian realism that believes that God speaks today through ordinary, everyday means such as bread, wine, water and words. Without such a commitment to Christian realism, there could be no event of proclamation. Proclamation as described throughout this chapter

and in the second chapter on Paul depends upon the idea that the Spirit so inhabits the words being spoken that they become the means by which God Himself speaks. This can be seen in Luther's Small Catechism when he relates a hypothetical interaction between a pastor and penitent in a short form of the rite of confession: "Let the confessor say [further]: 'Do you also believe that my forgiveness is God's forgiveness?' [Answer:] 'Yes, dear sir.' Thereupon he may say: '"Let it be done for you according to your faith." And I by the command of our LORD Jesus Christ forgive you your sin in the name of the Father and of the Son and of the Holy Spirit. Amen. Go in peace.'"[420] Here, Luther urges Christians to regard human words as God's own Word, and without this commitment to a Christian realism, proclamation falls apart as being merely human words with no power to achieve what they state.

This is intimately tied into sacramental theology as well. Just as properly distinguishing L&G leads to the event of proclamation, so, too, are the Sacraments events of proclamation in that they, too, accomplish what they promise. Just as a penitent sinner should regard the pastor's proclamation of forgiveness (or an impenitent sinner regard the word of Law as also a Word from God) as God's own forgiveness being pronounced by the pastor, so, too should the one being baptized regard it as not a human work or display of faith but rather as God putting one to death by uniting her with Christ's crucifixion so that she, too, might be raised with him in his resurrection (to speak in the language of Rom. 6). Luther says as much in the Small Catechism when he writes that baptism "brings about forgiveness of sins, redeems from

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[420] SC V:27-28; K/W 361-2.

death and the devil, and gives eternal salvation to all who believe it, as the words and promises of God declare."[421] Even so, this occurs through water, and when asked how, Luther responds:

> Clearly the water does not do it, but the Word of God, which is with and alongside the water, and faith, which trusts this Word of God in the water. For without the Word of God the water is plain water and not a baptism, but with the Word of God it is a baptism, that is, a grace-filled water of life and a "bath of the new birth in the Holy Spirit, as St. Paul says to Titus in chapter 3[:5-8].[422]

Likewise, the Lord's Supper is held to be "the true body and blood of our Lord Jesus Christ under the bread and wine, instituted by Christ himself for us Christians to eat and drink."[423] As with the proclamation and with baptism, the bread/body and wine/blood are efficacious, accomplishing what they promise because they are viewed as instruments of God's own power. In describing the benefit of the Supper, Luther writes that "forgiveness of sin, life, and salvation are given to us in the sacrament,"[424] and it is not bodily eating and drinking that accomplish this, but as with the proclamation and with baptism: "Eating and drinking certainly do not do it, but rather the words that are recorded: 'given for you' and shed for you for the forgiveness of sins.' These words, when accompanied by the physical eating and drinking, are the essential thing in the sacrament."[425] The Sacraments, as with the proclamation through the practice of distinguishing L&G, are given to apply the promise of life in Christ to particular people. They are given to awaken faith in the hearer / recipient. In order for this rationality to

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[421] SC IV:6; K/W 359.
[422] SC IV:10; Ibid.
[423] SC VI:2; K/W 362.
[424] SC VI:6; Ibid.
[425] SC VI:8; K/W 363.

be efficacious, Lutheran logic holds to an understanding of Christian realism that takes seriously Jesus' own words: "Who hears you hears me."[426]

The proclamatory pragmatism I described in Paul is further developed within Lutheranism via the Lutheran scriptural *praxis* of Law and Gospel. The Law and Gospel theologian is one who displays a *habitus* formed by the proclamation to be able to reason in accordance with the Gospel (Gospel$_A$) and speak the words that need to be said into particular contexts (Gospel$_B$) such that the Spirit might inhabit those words and work repentance and faith in the hearers. It employs both mechanistic processes in that the words spoken either convict of sin or pronounce forgiveness, but this is all overseen as an anisotropic, Spirit-guided process of forming sinners into God's own dear children, of creating the mind of Christ in the hearers so that they might proclaim him to others. It employs doctrinal speculation, but it does so within a larger narrative of care for the other and so is ultimately a practical endeavor. Doctrine is itself understood not as describing eternal verities or as asserting a particular type of positivist ontology; rather, they are negative rules of discourse or non-negative assertions that serve to guide how a Christian should speak. Depending on a commitment to Christian realism, distinguishing Law and Gospel as a type of proclamatory pragmatism seeks to be the means that the Spirit uses to repair His church by diagramming her conflicts and proposing corrections that are ultimately transformative. As with my portrayal of Paul's logic, engaging in this *praxis* properly requires that the one distinguishing Law and

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[426] Luke 10:16. "Ὁ ἀκούων ὑμῶν ἐμοῦ ἀκούει"

Gospel be formed spiritually to be able to conceive of new, hitherto unseen possibilities of repair and to be the type of person who can seize the possibility and make it actual. This involves a spiritual *habitus*, one that is described in Lutheranism as that of *oratio*, *meditatio*, and *tentatio*, each of which respectively mirrors the Pauline virtues of faith, hope and love in that this *habitus* θεόσδοτος nourishes these virtues. Finally, it is not enough to be doctrinally correct; one can be doctrinally correct and still not be an orthodox theologian. Rather, faithfulness to the proclamation of Christ also involves displaying a particular rationality, a particular form of reasoning. And this form of reasoning I have termed proclamatory pragmatism, and it is my hope that the model of proclamatory pragmatism I offer here can serve to norm Lutheran interpretive practice and so contribute to the healing needed between the competing foundationalisms found in the "Battle for the Bible."

Conclusion: Proclamatory Pragmatism and a Lutheran *Morphologie*

In 1931-1932, Werner Elert published his *Morphologie des Luthertums* wherein he undertook to describe the morphology or the structure of Lutheranism which, for him, arose in dynamic interaction with cultural and historical forces arising from the *evangelischer Ansatz*.[427] He defines the task of his project as follows: "If it is correct to define the impact of the Gospel (*evangelischer Ansatz*) as the center of the dynamic, there arises the further task of referring to it the demonstrable historical effects in such a way that one can see as complete a 'picture' of Lutheranism as possible. This is the real task of a morphology."[428] In a similar fashion, throughout this dissertation I have been seeking to create a "picture" of Lutheranism by employing the tools of scriptural pragmatism to trace the logic used by Lutherans. That is, I have not been tracing the various cultural and historical reverberations of the proclamation as demonstrated in Lutheran logic. This is what Elert did although with a different theoretical model. Instead of taking this approach, I have sought to construct a "morphology" of that logic itself by recasting it in pragmatic terms. Because logic is a normative discipline, I hope

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[427] The proper translation of the term, *evangelischer Ansatz*, is something akin to the "impact of the Gospel." However, throughout chapter three on Lutheranism I have translated it into the language I have been developing and used the English, "impact of the proclamation," or close correlates. I have done this because the understanding of the proclamation I developed particular in chapter two is intimately connected with the activity of the Gospel itself which is best understood in terms of a habit (Gospel$_A$) even as it results in particular spoken instances of the Gospel message for a given situation (Gospel$_B$). Because of the equivocal use of the term, "Gospel", when speaking without subscripts, I have instead substituted "proclamation" which entails the actual event of speaking the Gospel message into a situation such that the person receives that speaking as the work of the Spirit and responds in faith. This, it seems to me, is what Elert intended by the term, *evangelischer Ansatz*.

[428] Elert, *Structure*, 11.

that my portrayal of the logic used by Lutherans by means of proclamatory pragmatism can also function normatively within the Lutheran community in order to help repair its various controversies and schisms. Most particularly, it is geared toward repairing competing foundationalisms by diagramming the problems in its terms and then urging a return to the source – Scripture as understood through the proclamation of the Gospel of Christ – for their repair.

In order to accomplish this goal, I had to begin with a critical interaction with the theoretical model itself, scriptural pragmatism, so that it might both provide the basic *techne* of reasoning for my analysis and also be shown to be flexible enough to accommodate Lutheran commitments. I then interacted with Paul's own use of Scripture so that I might provide a reading of him in order to develop a genealogy of Lutheran thought which is heavily indebted to Paul to the point that, as I contend, it is a further development of Paul's own scriptural practice which I termed "proclamatory pragmatism." Rather than working backwards from Lutheran thought to Paul, I chose to work forwards from Paul for the sake of ease of understanding by adopting a familiar academic procedure of going from the progenitor of a thought to its inheritor. However, in doing this, I repeatedly emphasized that I was reading Paul in light of a contemporary Lutheran conflict between what I take to be competing foundationalist readings of Scripture. This concern serves as the interpretant or the habit of thought by which I was reading Paul, and I made this background clear so that I would not be operating in foundationalist fashion by concealing the interpretational key from my reader. Once I provided a pragmatic reading of Paul and the tradition of thought he

represents (in that his thought is itself a development of a lengthy interaction with Jewish tradition, ultimately understood in light of Christ), I then turned to an analysis of Lutheranism's foundational scriptural practice of reading the Bible through the lens of Law and Gospel and equated this with a development of Paul's practice such that it is an organic outgrowth from that practice. Lutheranism developed the potentialities found in Paul (among others) by dint of history; new circumstances arose that needed to be addressed by the 16th century Lutherans, and they sought to do so in accordance with their understanding of Scripture, particularly that found in Paul.[429]

In this concluding section, I will utilize the model of Lutheran logic that I have developed, which I call proclamatory pragmatism, to identify and suggest repairs to particular problems that have arisen in contemporary American Lutheran public theology that are representative of what I take to be competing foundationalisms. I say "public theology" in order to encompass not just the writings of particular Lutherans (though I will investigate those as well) but also to include those statements and positions adopted by larger groupings of Lutherans, from small associations to entire denominations. By doing this, I hope to supply the beginnings of a pragmatic "proof" for my project by means of a brief demonstration of the utility of the model in repairing controversies.

