

LUTHERAN SYNOD QUARTERLY



VOLUME 63 • NUMBER 1

MARCH 2023

2022 Bjarne Wollan Teigen Reformation Lectures: Lutheran Care of Souls

The Care of Souls in the Lutheran Reformation

The Care of Souls in Lutheran Orthodoxy:
Early Modern Lutherans Confront
Roman Catholic Probabilism

Pastoral Care in Contemporary Lutheranism

Sermons

Our Returning King's Expectations

He who Dwells in the Shelter of the Most
High: Sermon on Psalm 91:1-4

Book Reviews

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The journal of Bethany Lutheran Theological Seminary

LUTHERAN SYNOD QUARTERLY

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The *Lutheran Synod Quarterly* (ISSN: 0360-9685) is edited by the faculty of
Bethany Lutheran Theological Seminary
6 Browns Court
Mankato, Minnesota 56001

The *Lutheran Synod Quarterly* is a continuation of the *Clergy Bulletin* (1941–1960). The purpose of the *Lutheran Synod Quarterly*, as was the purpose of the *Clergy Bulletin*, is to provide a testimony of the theological position of the Evangelical Lutheran Synod and also to promote the academic growth of her clergy roster by providing scholarly articles, rooted in the inerrancy of the Holy Scriptures and the Confessions of the Evangelical Lutheran Church.

The *Lutheran Synod Quarterly* is published in March and December with a combined June and September issue. Subscription rates are \$25.00 U.S. per year for domestic subscriptions (shipping is no longer available for international subscriptions).

All subscriptions and editorial correspondence should be sent to the following address:

Bethany Lutheran Theological Seminary
Attn: *Lutheran Synod Quarterly*
6 Browns Ct
Mankato MN 56001

Back issues of the *Lutheran Synod Quarterly* from the past two years are available at a cost of \$10.00 per issue. Back issues of the *Lutheran Synod Quarterly* and *Clergy Bulletin* prior to the past two years are available at <www.blts.edu/lsq>.

The *Lutheran Synod Quarterly* is abstracted in *Religious and Theological Abstracts*, PO Box 215, Myerstown, PA 17067 (E-mail: rtaed@rtabstracts.org; Website: www.rtabstracts.org).

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Foreword

LSQ Vol. 63, No. 1 (March 2023)

IN THIS ISSUE OF THE LSQ, WE ARE PLEASED TO share with our readers the annual Bjarne Wollan Teigen Reformation lectures delivered October 27–28, 2022, in Mankato, Minnesota. These lectures are sponsored jointly by Bethany Lutheran College and Bethany Lutheran Theological Seminary. This was the fifty-fourth in the series of annual Reformation Lectures. The purpose of these lectures is to increase an interest in and knowledge of the Reformation period.

The theme of this year's lecture series was "Lutheran Care of Souls." These lectures all hinge on the a very important pastoral term in Lutheranism: *Seelsorge*. This German word can be translated "cure of souls," but this comes across somewhat coldly in English. Because of the warmth of the Germanic term, it is often brought straight into English texts. *Seelsorge* is the heart of pastoral ministry: applying the soothing balm of the Gospel to souls battered by sin, death and the devil. It is the pastoral care that Jesus demonstrated to the paralytic when He said, "Take heart, son; your sins are forgiven." *Seelsorge* is at the heart of the work of Christ's church on earth throughout time. The lectures this year looked at "Lutheran Care of Souls" in three distinct time periods. Dr. Mattes presented on the Reformation period, Dr. Mayes on the period of Lutheran Orthodoxy and Dr. Pless on the Modern period.

Here is a little more information about your presenters.