The purpose of the model is not *only* academic in the sense of advancing knowledge within the academic community (though it is that, too). It is also practical in

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[429] This is not to say that there were not many other historical sources at work as well; there were, and this is evidenced in many ways, not least in the Lutheran's repeated citation of early church "fathers" in defense of their positions. Rather, it is to say that one of their primary sources of reflection was Paul and that the logic he developed in reading Scripture is also evidenced by the Lutherans.

that I hope that it can be used within particular Lutheran communities in order to

suggest a possible means of solving some of the problems plaguing those communions.

The academic community will find this model of interest in its application of the tools of

pragmatic philosophy to a particular community of faith in order to elucidate the logics

operative within that faith community; it may also show ways of analysis of other non-

religious communities, though such an extension would need to be provided in order to

see its utility in other contexts. Further, while I hope that the model might be found to

be attractive and useful by other Christian communities – and perhaps by other types of

communities as well – the only way to judge its generality is in the event that others find

it interesting and useful. In keeping with my pragmatic methodology, the general utility

of a model can only be demonstrated when others do, in fact, adopt it, thereby showing

how it has general application outside the community for which it was developed.

However, what I can do here is to suggest the ways it may help the Lutheran

community, and in so doing, I am indicating how this model might be proven. That is,

for the pragmatist, the "proof" is in the event of repair, not in the beauty or coherence

or rigor of the model presented (though hopefully, all those are present as well).

In light of this, I hope that the model will be able to be used along the following

lines. I hope that by using it a practitioner will be able to: a) identify particular problems

within the Lutheran community both by using the eight theses I developed in chapter

three as diagnostic tools and by observing the magnitude of the public controversy

occasioned as an indicator of a breach of Lutheran logic; b) analyze the problems so

identified in order to chart their logic; and c) suggest possible repairs to the problems

identified in an attempt to dissolve the problems by bringing them into accordance with a logic more appropriate to Lutheran thought. It would be beyond the scope of this dissertation to engage in an exhaustive application of each of the eight aspects of the model of Lutheran logic that I have developed along with their interaction with internalist, objective and reparative tendencies. Rather, what I need to do is to point to particular instances of how this model might help in order to suggest how future investigations might proceed that adopt proclamatory pragmatism as a normative logic. Therefore, for the sake of space, I will focus solely on the deployment of doctrine in two particular doctrinal formulations that have played significant roles in the communal life of the two major American Lutheran denominations. The first is that of "the bound conscience" (Evangelical Lutheran Church in America), and the second is "the order of creation" (Lutheran Church – Missouri Synod). By analyzing these two doctrines, I hope to test the model of proclamatory pragmatism and demonstrate its usefulness.

A Social Statement on Human Sexuality: Gift and Trust

In 2009, I attended the Churchwide Assembly (CWA) of the Evangelical Lutheran Church in America (ELCA). Being an ordained clergyman from the other large Lutheran church body in the United States, the Lutheran Church – Missouri Synod (LCMS), I attended as a visitor with no official standing. Rather, I was present out of the concern that I bore for a church body that had provided some of my education[430] and in which my mother serves as a pastor, combined with my more general concern for the public

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[430] I received a Master of Arts degree from Luther Seminary in St. Paul, Minnesota, in 1999.

outworking of theological reflection – particularly Lutheran theological reflection.[431]

What made this particular assembly more consequential than past assemblies was the fact that they were debating accepting a "social statement"[432] having to do with the denomination's stance on homosexual sexual behavior relative to the ordination of non-celibate homosexual clergy and same-sex marriages. The import of the debate surrounding the social statement was different because, unlike in years past when similar issues had come before the ELCA, it had a strong possibility of passage due to the introduction of a new doctrine[433] cast in Pauline[434] and Lutheran[435] terminology – that of the "bound conscience." Since the time of the adoption of this statement, the ELCA has undergone a precipitous decline in both congregations and individual membership.

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[431] There was another, more self-serving reason as well – I met with a friend of mine to discuss the possibility of taking a faculty position at the university at which he taught. Given that he is ELCA and was a delegate to the CWA, meeting at the assembly seemed like a good way to kill two birds with the same stone.

[432] According to the ELCA website: "ELCA social statements are teaching documents that assist members in their thinking about social issues. They are meant to aid in communal and individual moral formation and deliberation. Social statements also set policy for this church and guide its advocacy and work in the public arena. They result from an extensive process of participation and deliberation and are adopted by a two-thirds vote of a Churchwide Assembly." http://www.elca.org/What-We-Believe/Social-Issues/Social-Statements.aspx

[433] A call this a doctrine because a doctrine is simply a codified teaching of the church to be used in a manner consonant with the description of doctrine's role, particularly in chapters two and three.

[434] The idea of "conscience" plays a significant role both in Paul's ethical reflection (Rom. 2:15, 13:5; 1 Cor. 8:7-12, 10:25-29) and in his appeals on behalf of the trustworthiness of his message (Rom. 9:1; 2 Cor. 1:12, 4:2, 5:11).

[435] More than any other particular statement of Martin Luther, much of the public debate in the ELCA centered around an appeal to the famous words that Luther (allegedly) spoke in his defense before the Emperor at the Diet of Worms in 1521: "Unless I am convinced by the testimony of the Holy Scriptures or by evident reason-for I can believe neither pope nor councils alone, as it is clear that they have erred repeatedly and contradicted themselves-I consider myself convicted by the testimony of Holy Scripture, which is my basis; my conscience is captive to the Word of God. Thus I cannot and will not recant, because acting against one's conscience is neither safe nor sound. God help me. Amen." (Martin Luther, quoted in Heiko Oberman, *Luther: Man between God and the Devil* [New Haven: Yale University Press, 2006] cited by Elesha Coffman, "What Luther Said," *Christianity Today*, August 8, 2008. http://www.christianitytoday.com/ch/news/2002/apr12.html.) Here Luther is appealing to a conscience that is captive to the Word of God and not to its own self or its own opinions. Even more, Luther said that he is open to being convinced by reasons given from Scripture or "evident reason" thereby indicating that his views were open for public discussion; they were not simply adopted and then protected from debate.

Between the end of 2009 and the end of 2012, the ELCA had lost 815 of 10,348

congregations (7.9%) and 591,944 of 4,542,868 baptized members (13.0%) with most

observers associating this loss with the change in policy regarding sexually active,

partnered homosexual clergy.[436] The official ELCA magazine, *The Lutheran*, cites the

National Council of Churches as stating that the decline from 2009-2010 alone was "the

sharpest rate of decline among mainline denominations."[437] This level of controversy

alone justifies an analysis of the issues raised by the adopted statement and the

subsequent assembly decision.

The "bound conscience" as it is used in the social statement[438] emerges after

considerable discussion of what the statement considers to be Lutheran "distinctives."

The concept of trust plays a prominent and foundational[439] role throughout the

document and is to be understood relationally:

> *Trust*, as used in this statement, is a fundamental characteristic of right relationship.
> God is unfailingly trustworthy to us and all of creation. Just as we learn by faith that a

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[436] It has become increasingly difficult to find official ELCA membership statistics outside of collating those found for each of the 65 individual synods comprising the ELCA. The numbers listed here come from two sources. Those for 2009 (10,348 congregations and 4,542,868 baptized members) come from: Evangelical Lutheran Church in America, The Association of Religious Data Archives, last accessed September 29, 2014, http://www.thearda.com/Denoms/D_1415_t.asp. Those for 2012 (9,533 congregations and 3,950,924 baptized members) come from: Exposing the ELCA, last modified August 20, 2013, http://www.exposingtheelca.com/exposed-blog/elca-membership-and-congregational-losses-for-2012. This second source is questionable in that it has a highly anti-ELCA bias and is posted anonymously. However, it provides two links as sources for its information from the ELCA website, but as of this writing, those links appear broken, and I am unable to find those sources through other means. I cannot find officially-released statistics for 2013.

[437] National Council of Churches, quoted in Nicole Radziszewski, "The Shrinking Church," *The Lutheran*, January 2013, http://www.thelutheran.org/article/article.cfm?article_id=11186.

[438] The final document is entitled "A Social Statement on Human Sexuality: Gift and Trust," and can be found at: http://www.elca.org/What-We-Believe/Social-Issues/Social-Statements/JTF-Human-Sexuality.aspx

[439] I should note at this point that authors of the document place the concept of trust as they intend to us it fully within the Lutheran tradition. They are not positing a general principle of trust that operates universally outside of any particular community but rather claim the discourse of Lutheranism as sufficient warrant for emphasizing trust. Therefore, this should be understood as a foundational and not a foundational-*ist* concept.

> right relationship with God is a relationship of trust rather than rebellious self-assertion, a right relationship with the neighbor is one in which each seeks to be truly worthy of the other's trust. The trustworthiness that fosters and can bear the weight of the other's trust emerges as a central value to cherish and promote. Broken promises and betrayed trust through lies, exploitation, and manipulative behavior are exposed, not just as an individual failing, but as an attack on the foundations of our lives as social beings. Trust is misunderstood if reduced to an emotion, an abstract principle, or a virtue of one's disposition, although these all suggest its multidimensional role as an axis in human life.[440]

Unfortunately, while being clear regarding that to which trust should *not* be reduced (emotion, abstract principle or dispositional virtue), the statement has not yet achieved clarity as to how it *should* be characterized. Rather, trust is considered a characteristic of a right relationship, and a right relationship is described as one in which trust is operative. On the one hand, without a *tertium quid* that could serve to interrupt this self-referential cycle, at this point the statement leaves the reader with a viciously circular description of one of its foundational concepts. On the other hand, if I hypothesize that what the statement intends to describe is a habit[441] that cannot be comprehended in a clearly articulated, non-vague propositional statement, then there is warrant to continue to search for how that habit is clarified for particular situations in order to better apprehend what it means for one to trust in the context of the statement. Concretizing what it means for a relationship to be properly characterized as

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[440] "Gift and Trust," 38 n. 2.

[441] At this point, due to the inductive character of this investigation, I leave more detailed discussion of "habits" in the sense I use the term until later. In this context, however, I take the phrase "a virtue of one's disposition" to *not* be a technical reference to Aristotelian virtue ethics. I believe this is warranted due to the fact that social statements in the ELCA are not written to a technical audience versed in philosophical terminology but rather to non-specialists. Therefore, I take the phrase to refer to the more common-sense idea that some people are more trusting than others. Such a person could then be called a "trusting" (or sometime, "naïve") person such that the character of trust is considered to be part of a person's disposition. If Aristotelian virtue ethics were in view in such a document that is intended for a general audience, I would anticipate a more explicit reference if such were in view.

"trusting," then, would be one of the chief burdens of the statement that it would have to achieve to accomplish its own goals.

While the final document refers to trust many times, beginning with a thesis statement that situates the idea of trust within the Lutheran doctrine of vocation,[442] it rarely gives explicit instances of what it means for a relationship to be trusting. The statement does marshal negative instances of what it means to lack or violate trust. For example:

> The biblical narratives also depict how people violate God's trust, turning away from God (Genesis 3). They want to be like God. They make excuses and apportion blame. They hide from God. They cover their nakedness. The full breakdown of relationship enters, complete with curses and exile, as depicted in the betrayal of brother against brother (Genesis 4). The relationship of trust with God and each other, entailed in the image of God, is broken. People sin; that is, human beings resist their own God-given identity and destiny.[443]

These negative descriptions of what it means to violate trust provide little help in distinguishing what is a trusting relationship from what could more generically be called a "good" or "right" relationship. It remains unclear what the term "trust" adds to the description of an idealized relationship outside of that relationship itself.

God's faithfulness, however, is portrayed as overcoming the brokenness of human relationship with God based upon a primordial betrayal of the trust that God initially placed in humankind. In the face of human violation of God's trust in humanity resulting in a broken relationship, God is affirmed to:

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[442] To wit: "Central to our vocation, in relation to human sexuality, is the building and protection of trust in relationships. As justified and forgiven sinners, our efforts to create trust are in response to God's faithful (trustworthy) relationship of love for the world in Christ. We are called therefore to be trustworthy in our human sexuality and to build social institutions and practices where trust and trustworthy relationships can thrive." (Gift and Trust, 2) For an excellent treatment of Luther's understanding of vocation, see: Gustaf Wingren, *Luther on Vocation* (Philadelphia: Muhlenberg Press, 1957).

[443] "Gift and Trust," 5.

> …remain[] faithful, seeking out and inviting all into intimate relationship as sons and daughters. This dignity of the human being reflects God's deep love and stands against all forms of violence, discrimination, and injustice. Scripture reveals to believers that just as God does not abandon that which God loves, neither should we.[444]

Interestingly, the idea of God trusting humanity is no longer present in this paragraph. Rather, the emphasis is upon a different quality. The emphasis is now upon the concept of "faithfulness." Rather than speaking of trust with respect to God's attitude toward humanity as defining what it means for God to be in a good relationship with humanity, now it is God's faithfulness in the face of a breach of trust that characterizes His "good" relationship with humankind. At least in the case of God, the statement implies that it is possible to maintain a good and beneficial relationship even when trust is lacking. Trust, as it is used here, no longer appears to be synonymous with a good or beneficial relationship such that its lack is destructive of that relationship. Further, God's love in being faithful to a given relationship out of love even when trust is broken is held to be a model for human relationships. The statement urges individuals to mimic the divine love that refuses to abandon the objects of that love.

The clearest positive description of trust in relation to human relationships ("service to the neighbor") in the statement comes in a series of bullet points outlining certain characteristics of such relationships. These include:

- Promote, value, and respect the human dignity of each individual;
- Protect all from physical, emotional, and spiritual harm;
- Demonstrate mercy, compassion, and justice for all, especially the 'least of these' – those who are most vulnerable in relationships and in society;
- Ensure accountability and responsibility in relationships and the community;
- Promote the welfare of individuals and the common good of society; and

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[444] "Gift and Trust," 5.

- Value the security and protection afforded through the making of promises, including social and contractual commitments.[445]

Unfortunately, no examples are yet proffered as to what constitutes respecting dignity, avoiding harm, demonstrating compassion etc. in the context of human sexuality. Rather, even though the statement says that trust is not being treated as an abstract principle, what is described to this point is just that – a set of abstract principles that have yet to find embodiment in positive examples. Of no help is the further list of adjectives describing trusting relationships as "loving," "life-giving," "self-giving," "fulfilling," "nurturing," "marked by truth-telling," "faithful," "committed," "supportive," "hospitable," and "a blessing." In a Lutheran context, it is hard to imagine anyone that would disagree with any of these descriptors. What is needed is not adjectives but examples in order to concretize what it means to emphasize trust as a touchstone of human relationships *in the context of a particular topic* (here, human sexuality). That is, it is necessary to relate specific instances of how such trust is to be demonstrated in practical terms. This would prepare the readers to understand any doctrinal claims that might result from this discussion.

Only after the statement introduces the doctrinal term "bound conscience" does it give concrete examples of how such trust might be lived out in relationship to one's neighbor and in human social structures. In doing so, it removes the concept of trust from a set of abstract principles into the realm of practice by answering a specific question – that of the acceptability of same-gender sexual behavior. In fact, four

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[445] "Gift and Trust," 14.

specific stances regarding same-gender sexual behavior and the practical consequences

of those stances are adduced. In chart form, these are[446]:

	Theological Position	Practical Consequence	Communal Response
Stance 1	Same-gender sexual behavior "is sinful, contrary to biblical teaching and their understanding of natural law." Engaging in same-gender sexual behavior carries grave danger of unrepentant sin.	Neighbor and community are best served by calling for repentance and celibacy.	Pastoral responses and community support for the individuals are necessary.
Stance 2	Homosexuality reflects a broken world where even "lifelong, monogamous, homosexual relationships" do not reflect God's intention for creation.	Neighbor and community not best served by publicly recognizing same-sex relationships as traditional marriage.	*No mention of how this applies to the community*
Stance 3	Scripture does not address sexual orientation and "lifelong and committed" relationships present today.	Neighbor and community are best served by holding same-gender relationships to high standards of accountability but not equating such relationships with traditional marriage.	Community support and pastoral care necessary; may desire to surround lifelong, monogamous relationships with prayer[447]
Stance 4	Scripture does not address sexual orientation and "lifelong and committed" relationships present today.	Neighbor and community are best served by holding same-gender relationships to the highest standards of accountability and status equivalent to traditional marriage.	Couples to be surrounded with prayer;[448] same-gender couples should have social and legal support for themselves and their children; should seek highest legal status for their relationship.

Comparing the stances regarding their theological positions, stance 1 asserts

that both Scripture and natural law teach that same-gender sexual behavior is sinful

insofar as it violates both God's teaching as found in the Bible and the order observed in

nature which is attributed, again, to God as part of His creation.[449] Stances 3 and 4

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[446] Cf. "Gift and Trust," 20-1.

[447] This refers to the possibility of liturgies and other ceremonies for the blessing of same-sex relationships.

[448] As above, this refers to liturgies and ceremonies of blessing of same-sex relationships, but also extends to same-sex marriage ceremonies with legal force where such state recognition exists and without binding legal force in other locales.

[449] Or so I construe stance 1. Much in the document is difficult to precisely characterize. For example, here the exact quotation is: "On the basis of conscience-bound belief, some are convinced that same-gender sexual behavior is sinful, contrary to biblical teaching and their understanding of natural law." ("Gift and Trust," 20) The three final phrases are marshaled serially without any logical connectors specifying how their relation is to be precisely understood. For example, the phrasing leaves open the question as to whether or not the judgment of sinfulness is made without reference to a datum or at least without reference to an explicit datum. However, in context, it makes sense to assume that the datum is

assert that Scripture does not have contemporary understandings of same-gender sexual behavior in view at all. While not explicitly stating its view of scriptural statements, stance 2 implicitly agrees that same-gender sexual behavior is addressed by Scripture insofar as its existence reflects a "broken" world. Yet all four agree on the question: "Does Scripture address contemporary understandings of same-gender sexual behavior?" For the first and second stances, the answer is "yes" (with stance 1 and to a lesser extent stance 2 immediately adding that Scripture is unfailingly negative in its evaluation of it) while the third and fourth answer "no," thereby placing it in the category of "adiaphora."[450]

The practical consequences of the stances are equally stark. Based upon the theological position adopted, stance 1 advocates calling anyone in a same-gender sexual relationship to repentance regardless of the type of relationship in which such behavior occurs. "Calling" is an irremediably public, interpersonal phenomenon, so this stance

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provided – biblical teaching and natural law. Therefore, in order to give a specific construal of this language, I take the last two phrases ("contrary to biblical teaching and their understanding of natural law") to be in a causal relationship with the first phrase ("same-gender sexual behavior is sinful") such that the comma separating them is equivalent to "because" or "insofar as". While this may appear to be a minor point, it is in fact characteristic of much of the language of the statement. The result is that this practice expands the range of plain-sense readings of the statement that could be offered where a "plain-sense" reading is one to which someone immersed in a given discourse (in this case, Lutheran theology) would assent as being a *possible* construal regardless of judgments as to its likelihood.