Dr. Mark Mattes serves as the Lutheran Bible Institute Chair in Theology as well as Department Chair at Grand View University

in Des Moines, Iowa. Prior to this call, he served parishes in Gardner, Illinois and Antigo, Wisconsin. He holds the Ph.D. from The University of Chicago, the M.Div. from Luther Seminary, and earned his B.A. from St. Olaf College, where he was also elected to Phi Beta Kappa. He has authored several books, including *Luther's Theology of Beauty: A Reappraisal* (Baker Academic, 2017), *The Role of Justification in Contemporary Theology, Imaging the Journey*, and *Law and Gospel in Action: Foundations, Ethics, Church* (New Reformation Press, 2019). He has also edited many other books and has authored numerous essays and reviews for peer-reviewed journals. He serves as an associate editor for *Lutheran Quarterly* and on the Continuation Committee of the International Luther Congress. His wife is retired from teaching with the Des Moines Public Schools; his three adult children and grandchildren live and work in Des Moines.

Dr. Benjamin Mayes is Associate Professor of Historical Theology at Concordia Theological Seminary, Fort Wayne, Indiana, serving there since 2016. He serves as co-general editor of *Luther's Works: American Edition* and general editor of Johann Gerhard's *Theological Commonplaces* (Concordia Publishing House). Hailing from Missouri, he graduated from Concordia College, Seward, Nebraska (1997) with a degree in music and pre-seminary studies; spent a year of exchange study at the *Lutherische Theologische Hochschule* in Oberursel/Ts., Germany; graduated from Concordia Theological Seminary with the M.Div. (2003); and earned a Ph.D. in historical theology from Calvin Theological Seminary, Grand Rapids, Michigan (2009). His dissertation was published as *Counsel and Conscience: Lutheran Casuistry and Moral Reasoning after the Reformation* (Göttingen: Vandenhoeck & Ruprecht, 2011). He served as associate pastor at Our Savior Lutheran Church, Grand Rapids, from 2003 to 2006, before being called to Concordia Publishing House (St. Louis, Missouri), where he served as editor for professional and academic books for ten years. He is married to Rebecca and has two sons.

Dr. John T. Pless is Assistant Professor of Pastoral Ministry and Missions at Concordia Theological Seminary in Fort Wayne where he also serves as director of field education. Prior to joining the faculty, he served for seventeen years as campus pastor at University Lutheran Chapel at the University of Minnesota in Minneapolis. From 1979 to 1983, he served on the staff at the Chapel of the

Resurrection at Valparaiso University. Since 2009 he has served as a visiting lecturer at Lutheran Theological Seminary in Pretoria, South Africa. Prof. Pless is the author of *Pastor Craft: Essays and Sermons*, *Martin Luther: Preacher of the Cross—A Study in Luther's Pastoral Theology*, *Mercy at Life's End*, *Handling the Word of Truth: Law and Gospel in the Church Today*, *A Small Catechism on Human Life*, *Word: God Speaks to Us*, *Confession: God Gives Us Truth*, *Praying Luther's Small Catechism*, *Luther's Small Catechism: A Manual for Discipleship*, and numerous chapters in other books published in both the United States and Germany. With Matthew Harrison he is editor of *Women Pastors? The Ordination of Women in Biblical Lutheran Perspective*, *One Lord, Two Hands: Essays on the Two Kingdoms*, and *Closed Communion: Admission to the Lord's Supper in Biblical Lutheran Perspective*. He served on the Agenda Committee for the *Lutheran Service Book* and is a member of the Catechism Revision Committee. He is also a member of the Commission on Theology and Church Relations (LCMS). With Albert Collver and James Nestingen, he is co-editor and an author of two chapters in *The Necessary Distinction: A Continuing Conversation on Law and Gospel*. He is on the editorial council of *Lutheran Quarterly*. A regular lecturer at various conferences both in the United States and overseas, Prof. Pless is a fellow of the Luther Academy for Madagascar. In 2013, his former students recognized his sixtieth birthday with a festschrift, *Theology is Eminently Practical: Essays in Honor of John T. Pless* edited by Jacob Corzine and Bryan Wolfmueller. He was awarded the D.Litt by Concordia University–Chicago in 2018.

Also included in this issue are two sermons and two book reviews.