[450] The term ἀδιάφορος was adopted into Christian discourse in much the same sense it maintained in Stoic philosophy as something indifferent being neither good nor bad (LSJ, s.v. "ἀδιάφορος"). In Lutheran discourse, this is applied frequently to those things neither commanded nor forbidden by Scripture. For example, Luther in his early lectures on Galatians (1519) writes regarding ceremonies that are neither commanded nor forbidden by Scripture: "For to those who believe in Christ whatever things are either enjoined or forbidden in the way of external ceremonies and bodily righteousnesses are all pure, adiaphora, and are permissible, except insofar as the believers are willing to subject themselves to these things of their own accord or for the sake of love." (LW 27:161-2) By arguing that Scripture does not address contemporary understandings of same-gender sexual behavior occurring within mutual, loving, publicly-accountable same-gender relationships, stances 3 and 4 place them squarely within this well-known category of Lutheran discourse. Therefore, the heuristic question I pose above as agreed upon by all four stances could be re-worded to say: "Are contemporary understandings of same-gender sexual behavior adiaphora?"

necessitates a particular public attitude. On the one hand, stance 4 conversely urges that same-gender couples in "lifelong and monogamous commitments" are to be "held to the same rigorous standards, sexual ethics, and status as heterosexual marriage."[451] On the other hand, this stance also sees a practical outcome in the public sphere since the accountability demanded is a public accountability. The communal responses to the practical ramifications of the theological positions echo their public nature. Stance 1 indicates that calling for repentance needs to be accompanied by pastoral care and urges communal support for the one being called to repentance. Likewise, stance 4 advocates that communities "surround such couples and their lifelong commitments with prayer"[452] which authorizes public rites and liturgies of blessing of these relationships. Further, stance 4 urges same-gender couples to seek both social and legal support for their relationship, again making the practical outcome of the theological position a public phenomenon. While not mentioned, the second and third stance are also important as mediating positions indicating that the theological positions taken as well as their practical entailments are not an "either/or" phenomenon. The law of the excluded middle is not in play in the way the discourse is explicitly framed by the social statement. Yet here again, all stances agree upon a single question: "Should same-gender sexual behavior be publicly affirmed under certain circumstances?" Stance 1 unambiguously answers "no," while stances 3 and 4 answer "yes." Stance 2 is ambiguous in stating that it is against "recognizing such relationships as traditional

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[451] "Gift and Trust," 20.
[452] "Gift and Trust," 21.

marriage"[453] insofar as it does not address a type of public recognition short of

marriage. However, given its position that same-gender sexual behavior reflects a

broken world, the stance implies that public affirmation of such behavior would be a

mistake.

It is in this context that the doctrine of the "bound conscience" becomes

critically important in maintaining the type of trusting relationships that the statement

envisions. The role of conscience is introduced without comment early in the document

in the context of authorizing Christian freedom because it is "the doctrine of justification

[that] 'preserves and guides all churchly teaching and establishes our consciences before

God.'"[454] In connecting conscience to justification and doing so early in the document,

this serves rhetorically to bolster its importance when it is mentioned again. The idea of

the conscience being "bound" only appears immediately before, during, and

immediately after the discussion outlining the four stances described above.[455]

The statement nowhere in its body defines or gives support for the doctrine of

the "bound conscience" but rather relegates such discussion to an extended footnote.

There, the idea of conscience is defined as "the unconditional moral responsibility of the

individual before God (Romans 2:15-16)."[456] For the statement, this moral responsibility

must become "as adamant as Paul" on matters dealing with "God's saving action by

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[453] Stance 3 has language similar to stance 2 saying that: "…they do not equate these relationships with marriage." ("Gift and Trust," 20)
[454] "Gift and Trust," 3.
[455] Not only does the statement introduce the concept of the bound conscience three times just before the four stances, each stance itself begins with the almost liturgical phrase: "On the basis of conscience-bound belief…" (cf. "Gift and Trust," 20)
[456] "Gift and Trust," 41 n. 26.

grace through faith."[457] It cites Paul's diatribe against the necessity of circumcision in

Galatians 1:8 as support[458] along with Luther's statement before the Diet of Worms.[459]

In both cases, the statement takes the proclamation of the Gospel itself to be at risk

necessitating an uncompromising stand on behalf of the Christian. On the other hand,

the statement offers the following rule: "when the question is about morality or church

practice, the Pauline and Lutheran witness is less adamant and believes we may be

called to respect the bound conscience."[460] In support, the statement cites Paul's

discussion of meat sacrificed to idols and the observance of holy days found in Romans

14, 1 Corinthians 8:10-14 and 10:23-30 because "the Gospel of Jesus Christ was not at

stake"[461] in those questions. Even so, if doing so would cause another to sin, the

statement holds that one is "obligated" to take action such as eating only vegetables to

avoid giving this offence. It is "this rich understanding of the role of conscience" that

powers the statement's response to matters where "salvation is not at stake."[462]

There is a *prima facie* problem with this description of the conscience and its

extension, however. That is, if the conscience is itself understood as an "absolute moral

responsibility," it is hard to comprehend how its exercise would be lessened regarding

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[457] Ibid.

[458] Though it nowhere provides an account of Paul's action in circumcising Timothy "on account of the Jews… for they all knew that his father was a Greek" (διὰ τοὺς Ἰουδαίους… ᾔδεισαν γὰρ ἅπαντες ὅτι Ἕλλην ὁ πατὴρ αὐτοῦ ὑπῆρχεν[458]) in Acts 16:3. While a social statement is not to be considered a theological treatise that deals with all the issues it raises, the lack of an account of Paul's action here greatly hinders understanding precisely how the idea of "bound conscience" is to function.

[459] "Unless I am persuaded by the testimony of Scripture and by clear reason… I am conquered by the Scripture passages I have adduced and my conscience is captive to the words of God. I neither can nor desire to recant anything, when to do so against conscience would be neither safe nor wholesome." ("Gift and Trust," 41 n. 26; cf. WA 7:838 and LW 32:112)

[460] "Gift and Trust," 41 n. 26.

[461] Ibid.

[462] Ibid.

"question[s]… about morality."[463] Conscience understood as an unconditional *moral*

responsibility would dissolve and disappear altogether if one's moral responsibility to

questions of morality were lessened, like water swirling around the drain. If one is

obligated due to her moral responsibility before God to lessen one's stand regarding

questions of morality, then moral responsibility as itself a question of morality is

progressively lessened in a downward spiral with no end in sight; it is a problem of

infinite regress.[464] I am unsure how to solve this problem within the plain sense of the

words. Rather than postulate incomprehensibility to the document at this point,

however, I take this problem as a token of competing trajectories within the statement

itself and as authorization to hypothesize as to what understanding might reasonably

give rise to such a series of statements. This understanding may be termed an "implicit

text" that serves to warrant and explain the explicit text.

In light of this, I will take the implicit text of the functioning of the conscience to

be something like the following. The idea of conscience is, first of all, an individual

matter. An individual's conscience might require a certain stance toward another (in

the sense that one perceives an moral responsibility to uphold or propound a certain

view or to otherwise act in a certain manner in a given situation), but this recognition

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[463] Ibid.

[464] A possible objection is to clarify that the point of the footnote is to say that one's conscience is free regarding questions of morality because the Christian is "free to give priority to the neighbor's well-being" in such cases (Ibid.), but this does not solve the problem. It is still a moral act to decide in one's freedom to give priority to the neighbor's well-being (it is itself a moral judgment as to what that well-being might be if the moral life is to have any connection to being well). Further, to urge Lutherans to exercise Christian freedom understood thusly is to encourage them to exercise their moral responsibility in this manner. The conscience still comes into play in full force. Again, if the conscience is to be understood in any way as a *moral* responsibility, then it must apply directly to questions of morality. To assert otherwise is to vacate the concept of conscience altogether.

does not detract from another equally necessary moral responsibility – to respect one's

neighbor, regardless of whether or not one agrees with her. This is an unconditional

responsibility on the Christian as well because Christians should recognize that there is a

danger that acting in ways that violate the neighbor's conscience might damage her

faith. The problem then becomes one of competing moral goods. One may indeed find

that one's conscience calls her to a certain position or stance, but this does not

authorize her to treat another person with disrespect, where disrespect is to be

understood as contempt and thereby rejection of the other.[465] Also prohibited is acting

in ways that force another person to violate her conscience. Given the general dignity

and inestimable value to the human creature, living in community at times places

competing constraints on an individual's conscience, and she has a moral responsibility

to limit the exercise of her own conscience in those situations out of concern for the

neighbor. Note that one's moral responsibility (conscience) is not lessened in questions

of morality; to do so, again, would be to introduce a self-defeating concept. Rather, this

reconstruction of the implicit text entails balancing competing moral responsibilities

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[465] While contempt, insofar as it involves an active and devaluing stance toward another person, is certainly a form of disrespect, it is arguably not the strongest form. Rather, in a Christian context where the human community is united in being created in the image of God (no matter how twisted that image has become due to original sin) with each individual therefore being of inestimable value, indifference stands in even greater opposition to respect. Respect, as a positive, active concept, involves attributing an importance to another's views, actions and attitudes such that these are taken with an existential seriousness that impinges upon one's own views, actions and attitudes. This entails a necessary engagement with another's views, for example, because they are held to be of value. In valuing the other and her views, it is expected that engaging them in agreement or disagreement is a positive exercise that will be of value for both parties. Indifference, on the other hand, is a passionless, passive concept. Unlike contempt, one does not even take another person with enough seriousness to hold them in any esteem, positive or negative. Whereas contempt expresses some level of valuation of another person, even if extremely negative, indifference regards the other as not even worthy of the mental or attitudinal effort it would take to adopt such a stance toward another. It certainly does not involve taking the other's views or personhood seriously enough to engage them.

when confronted by the face of the other. Thus reconstructed, the conscience and its perceptions of one's moral responsibility functions within the context of the sexuality statement as a mediating concept that serves to clarify how various conscience-bound stances can exist within a single denominational unity characterized primarily by trust.

The doctrine of a conscience being "bound," however, remains problematic in the context of the statement's explicit and even implicit texts. This is the case because the statement does not allow for freedom for those whose consciences bind them to a particular theological position and so to its practical consequences and communal responses. That is, they lack the freedom to balance the competing moral imperatives that confront them even on the terms of the implicit text I reconstructed because their consciences are "bound" to a certain position that entails particular practical consequences and communal responses. This is true because for them compromising on the position to which their conscience is bound includes culpability before God for their violation of their moral responsibility. To act against a "bound conscience" is to sin, whether that action is the willful violation of one's own conscience or doing so due to weakness in the face of temptation prompted by another's action. This is at least one principle aspect of the biblical examples marshaled in support of the "bound conscience":

> Yet [Paul] insisted that, if a brother or sister did not understand this freedom [i.e., his conscience was bound to his belief system] and saw eating meat as idolatry to a pagan god, the Christian was *obligated* to 'walk in love' by eating just vegetables for the neighbor's sake (Romans 14:17-20)![466]

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[466] "Gift and Trust," 41 n. 26; emphasis mine.

By analogy, if anyone actually holds one of the stances described above which present themselves as "conscience-bound belief[s]," she is placed into the role of the neighbor who saw eating meat sacrificed to idols as engaging in idolatry to a pagan god. These conscience-bound individuals are *not* the ones whose consciences regard eating meat sacrificed to idols as being a matter of freedom. Rather, those whose consciences are free are the ones who have to take into account the weakness of their brothers and sisters in Christ and avoid giving them offense. Those who hold conscience-bound beliefs are the weaker brothers, and those whose consciences are free are the stronger.[467]

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[467] Even more, Paul makes a theological judgment on the matter that he expects his auditors to follow insofar as they are more fully formed in Christ. He summarizes this theological decision explicitly when he writes: "Do not destroy the work of God on account of food; on the one hand, everything is clean, but on the other, it is evil to cause another person to stumble by eating." (Rom. 14:20) Here Paul models the perspective he expects that the fully-formed Christian should possess. For such a person, all food is clean, and her conscience should not be swayed one way or another by eating. At the same time, such a "strong" person is to have regard for those who are not yet formed in Christ to the same degree of freedom. For a less formed or "weak Christian, the "strong" Christian is to voluntarily restrict her freedom in the matter of eating, knowing that it does not matter one way or another because all food is clean, to avoid giving unnecessary offence to the "weak" Christian.

It is necessary for the "strong" Christian to voluntarily restrict her own freedom because of the nature of the phenomenon of eating foods (or observing days) as being clean or unclean relative to the conscience of the individual in question. For Paul, the orientation of the individual's conscience actual performs a role in making a food clean or unclean to that person. That is, the conscience is world-formative for that person and able not only to affect her attitude toward the world but also to effect a reality within that world. Paul makes this explicit when he says earlier: "I know and am persuaded in Lord Jesus that nothing is unclean in itself, but to one who considers something to be unclean, to that person it is unclean." (Rom. 14:14) In this matter, it is the conscience or committed understanding of an individual that makes a food unclean *for that person*. Paul is not here outlining a general rule of the uncleanness of foods based upon an individual's conscience but is rather recognizing the role of that conscience in forming the reality of a food's uncleanness for the person concerned. One who considers a food unclean and therefore unpleasing to God if eaten cannot eat that food in order to honor God. That would be to engage in a simple contradiction. Rather, because one cannot eat that food to the honor of God, the food itself becomes unclean.

However, having one's conscience bound to consider some foods as unclean and other Jewish boundary markers attached to the Law is a sign of a weak faith for Paul. It is not something to be desired or formed in Christian individuals but rather is something from which it is desirable to free the weak Christian's conscience. This is because the fully-formed Christian conscience in this matter would regard all foods as clean and able to be eaten to the honor of God, just as other boundary markers of Jewish identity have been relativized to a certain time, place, people and purpose. Bondage to observing certain

The consequence is that while the idea of conscience is intended to be a bridging concept that can reconcile those who hold one of the four stances to each other in the context of a greater imperative to operate in trust, it is unable to accomplish this goal. To have a bound conscience is to perceive a clear and precise moral responsibility before God such that to go against that conscience entails the danger of deliberately sinning against God and losing faith in the process. The only people who can actually accomplish the goal of living within the mandate of maintaining trusting relationships within the denomination are those who have no conscience-bound belief regarding the question the sexuality statement was intending to address: whether or not same-gender sexual behavior is sinful in all contexts or if it is to be accepted within certain contexts. There is no rule to which one could appeal that could free the consciences of those who hold one of the four stances such that they could follow the guidance of the statement in respecting (in the sense of tolerating and accepting the presence of) those who believe differently. The statement lacks the "third thing" to which each could appeal as a means of freeing consciences in bondage. Appealing to trust does no good because trust is itself a vacuous concept if one cannot specify the conditions that would constitute a violation of that trust. The statement lacks those conditions. Further, we have seen that appealing to conscience is equally difficult on the terms laid out by the statement. This is because the concept is, strictly speaking, incomprehensible in its

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foods as clean and others as unclean is not reflective of the conscience formed in Christ and is something that should be remedied by making what is in fact true for the strong Christian known and formed in the weak Christian. It is a matter of a growth in maturity in the faith, and Paul providing an authoritative and negative response to the question: "Are some foods unclean?" gives a means by which the weak Christian's conscience might become increasingly strong. Such a stance provides the mechanism that frees consciences bound to something inappropriate to the Christian life thereby enabling growth in faith and understanding.

explicit terms. Even the reconstructed implicit text that empowers the explicit text remains problematic and only highlights the problem of conscience-bound beliefs not permitting their own violation rather than alleviating it.[468]

In sum, the ELCA statement "Gift and Trust" fails to regard doctrine as rule of discourse either negatively or positively. Rather, by introducing a doctrine of "bound conscience" that allows for both competing and simply contradictory views – both in the speculative framework employed and in the practical consequences – it fails to provide an authoritative doctrine whatsoever. The theological methodology employed lacks the element of Secondness, of interruption and so of training minds to think in ways as Christians should think. The 16th century Lutheran Confessors were, with Paul, careful to decide issues with doctrinal statements in order to rule out certain modes of thought and enable others, but they did not adopt doctrines that allowed both the denial of negative assertion ($\neg\neg X$) and its affirmation ($\neg X$) at the same time. Rather, in their concern to train thinking and accomplish the practical goal of fostering faith, they supplied doctrines as negative rules of discourse and anathematized others precisely to make sure that Christians knew that certain trajectories of thought were appropriate via non-negative assertions (and so could undergo further development) and that others

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[468] Wengert's explication of the "bound conscience" has this same problem which is to be expected as he is one of the architects of the doctrine: "When Christians differ over interpretations of Scripture, no one may simply arrogate to him or herself the authority to judge others but must always beware of 'spirituality,' presumption, and pontificating, that is '*enthusiasmus*,' literally, worshiping the god within (*en theou*). Moreover, one cannot simply assume that someone else's position is merely a matter of stubbornness or pride. Instead, one must carefully discern where the neighbor's conscience is in relation to a particular interpretation of God's Word. Thus, pastoral concerns and protection for the weak or bound conscience must never be placed outside the bounds in theological discussion, especially when dealing with matters of ethics and morality about which Christians fervently disagree." (Timothy Wengert, "Reflections on the Bound Conscience in Lutheran Theology," Task Force for ELCA Studies on Sexuality – Reflections on the Bound Conscience.) This leaves no way to discern what may, in fact, be true within the context of Lutheran theology.

were not. This the statement fails to do. In short, the doctrine of the "bound

conscience" does not perform the function of guiding discourse, one way or another, in

that it allows a field of contradictory doctrinal positions with very different practical

effects. This is not a critique of the content of any particular proposal that might have

been adopted; it is a critique of the type of reasoning used to arrive at a conclusion. The

logic displayed in this document does not follow a Lutheran rationality and so, if my

model is correct, is not a valid instance of Lutheran reasoning. It proposes a mode of

problem solving that is disconnected from its inherited Lutheran tradition of thought

and so is foundationalist. It is, in Lutheran terms, a confusion of Law and Gospel.[469]

Because the way the doctrine of the "bound conscience" is deployed does not

serve to guide discourse, it functions outside of a reparative rationality. In the terms of

this dissertation, it becomes an instance of both biblical and logical internalism that

ends up, respectively, identifying "one's reception of the Bible with an icon of the divine

presence" and "the cogito with the internalized character of the real, or being itself."[470]

It is a move that displays Cartesian skepticism in that it makes all claims local to the

individual or to the congregation, allowing each to choose one of four officially-

recognized options according to their desire. Biblical internalism finds its place as a

moment in a properly functioning Lutheran (and Pauline) reparative rationality;

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[469] Forde anticipated this problem when he spoke of how fickle is the conscience: "Conscience is not therefore just an 'introspective' affair in which one is convicted by the inviolable voice of the law within and its eternal order. Conscience does not reflect order and constancy. It is insatiable, fickle, and arbitrary. It does not represent God's presence within us, it represents his absence, that we are left to ourselves. Conscience can unpredictably make mockery of any presumed freedom and emancipation." (Gerhard Forde, "Eleventh Locus: Christian Life," in *Christian Dogmatics*, vol. 2, eds. Carl E. Braaten and Robert W. Jenson [Philadelphia: Fortress Press, 1984], 417.)
[470] RR, 200.

divorced from that rationality, "[objectivism and internalism] become vehicles of sin and error."[471] In this case, the biblical internalism found in the "bound conscience" functions in two ways. First, it is a move to reify one's own understanding of Scripture by identifying it with God's own understanding, whether that be to adopt position 1 or 4. Second, the "bound conscience" restricts the extent of the applicability of this reified understanding to a particular individual or sub-community. Taken together, this is to display a skeptical foundationalism. From a theological perspective, what is crucial to note regarding the use of the concept is that one's will is bound to regard that position as God's own position. This is to engage in idolatry.