—TAH

The Care of Souls in the Lutheran Reformation

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LSQ Vol. 63, No. 1 (March 2023)

THE CARE OF SOULS (*CURA ANIMARUM*) IS PART and parcel of an evangelical understanding of ministry. In *Confessio Augustana* article V Melancthon, a layman, writes these familiar words, “So that we may obtain this faith, the ministry of teaching the gospel and administering the sacraments was instituted. For through the Word and the sacraments as through instruments the Holy Spirit is given, who effects faith where and when it pleases God in those who hear the gospel...”¹ Note two features in this definition of ministry that bear upon the care of souls. First, God works through the preaching office to regenerate sinners by giving them faith. Second, preaching is not only proclamatory but also is didactic: it *teaches* the gospel, providing not only comfort for those who are repentant, anxious, melancholic, or grieving, but also guidance. That is, while upholding the proper distinction between law and gospel (the most important biblical insight into pastoral care),² we must also honor the gospel in the “broad sense” if we are to be true to the pastoral office. The Saxon Visitations of the late 1520s were a crucial aspect of reforming the church and these visitations focused on both teaching true doctrine and upholding

¹ The Augsburg Confession, German text, in *Book of Concord*, article V, 40:1-3.

² See Mark Mattes, “Properly Distinguishing Law and Gospel as the Pastor’s Calling” in *The Necessary Distinction: A Continuing Conversation on Law & Gospel*, ed. Albert B. Collver III, James Arne Nestingen, and John T. Pless (St. Louis: Concordia, 2017), 109-33.

evangelical practices.³ As Melanchthon chided the Dominicans for inventing meritorious spiritual practices unfounded in Scripture, such as the rosary, he condemned them for not preaching the gospel (in the broad sense) “about the righteousness of faith, about true repentance, about works that have the command of God. Instead, they spend their time on either philosophical discussions or ceremonial traditions that obscure Christ.”⁴ That said, the early Lutheran movement sought to excise pastoral care over against the false teaching that sinners can acquire merit by rendering satisfaction to God for their sins as a part of the sacrament of penance or that our sufferings are able to help us achieve merit, reduce the length of punishment to be endured in purgatory, and not only conform us to the image of Christ.

Luther and Melanchthon predate the modern arrangement of theology into biblical, historical, dogmatic, and pastoral subdivisions. Hence, for the Reformers, the study of theology throughout is as much pastoral as biblical, historical, or systematic. All theology is guided by pastoral care.⁵ And, all pastoral care is guided by theology (and not secular psychology).⁶ All theology hinges upon its ability to lead sinners to repentance, enable them to honor God, provide consolation to the repentant or the despairing, consolation to those grieving, encouragement to those plagued by *Anfechtungen* (spiritual attacks),⁷ assaults from the “father of lies” (John 8:44), and uphold spiritual disciplines such as prayer and meditation, arising from and centered on Scripture.⁸ As a

³ See “Instructions for the Visitors of Parish Pastors in Electoral Saxony” in LW 40:269-320. With respect to teaching the law, Luther advocated a “A Simple Way to Pray” a four-fold approach: “I divide each commandment into four parts, thereby fashioning a garland of four strands. That is, I think of each commandment as, first, instruction, which is really what it is intended to be, and consider what the Lord God demands of me so earnestly. Second, I turn it into a thanksgiving; third, a confession; and fourth, a prayer.” See LW 43:200.

⁴ Apology of the Augsburg Confession, in *Book of Concord*, article XXVII, 286:53-4.

⁵ See Mark Mattes, “Honoring the Pastoral Dimension to Theology” in *Handing Over the Goods: Determined to Proclaim Nothing but Christ Jesus & Him Crucified* (Irvine, CA: 1517 Publishing), 129-149.

⁶ Note Holifield: “if one listens throughout a period of three centuries, one can trace a massive shift in clerical consciousness—a transition from salvation to self-fulfillment—which reveals some of the forces that helped to ensure ‘the triumph of the therapeutic’ in American culture.” E. Brooks Holifield, *A History of Pastoral Care in America: From Salvation to Self-Realization* (Nashville: Abingdon, 1983), 16.