The way that this error in logic could be corrected would be to choose a single doctrinal trajectory that could then be used to guide the discourse of the ELCA. If the doctrinal rubric is going to be that of the "bound conscience," this could entail the recognition that one of the four positions listed is correct while the other three are incorrect. However, using Paul as an example, those who in their freedom could choose what is labeled as the "correct" position would then voluntarily restrict that freedom on the basis of the "bound conscience" of the weaker brother or sister in Christ in order to not lead that person into sin. Moreover, doing this would provide the means necessary to train the Christian mind and free the conscience that is bound to something that is not true (e.g., that one cannot eat meat sacrificed to idols) in order to guide it toward that which is true (e.g., that all meat is clean to the Christian). By allowing a single position to guide the ELCA's discourse, the doctrine of the "bound conscience" would

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[471] Ibid., 201.

now be able to play a role in correcting sin and error and inculcating faith via the proclamation; that is, it is now situated within a reparative rationality and so would no longer be a vehicle of idolatry. By taking a position, this error in Lutheran logic would be alleviated, even as it would leave open other debates as to whether the content of the position chosen is faithful to Scripture or not. This latter debate is not something for which an analysis of logic can provide aid. Logical analysis can only indicate if a Lutheran rationality is being displayed; it cannot dictate the content of what is said.

A Claimed Pauline Doctrine: "The Order of Creation"

Inasmuch as the doctrine of the "bound conscience" as demonstrated in the ELCA's social statement "Gift and Trust" fails to regard doctrine as that which performs the reparative function of guiding discourse along a particular trajectory thereby reifying a biblical and logical internalism within the public discourse of the ELCA, the doctrine of "the order of creation" tends to be an instance of reifying biblical and logical objectivism with the Lutheran Church – Missouri Synod (LCMS), again divorced from a reparative rationality. When such a doctrinal reification occurs in various authors and publications, this, too, is a confusion of Law and Gospel and so an instance of an invalid Lutheran logic.

It is uncommon, however, that LCMS authors and publications will fully divorce their discussions of the relationship between men and women from a reparative rationality; rather, this generally tends to occur when the concept of "the order of creation" is utilized as a datum of appeal. This shifting back and forth from a reparative

to a non-reparative, idolatrous rationality can take place within a single author's work as that author balances competing tendencies. These tendencies include a latent Cartesianism that is demonstrated by a *merely*[472] objectivist deployment of doctrine in "the order of creation" and a fully reparative tendency that generally takes the form of a narratival rendering of the way God created men and women in service to a larger story of God's action in Christ. Depending on the author or committee document, the foundationalist tendency or the reparative tendency might dominate. Insofar as "the order of creation" plays an ontological role akin to that of a Platonic idea, the foundationalist tendency is in ascendancy; insofar as the story of creation is placed within a longer narrative of salvation, the reparative tendency dominates. That is, in Lutheran terms, reifying "the order of creation" results in a confusion of Law and Gospel, and reading creation and redemption as a continuing story results in properly distinguishing Law and Gospel.

In order to display how "the order of creation" tends to be deployed within the LCMS, I will investigate its use within two articles and two committee documents submitted for synod-wide study. The two articles are found in a book published by the LCMS's synodical publishing arm, Concordia Publishing House, and have therefore undergone "doctrinal review"[473] and so have received an official imprimatur that what

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[472] "Merely" here denotes the deployment of an objectivist rationality divorced from a reparative rationality.

[473] The process of "doctrinal review" within Concordia Publishing House (CPH) is intended "to certify that the content is faithful to the Holy Scriptures and the Lutheran Confessions." This is intended to give the reader "assurance" of the doctrinal accuracy of what they are reading. The implication here is that for a book to be published by CPH, it must pass doctrinal review thereby putting the imprimatur of the LCMS's understanding of Scripture and the Lutheran Confessions upon it. While this is not to officially adopt any

they teach at least does not conflict with the LCMS's understanding of Scripture and the

Confessions. The first is a 1959 article by Peter Brunner[474] and the other is a 2001

article by William Weinrich.[475] The final two documents are those produced by the

CTCR for the study of the relationship between men and women. They include:

"Women in the Church" (WIC)[476] and "The Creator's Tapestry (TCT).[477] I will not be

engaging in a full analysis of each of these writings but will rather be looking solely to

see how they deploy the doctrinal concept of "the order of creation" (or its conceptual

cognates) within their theological reasoning. Finally, the interpretive challenges these

texts pose tend not to be on the level of the explicit text as they were in the document

"Gift and Trust" in the sense that what is said is somehow incoherent; rather, any

interpretive problems arise from the existence of competing logical tendencies within

the texts themselves. This makes their analysis easier and so this section

correspondingly shorter.

There are at least three types of positions present in the articles and documents

regarding their treatment of the doctrine of "the order of creation". They vary from a

highly foundationalist approach that reifies "the order of creation" and utilizes it in a

manner similar to a Platonic form in their argumentation (Brunner & WIC), to an

particular publication of CPH as an official statement of LCMS doctrine, it is to certify that what is published does not conflict with that doctrine. Cf. http://www.cph.org/t-about-dr.aspx.

[474] Peter Brunner, "The Ministry and the Ministry of Women," in *Women Pastors? The Ordination of Women in Biblical Lutheran Perspective*, 2nd ed., eds. Matthew Harrison and John Pless (St. Louis: CPH, 2009).

[475] William Weinrich, "'It Is Not Given to Women to Teach'," in *Women Pastors? The Ordination of Women in Biblical Lutheran Perspective*, 2nd ed., eds. Matthew Harrison and John Pless (St. Louis: CPH, 2009).

[476] Commission on Theology and Church Relations, "Women in the Church: Scriptural Principles and Ecclesial Practice," St. Louis: Concordia Publishing House, September 1985.

[477] Commission on Theology and Church Relations, "The Creator's Tapestry: Scriptural Perspectives on Man-Woman Relationships in Marriage and the Church," St. Louis: Concordia Publishing House, December 2009.

approach that employs the term in a foundationalist manner but lessens its impact by intentionally re-situating it into a larger narrative (Weinrich), and finally an approach that seeks to find what is helpful about the term even while it avoids using it altogether in its substantive sections in favor of drawing upon more narratival, reparative categories (TCT).

Beginning with the highly foundationalist approach exemplified by Brunner, we see a dominant tendency to try to achieve ontological clarity regarding the status of the man and of the woman vis-à-vis each other. He speaks of a "'subordination' (*Unterordnung*) that is demanded of the woman… [that] is demanded by the Law and is also based expressly on the will of God."[478] "[Paul] sees this question of a woman's conduct in the church not as something peripheral but as involving the whole of Christian faith" in that it tests the apostolic authority given by the Lord to the apostles, and true prophecy is tested "by their agreement with his instructions."[479] This subordination of the woman to the man "is a pre-ordained order given by God to which all historical development is bound"[480] and so is not sociological but "theological." This "*taxis*" "must be acknowledged and accepted by a concrete practical conduct of life."[481] This basic structure is a "*kephale*-structure" such that "[t]he man is the head of the woman; Christ is the head of the man; God is the head of the Church."[482] This order was

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[478] Brunner, "Ministry," 201.
[479] Ibid., 202.
[480] Ibid.
[481] Ibid.
[482] Ibid., 203.

given in creation.[483] It is a "God-given ontological structure until the final

transformation in the resurrection from the dead." And in most detail:

> [The Gen. 2 creation account] expresses… a hidden but yet very actual fundamental
> relationship between the sexes. One can attempt to understand the preexistence of
> this order by analogy to the, in principle, axiological givenness of a Platonic idea. Such
> an attempt is certainly more faithful to the Biblical claim than the attempt to discredit
> the actual import of this Biblical insight by passing it off as the result of naïveté and an
> unscientific attitude… the relationship between man and woman is determined through
> and through by a fundamental divine law, which is axiologically foreordained and which
> transcends all experience while at the same time influencing it. It leads to the
> conviction that this order of God, just as surely as in every instant it acts from out of its
> "axiological transcendence" as a basic law, is essentially something other than such a
> law. It is a saving act of God done at the origin of all things. Its protohistorical reality is
> not testified to by a doctrine of ideas nor by a mythological description of the mystery of
> ideas; proclamation must be made of a history that took place on earth once at the
> beginning, in which God once and for all time acted on and with mankind.[484]