⁷ See M. Vernon Begalke, “Luther’s *Anfechtungen*: An Important Clue to His Pastoral Theology,” *Consensus* 8:3, article 1 (1982).

⁸ For an example of an extended treatise of Luther’s offering solace, see “Fourteen Consolations” in LW 42:121-66. For a valuable interpretation of this text, see Jane

friar, Luther experienced *Anfechtungen*, since he anticipated judgment upon his death because either he failed to qualify for salvation or he was not numbered among the elect. Pastoral care seeks to sustain, heal, reconcile, and guide Christians. It is manifest in preaching, the Lord's Supper, confession and absolution, catechization of youth and adults, but also the "mutual conversation and consolation of the brethren."⁹ Luther excelled at such conversation (think of his table discussions with his guests) and consolation, as we shall see in his letters of spiritual counsel.

To be sure, pastoral care is not the tail wagging the theological dog. That is, the reformation of the church was not based on finding a gracious God precisely so that Christians could become laxer than their medieval Roman counterparts expected. For Luther, the reformatory impulse is guided solely by truth, with Scripture as the ultimate standard in all matters. The happy result of Luther's reform is that life-giving pastoral care is restored: God's law quiets every mouth claiming merit, and leads sinners to despair of themselves,¹⁰ while God's gospel proclaims good news, a promise liberating sinners from both accusation and the power of sin. That said, Luther's theology was devoted to "sound pastoral care and authentic Christian devotion." It could appeal to the work of previous and contemporary curates, Jean Gerson, Johannes Paltz, or his mentor and head of his order, Johannes von Staupitz, in focusing on "spiritual edification and consolation, not on speculation..."¹¹ Or as Luther rather dramatically put it: "For a man becomes a theologian by living; or rather by experiencing death, and condemnation, not by mere understanding, reading, and speculation."¹²

Pastoral Care and the Cross

The topic of pastoral care in the Reformation can be explored in at least two ways: a historical presentation of how the Reformer's views of pastoral care differ from medieval or ancient views or instead a topical

E. Strohl, "Luther's Fourteen Consolations" in *The Pastoral Luther: Essays on Martin Luther's Practical Theology*, ed. Timothy J. Wengert (Grand Rapids, MI: Eerdmans, 2009), 310-24.

⁹ Smalcald Articles, in *Book of Concord*, Part III, article 4, 319:45.

¹⁰ Heidelberg Disputation (1518), thesis 18 in LW 31:51.

¹¹ Ronald Rittgers, *The Reformation of Suffering: Pastoral Theology and Lay Piety in Late Medieval and Early Modern Germany* (Oxford: Oxford University Press, 2012), 462.

¹² Martin Luther, *Luther's Commentary on the First Twenty-Two Psalms*, trans. Henry Coles, rev. John Nicholas Lenker (Sunbury, PA: Lutherans in All Lands, 1903), Operationes on Psalm V, vol. 1:266

approach.¹³ This address will take the latter tactic even though it will begin with Luther's reform of penance, one of the first matters he dealt with in his opposition to Rome. Unlike Martin Chemnitz's *Ministry, Word, and Sacraments: An Enchiridion*¹⁴ or the Reformed theologian Martin Bucer's *Concerning the True Care of Souls*,¹⁵ Luther did not write a manual on pastoral care. That said, he is a master diagnostician of souls not only because of his grasp of scriptural truth but also because he knew first-hand spiritual trial, terror, and grief. Luther was unguarded with respect to his life with God. This is a trait from which we all can learn. Luther expressed the potency of such spiritual trial in the *Operationes in Psalmos* (1519-21). The cross tests all things.¹⁶ The cross alone is our theology.¹⁷ God uses trials to purge us of sin and so liberates our hearts, allows us to love God above all things, humans' chief obligation, which likewise accords with our nature as creatures. Hermann Sasse appropriately cautions: the "theology of the cross does not mean that for a theologian the church year shrinks together into nothing but Good Friday. Rather it means that Christmas, Easter, and Pentecost cannot be understood without Good Friday."¹⁸

In comparison with many presentations of the Christian faith, one of Luther's greatest strengths for sound pastoral care is that pain, whether that of the pangs of conscience, or despair of the self, disease, the plague, insecurity about one's status before God or others, grief, or sadness, is not sugarcoated, bypassed, or tranquilized. Luther offers neither a Bible camp nor a non-denominational "happy clappy" Jesus bereft of his five wounds, not to mention his agonizing experience of God's rejection of sinners, a sentence of death and hell, which he vicariously bore not for his sake (he was sinless) but for our sakes.¹⁹ Instead,

¹³ For another example of a topical approach, see George Kraus, "Luther the Seelsorger," *Concordia Theological Quarterly* 48:2 & 3 (April-July 1984), 153-163. See also Timothy J. Wengert, "Peace, Peace ... Cross, Cross: Reflections on How Martin Luther Relates the Theology of the Cross to Suffering," *Lutheran Quarterly* 33:4 (Autumn 2019), 304-323.

¹⁴ Translated by Luther Poellot (St. Louis: Concordia, 1981).

¹⁵ Translated by Peter Beale (East Peoria, IL: Versa Pres, 2009).

¹⁶ *Commentary on the First Twenty-Two Psalms*, vol. 1:294-5.

¹⁷ *Commentary on the First Twenty-Two Psalms*, vol. 1:289.

¹⁸ Hermann Sasse, "The Theology of the cross" in *We Confess Jesus Christ*, trans. and ed. Norman E. Nagel (St. Louis: Concordia, 1984), 39. See also the importance of Luther's theology of the cross for pastoral theology in John Pless, *Martin Luther, Preacher of the Cross: A Study of Luther's Pastoral Theology* (St. Louis: Concordia, 2013), 23.

¹⁹ In his operations on Psalm 22, Luther wrote, "It is granted by all that in Christ there were at the same time the greatest joy and the greatest sorrow, the greatest

Luther presents the Jesus of the gospels who ever faced opposition from legalists and libertines alike, along with explicit attacks from the accuser himself. Few theologians have drawn out the implications not only of Christ's full divinity but also his full humanity as does Luther. The Reformer's work echoes the author to the Hebrews: "for we do not have a high priest who is unable to sympathize with our weaknesses, but one who in every respect has been tempted as we are yet without sin" (Hebrews 4:15). This compassion, vindicated by the Father in Jesus's resurrection (Jesus is the death of death and the hell of hell), is activated in the new life of faith evoked by the Holy Spirit who renews our hearts. This truth, wholly configured through the missions of the Holy Trinity, is the foundation of pastoral care. As Luther put it, "I didn't learn my theology all at once. I had to ponder over it ever more deeply, and my spiritual trials [*Anfechtungen*] were of help to me in this, for one does not learn anything without practice. What kind of physician would that be who stayed in school all the time... . Why shouldn't this be so in the case of the Holy Scriptures, too?"²⁰

Similarities and Differences between Luther's World and Our Own

No doubt the world in which Luther crafted his theology of pastoral care was significantly different from our own. Luther took for granted that the world is not devoid of spiritual reality but is instead filled with angels and demons, not to mention that God himself is ever present (though masked) in all things. Luther's world was not divested of spiritual reality as we face today due to the assumptions of systemic secularism, which tends in subtle and not so subtle ways to erase the vertical dimension, our relationship with God, in public life, but it was also socially arranged in terms of hierarchies: "levels, stages, ranks, and gradation..." assuming a "continual interplay between the higher and lower levels of a hierarchy."²¹ (To be sure, our own economic, educational, political, and social arrangements are by no means wholly

weakness and the greatest power, the greatest glory and the greatest confusion; and so also there were the greatest peace and the greatest trouble; and again, the greatest life and the greatest death: and all this is sufficiently shown by the present verse: where Christ says, that he was forsaken of God, and yet calls God *his* God." See *Commentary on the First Twenty-Two Psalms*, vol II:359.