Even more, the point of creating the woman was for the sake of the man.[485]

Brunner goes on to utilize this "axiological", "Platonic" structure of the order of

creation to make practical recommendations. First, he insists that anyone who contests

"the factual and effective existence" of this this "*kephale*-structure" instituted by God in

creation that demands subordination from the woman and the "factual validity of the

corresponding command" would be to question the "central point with which the whole

Christian message hangs together; he would be a heretic."[486] Second, when applying

this order of creation, this *kephale*-structure, he backs off from his prior conclusions and

allows that a Christian woman has "the right to participate in governmental activity" and

that this does not contradict the demanded subordination.[487] He further allows that

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[483] Ibid.
[484] Ibid., 204.
[485] Ibid., 205.
[486] Ibid., 208.
[487] Ibid., 209.

women do not have to wear veils with a brusque "that decision has been made."[488]

Finally, he deals with the question of women being pastors and arrives at what he calls

"a conflict of being... [that] is carried on in the very depths and basis of created

being."[489] He determines that there are a group of activities that can be separated from

the pastoral office and performed by women and then there are another set of activities

that cannot be so separated, and that these, along with the office of pastor itself, are

denied to women based upon this axiological, Platonic *kephale*-structure of the order of

creation.[490]

Brunner's strong insistence upon a Platonic, axiological *kephale*-structure written

into the order of creation that affects men and women ontologically and thereby

determines their activities fits uneasily with his treatment of what women are actually

allowed to do. While saying that subordination is demanded of women, he allows them

to exercise political power and thereby not actually be subordinate to men but rather

participate with them in the direction of the state. Further, he allows a considerable

amount of authority to theologically-trained women, including teaching in Bible studies

and catechesis, training others, giving devotions in certain contexts, etc. I take this

tension as being indicative of his having two leading tendencies. The dominant

tendency is to deploy the doctrine of "the order of creation" in foundationalist fashion

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[488] Ibid.

[489] Ibid., 212.

[490] Cf. Ibid., 213-5. The permitted activities include: a) Christian instruction in catechesis and Bible studies; b) baptizing those approved by the pastor and dispensing the cup at the Lord's Supper; c) home and sick visitations; d) devotions in certain contexts; e) assisting in training others; and f) cooperating in maintaining pure doctrine. Those disallowed to women include: a) preaching in the worship service; b) leading the worship service; c) administering the Sacraments in worship; d) decisions regarding admission to the Lord's Supper; e) granting absolution in confessional; f) acts of confirmation and ordination; g) jurisdiction / *episkopes* of supporting ministries; and h) exercising office of diocesan bishop.

as if it directly described the ontology of a woman's (and so of a man's) being, as he explicitly says. The second, weaker tendency is reparative, seeking to apply the doctrine (understood in foundationalist terms) wisely and judiciously to life in such a fashion that women can exercise their gifts for ministry without being in the office of the ministry (the pastorate) and so, in his view, violate their very ontological existence. His first, foundationalist tendency is so strong that it leads him to make extraordinary claims that have a practical outcome as well – that if anyone were to deny the ontological understanding of the order of creation he lays out as being factually existent, that person would be denying the central article of the Christian faith and would be a heretic, a denier of Christ, and so, possibly, outside of the realm of salvation.

The implication of this foundationalist approach to doctrine is that doctrine simply and clearly descries eternal verities. It does not undergo development or further sharpening, and it does not seek mediation but simply demands obedience. There is no "third thing" presupposed in its assertion; rather, clarifying the doctrine itself becomes the fullest statement of what can be done. The habit that lies behind such an approach is one that believes it can see the hidden things of God clearly and describe them unproblematically for all time. This is pure speculation. Of course, as can be seen in Brunner's actual practical recommendations, this is not of great practical help. Other considerations enter into his practical analysis, many of which remain at the level of unspoken habit. This must be the case because a thorough, uncompromising application of such an ontological, Platonic, axiological concept such as the order of creation that demands subordination of the woman to the man results in positions that

are at odds with how women are treated in other locations in Scripture and, of course, in contemporary society as well. Rather than thoroughly applying an ontological order of creation rigorously in such a way that would contradict other parts of Scripture, Brunner makes his recommendations on the basis of other, inexplicit criteria.

In sum, Brunner's dominant tendency employs doctrine in a foundationalist manner divorced from a reparative rationality. As such, it places what he believes to be a "direct description of God on earth" that details a formal understanding of creation's order as an "elemental characteristic[] of being itself as the real."[491] Even as the ELCA's "bound conscience" displayed a skeptical foundationalism, the use of "the order of creation" by Brunner displays a dogmatic foundationalism. It makes an idol of what Brunner takes as a biblical description of life just "as it is" ontologically and so a tendency toward sin and error. It is fortunate that Brunner's application of his understanding of "the order of creation" is curtailed when it comes to recommending particular practices; if it were not, it would reinscribe a form of patriarchy that would deny women the right to vote and to hold positions of authority in the church and world. This is to name only two areas where even Brunner implicitly sees the concept as pernicious in that he is unwilling to consistently apply his claims in that way. Because of this, the way "the order of creation" defines Brunner's leading tendency itself tends toward sin and error.

The CTCR's 1985 report WIC also has this strong foundationalist tendency, though perhaps not to the same high degree as Brunner in that it does not effectively

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[491] RR, 200.

anathematize those who believe differently. It defines "The Order of Creation" as "the particular position which, by the will of God, any created object occupies in relation to others. God has given to that which has been created a certain definite order which, because it has been created by him, is the expression of His immutable will. These relationships belong to the very structure of created existence."[492] This idea of "the order of creation" is a "theological matrix for [Paul's] inspired teaching on the silence of women in the church and the exercise of authority."[493] That is, when Paul speaks his views on women, the doctrine of "the order of creation" is the basis for Paul's decisions rather than the simple biblical narrative of what happened in creation. As with Brunner, "[i]n the order of creation, God has placed woman in a position subordinate to man… [as] a matter of function between two people of equal worth and not a matter of inferiority/superiority."[494] This also involves a "headship structure of God-Christ-man-woman."[495]

As with Brunner, WIC seeks to apply this ontological structure called "the order of creation" judiciously. Like Brunner, it does not see an application of this ontological structure to the civil realm, but not because of an existing situation but rather because Scripture does not discuss the implications of it for "the civil estate" and distinguishing between church and state is important to Lutheran thought.[496] WIC, too, prohibits the pastoral office to women as a violation of "the headship structure rooted in God's order

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[492] WIC, 21.
[493] Ibid., 36.
[494] Ibid., 37.
[495] Ibid.
[496] Cf. Ibid., 38.

of creation."[497] Therefore, women may not perform "the essential and unique functions

of the pastoral office."[498] However, laity in general are not to perform those functions,

either.[499] Voting or women's suffrage is allowed within the church because it is not

specifically addressed by Scripture, and the definition of "'authority' simply as the

power to make decisions is alien to the exegesis of [1 Tim. 2:11-2]."[500]

Of course, voting is an exercise of decision making and so is within the realm of

authority in that voters' assemblies can call a pastor, for example, thereby extending

their authority even over the filling of the pastoral office. If "the order of creation" is

indeed rooted in the ontology of human existence, whether or not women's suffrage is

specifically addressed by Scripture is immaterial because the ontology of women as

subordinate would prohibit such activity. The fact that the CTCR returns to the text of

Scripture for their advice is evidence that another tendency is at play – a reparative

tendency to mitigate harsh speculative, ontological judgments with what makes sense

within the narrative outlined by Scripture. This tendency, as with Brunner, comes in

when further practical issues are addressed by WIC. But in the end, insofar as WIC urges

an ontological understanding of "the order of creation" divorced from a reparative

rationality, as it does throughout its discussion by not situating any ordering within

creation within the larger narrative of Scripture, it displays a dogmatic foundationalist

tendency toward making an idol of this biblical concept and so violates the logic of

Lutheranism. In short, it treats "the order of creation" as an ontological structure

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[497] Ibid., 41.

[498] Ibid.

[499] These include: a) preaching in worship; b) leading formal, public worship; c) publicly administering the sacraments; and d) publicly administering the office of the keys. Cf. Ibid., 42.

[500] Ibid., 43.

logically separable from the Lutheran tradition and its reading of Scripture and so is

foundationalist. It is a confusion of Law and Gospel.

Unlike Brunner and WIC, Weinrich and TCT display competing tendencies where

the reparative tendency dominates the foundationalist tendency in the deployment of

the doctrine of "the order of creation." Instead of focusing on that teaching as an

ontological category that dominates their discussion, they reference it but let other

concerns determine their approach. Weinrich references the idea of "the order of

creation," but quickly qualifies it by placing it within the larger narrative of what God

was doing in Christ to reconcile the world to Himself. Weinrich writes, for example:

> It is not that Christ was a male human person because in the "order of creation" God
> had given headship and authority to the man, Adam. Rather, God who created
> humankind in order that he might have communion with it in and through His Word
> gave the headship of humanity to the man, Adam, *in view of* the eschatological goal of
> humanity, which is Christ and His church. Because in the final purpose and *telos* of God
> for the world the man Jesus Christ was to be the head of His Body, the church (which
> relates to Christ as bride to bridegroom), God in the beginning gave Adam to be head of
> Eve.[501]

Here Weinrich reinterprets "the order of creation" by approaching it typologically in

view of the coming relationship of Christ and his church. This narratival approach

mitigates the ontological overtones of a static "order of creation" by means of placing it

within the redemptive activities of God. Weinrich takes this approach repeatedly

throughout his article in reference to other typologies such as that of God as Father

thereby displaying his reparative rationality. However, he still does relate an "order of

creation" to an "order of redemption," thus bringing into play the possibility of an

ontological understanding of two separate orders that now influence human life at the

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[501] Weinrich, "It is Not Given," 374.

deepest levels. But given his dominating reparative tendency, this is not as much of a problem for him as it was for Brunner and WIC, and the degree of his foundationalism is thus reduced. In the end, however, the idea of an "order of creation" is ancillary to his point, and so he would be better served by doing without it altogether.