²⁰ Table Talk, No. 352 (Fall 1532) in LW 54:50-51.

²¹ E. Brooks Holifield, *A History of Pastoral Care in America: From Salvation to Self-Realization* (Nashville: Abingdon, 1983), 33. Holifield is describing Puritan Massachusetts, but it is just as applicable to Luther's Germany.

egalitarian, since they are filled by various alphas and power structures.) It was also a world in which death was ubiquitous. As Ronald Rittgers notes:

One out of every four or five infants died in their first year of life, and only half reached the age of ten. Those who survived childhood could be stricken with any number of diseases and were also susceptible to the three great threats of war, famine, and plague, which recurred on a regular basis; one German city experienced an outbreak of plague every eleven years on average, which was characteristic for most urban centers in the German lands.²²

And such statistics bore on peoples' psychological health:

The anxiety that this feeling of vulnerability created contributed to the inward suffering of the age, which also included grief and depression, along with doubt and despair, each of which is abundantly attested to in the extant sources.²³

In a word, suffering was pervasive. Perhaps Europeans and North Americans do not suffer to the degree that folks did in Luther's day, but we too suffer whether psychologically or physically. That Luther does not avoid pain but highlights it as a crucial component or contribution to spiritual growth is most helpful. After all, many young people today define themselves through their hurt. Luther's approach to pastoral care shares an *Anknüpfungspunkt* with them.

Luther's world acknowledged that we are accountable to God. Contemporary leaders often absent God from public life. We are beset with systemic secularism in which public institutions go far beyond the separation of church and state and favor a "freedom *from* religion" stance. Separation of church and state was intended by the founders to allow for the protection of religious minorities without the interference, harassment, or persecution of a state church. In no way did "freedom of religion" translate into "freedom from religion" as many elites would tout today. That said, for many contemporaries, the goal is not to live a godly life but instead to affirm a chosen lifestyle or perceived identity. For Moralistic Therapeutic Deists God does not interfere with the self and its project of creating itself (*autopoiesis*). Hence, we seek not a gracious God but a gracious neighbor.

²² Rittgers, *The Reformation of Suffering*, 4.

²³ Rittgers, *The Reformation of Suffering*, 4.

In spite of the differences between our world and that of Luther, there is significant overlap. People suffer today even if their options for accessible health care, social networks, governmental infrastructures, and the like provide greater security. One example: over the last several years, certainly during the pandemic, suicide rates are up.²⁴ Perhaps our current tendency to “tranquelize ourselves with the trivial,”²⁵ seek to “fill the emptiness” of our being with “pleasure, greed, sex”²⁶ or the “woke” mentality which cleanly and without exceptions reductionistically divvies up people into either “haves” or “have nots,” victims or perpetrators, which encourages people to define themselves on the basis of grievance until the “powers that be” are dislodged. Our drugging ourselves with entertainment is not so very different from Michael Montagne’s (1533-1592, born in Luther’s lifetime) philosophy of life that directs us to enjoy the moment and take leave of unsolvable metaphysical and religious conundrums which contribute to social violence and personal disquiet. We revel in superficiality. The message we send youth flatlines meaning, reduces reality to the merely horizontal, supposes that, in the buffet line of ideologies, youth will find something “right for them” to serve as their vertical dimension, purpose, or meaning in life. Likewise, the “woke” movement is not so very different from the Peasant protests of Luther’s day. Overlap between ourselves and Luther and Melancthon is considerable when seen in this light.

One important difference between Luther’s day and our own, however, is the pervasiveness and publicness of various religious practices designed to help one accrue merit and make satisfaction for one’s sin. Pilgrimages, indulgences, fasting, certain prayers, monastic life, clerical celibacy, the evangelical counsels of poverty, chastity, and obedience, the mass as a non-bloody sacrifice in which we, along with the priest, re-offer Christ again on behalf of the sins of those present as well as designated souls in purgatory, all speak to an entrenched legalistic approach to the gospel which kept people on the hook with respect to their ultimate salvation. No one could be assured of salvation. Unless reconciliation with the church was sought through the sacrament of penance, slip ups in mortal sin jeopardized the hope of salvation.