Likewise, TCT strives to minimize the importance of the doctrine of the "order of creation" in developing its more strongly narratival approach to the issue of the relationship of men and women in the church. It takes a long view of the history of God's activity in saving humankind in developing its argument regarding a differentiation that complements God's plan from creation to consummation, and far from tying up every loose end via a conceptual analysis, it leaves a number of questions open for further development. It is careful to delineate responsibilities that lie upon both men and women, though it continues to recognize a differentiation in roles. For example, it interprets Paul in Ephesians 5 as referring to a type of dual submission within marriage, one where the wife submits to the husband as the "head" or leader, not as demanding subservience.[502] For the husband, it speaks of the need to sacrifice for the wife such that the model of Jesus' submission to the needs of the church becomes the model for the husband's submission to the needs of his wife: "The husband gives himself in selfless commitment to his wife for her well-being and not for any personal gain. Such love nourishes and cherishes the person with whom he has

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[502] Cf. TCT, 27.

been made one (Eph 5:29). In a word, he should love her just as Christ loved the

church."[503]

    While TCT does speak of order within creation, it avoids the term "the order of

creation" and seeks to treat any biblically-narrated order in creation non-ontologically.

Rather, it takes such ordering as an opportunity to develop the logic of Scripture in

order to seek to speak as Scripture speaks on this issue, thus issuing forth in a flexibility

not found to the same degree in the other documents. This flexibility allows TCT to

develop trajectories of thought in past doctrinal reflection and develop a habit of

thought within its readers to enable them to faithfully speak into new situations. It does

address "the order of creation" directly, but near the end in a section entitled

"Clarifications":

> The 'order of creation,' as we have presented it here, is the basic and important truth that what God has done in the creation of the world continues to be relevant and paradigmatic for today – and until the end of time."[504]

Part of its continuing relevance is that tt may be directly related to the "order of

redemption" in speech. TCT then goes on to say:

> We are aware that the idea 'order of creation' is not an expression used in the Bible and that it may be used in various ways, some of which are objectionable from and even contrary to a Lutheran theological perspective… What is emphasized here, however, is that redemption does not diminish the importance of God's work of creation.[505]

In saying this, TCT explicitly distances itself from past ontological uses of the term and

seeks to put forward that which the term can helpfully emphasize – that creation

matters and will continue to matter. In so doing, TCT avoids the problems of dogmatic

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[503] Ibid., 28.
[504] Ibid., 52.
[505] Ibid.

foundationalism in the other uses of the term and is able, for the most part, to properly distinguish Law and Gospel.

It needs to be re-emphasized that this analysis of the logic employed by these Lutheran thinkers cannot deal with the substantive content of the claims; it can only indicate whether or not they are arguing in a valid fashion for Lutherans. It is as possible in this context to have a valid argument from false premises just as it is in standard logic. What this logical approach does offer, however, is a means to determine whether or not the form of the argument made is consonant with the Lutheran *praxis* of Law and Gospel which has strong roots in the scriptural reasoning logic of Paul. This is itself a huge step forward.

While these two analyses of the doctrines of the "bound conscience" and "the order of creation" only touch on the usefulness of proclamatory pragmatism in helping to identify and correct logical errors within Lutheran thought regarding doctrine, other investigations can be performed in the future to cover other theological topics within Lutheranism. This is the goal of creating a *morphologie* of Lutheran scriptural logic that I term proclamatory pragmatism. One of the goals of any type of pragmatic approach is to open up new, fruitful avenues of thought, and it is my hope that the model of proclamatory pragmatism that I have developed herein does just that. If it serves to be useful in identifying, diagramming and correcting errors such as those found in the logics behind the Lutheran "Battle for the Bible," then it will have attained all the proof that a pragmatic project could ask for.

Appendix A – C.F.W. Walther's Theses on Distinguishing Law and Gospel

Thesis I

The doctrinal contents of all Holy Scripture, both of the Old and the New Testament, consist of two doctrines that differ fundamentally from each other. These two doctrines are Law and Gospel.

Thesis II

If you wish to be an orthodox teacher, you must present all the articles of faith in accordance with Scripture, yet [you] must also rightly distinguish Law and Gospel.

Thesis III

To rightly distinguish Law and Gospel is the most difficult and highest Christian art – and for theologians in particular. It is taught only be the Holy Spirit in combination with experience.

Thesis IV

Understanding how to distinguish Law and Gospel provides wonderful insight for understanding all of Holy Scripture correctly. In fact, without this knowledge of Scripture is and remains a sealed book.

Thesis V

The most common way people mingle Law and Gospel – and one that is also the easiest to detect because it is so crude – is prevalent among Papists, Socinians, and Rationalists. These people turn Christ into a kind of new Moses or Lawgiver. This transforms the Gospel into a doctrine of meritorious works. Furthermore, some people – like the Papists – condemn and anathematize those who teach that the Gospel is the message of the free grace of God in Christ.

Thesis VI

You are not rightly distinguishing Law and Gospel in the Word of God if you do not preach the Law in its full sternness and the Gospel in its full sweetness. Similarly, do not mingle Gospel elements with the Law or Law elements with the Gospel.

Thesis VII

You are not rightly distinguishing Law and Gospel in the Word of God if you first preach the Gospel and then the Law, or first sanctification and then justification, or first faith and then repentance, or first good works and then grace.

Thesis VIII

You are not rightly distinguishing Law and Gospel in the Word of God if you preach the Law to those who are already in terror of their sins or the Gospel to those who are living securely in their sins.

Thesis IX

You are not rightly distinguishing Law and Gospel in the Word of God if you point sinners who have been struck down and terrified by the Law toward their own prayers and struggles with God and tell them that they have to work their way into a state of grace. That is, do not tell them to keep on praying and struggling until they would feel that God has received them into grace. Rather, point them toward the Word and the Sacraments.

Thesis X

You are not rightly distinguishing Law and Gospel in the Word of God if you preach that "dead" faith can justify and save in the sight of God – while that believer is still living in mortal sins. In the same way, do not preach that faith justifies and saves those unrepentant people because of the love and renewal it produces in them.

Thesis XI

You are not rightly distinguishing Law and Gospel in the Word of God if you only want to comfort those with the Gospel who are contrite because they love God. You also need to comfort people with the Gospel who are only contrite because they fear His wrath and punishment.

Thesis XII

You are not rightly distinguishing Law and Gospel in the Word of God if you teach that the reason our sins are forgiven is because we both believe and are contrite.

Thesis XIII

You are not rightly distinguishing Law and Gospel in the Word of God if you explain faith by demanding that people are able to make themselves believe or at least can collaborate toward that end. Rather, preach faith into people's hearts by laying the Gospel promises before them.

Thesis XIV

You are not rightly distinguishing Law and Gospel in the Word of God if you demand that faith is a condition for justification and salvation. It would be wrong to preach that people are righteous in the sight of God and are saved not only *by* their faith, but also *on account of* their faith, *for the sake of* their faith, or *in view of* their faith.

Thesis XV

You are not rightly distinguishing Law and Gospel in the Word of God if you turn the Gospel into a preaching of repentance.

Thesis XVI

You are not rightly distinguishing Law and Gospel in the Word of God if you claim that people are truly converted when they get rid of certain vices and, instead, engage in certain works of piety and virtuous practices.

Thesis XVII

You are not rightly distinguishing Law and Gospel in the Word of God if you describe believers in a way that is not always realistic – both with regard to the strength of their faith and to the feeling and fruitfulness of their faith.

Thesis XVIII

You are not rightly distinguishing Law and Gospel in the Word of God if you describe the universal corruption of mankind so as to create the impression that even true believers are still under the spell of ruling sins and sin deliberately.

Thesis XIX

You are not rightly distinguishing Law and Gospel in the Word of God if you preach about certain sins as if they were not damnable but only venial.

Thesis XX

You are not rightly distinguishing Law and Gospel in the Word of God if a person's salvation is made to depend on his association with the visible orthodox Church and if you claim that salvation is denied to every person erring in any article of faith.

Thesis XXI

You are not rightly distinguishing Law and Gospel in the Word of God if you teach that the Sacraments save *ex opere operato*, that is, merely by their outward performance.

Thesis XXII

You are not rightly distinguishing Law and Gospel in the Word of God if a false distinction is made between a person's being awakened and being converted; moreover, when a person's inability to believe is mistaken for not being permitted to believe.

Thesis XXIII

You are not rightly distinguishing Law and Gospel in the Word of God if you use the demands, threats, or promises of the Law to try and force the unregenerate to put away their sins and engage in good works and thus become godly; and then, on the other hand, if you use the commands of the Law – rather than the admonitions of the Gospel – to urge the regenerate to do good.

Thesis XXIV

You are not rightly distinguishing Law and Gospel in the Word of God if you claim the unforgivable sin against the Holy Spirit cannot be forgiven because of its magnitude.

Thesis XXV

You are not rightly distinguishing Law and Gospel in the Word of God if you do allow the Gospel to predominate in your teaching.[506]

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[506] Theses quoted from: Walther, *Law and Gospel*, 3-5.

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