²⁴ “Youth Suicide Rates Up Over 50% This Last Decade” in *The Epoch Times*, September 14, 2020 (https://www.theepochtimes.com/youth-suicide-rates-up-over-50-percent-this-past-decade_3498470.html)

²⁵ Ernest Becker, *The Denial of Death* (New York: Free Press, 1973), 81.

²⁶ Gerhard Forde, “The Irrelevance of the Modern World for Luther” in *A More Radical Gospel: Essays on Eschatology, Authority, Atonement, and Ecumenism*, ed. Mark Mattes and Steven Paulson (Grand Rapids, MI: Eerdmans, 2003), 78.

Luther's protest against the sale of indulgences, a practice which he saw as incompatible with the sacrament of penance precisely because it was designed to let sinners off the hook and not truly repent, allowed him to challenge the notion that satisfaction should follow absolution. The early Luther responded: "A Christian who is truly contrite seeks and loves to pay penalties for his sins; the bounty of indulgences, however, relaxes penalties and causes men to hate them—at least it furnishes occasion for hating them."²⁷ The system was designed to keep one from having certainty with respect to their salvation. It was incompatible with the gospel as Luther had received it from his father confessor Johann von Staupitz and others in the Erfurt friary.²⁸

Reforming the Sacrament of Penance

In a sense, the Reformation itself was triggered by a pastoral care concern: whether or not a sinner could be assured of forgiveness by means of the sacrament of penance. The Fourth Lateran Council in canon twenty-one directed:

All the faithful of either sex, after they have reached the age of discernment, should individually confess all their sins in a faithful manner to their own priest at least once a year, and let them take care to do what they can to perform the penance imposed on them. Let them reverently receive the sacrament of the eucharist at least at Easter unless they think, for a good reason and on the advice of their own priest, that they should abstain from receiving it for a time. Otherwise they shall be barred from entering a church during their lifetime and they shall be denied a Christian burial at death.

Additionally, the confessor was required to hold matters confessed with strictest confidentiality.

The priest shall be discerning and prudent, so that like a skilled doctor he may pour wine and oil over the wounds of the injured one. Let him carefully inquire about the circumstances of both the sinner and the sin, so that he may prudently discern what sort of advice he ought to give and what remedy to apply, using various means to heal the sick person. Let him take the utmost care, however, not to

²⁷ Thesis 40, Ninety-Five Theses in LW 31:29.

²⁸ See Franz Posset, *The Real Luther: A Friar at Erfurt & Wittenberg* (St. Louis: Concordia, 2011). For the pastoral care that Luther himself received from his pastor, Johannes Bugenhagen, see Martin Lohrmann, "Bugenhagen's Pastoral Care of Martin Luther," *Lutheran Quarterly* 24:2 (Summer 2010), 125-136.

betray the sinner at all by word or sign or in any other way For if anyone presumes to reveal a sin disclosed to him in confession, we decree that he is not only to be deposed from his priestly office but also to be confined to a strict monastery to do perpetual penance.²⁹

For Luther, the problem with *poenitentia* was its ambiguity: it can mean either the remorse of the sinner or the penance imposed on the sinner by the church. The penitential system of the medieval church fused both meanings into the term “do penance” which meant both a contrite heart and the fulfillment of satisfactions. This understanding partially caused Luther’s desperation in the monastery. On the one hand, he realized that he could never completely atone for his sins despite his constant struggle to do penance properly. On the other hand, he believed that without *poenitentia*, no one could stand before God guilt-free.³⁰

As mentioned, the penitential system, far from securing Luther or others in their journey with God, did precisely the opposite. It was expected that penitents recount all their mortal sins to the priest. The sacrament was either valid or invalid depending on an extensive set of conditions in addition to sufficient sorrow for sin. Additionally, works of penance or satisfaction, a practice which Luther roundly criticized in the Ninety-Five theses as contrary to the practice of the ancient church contributed to uncertainty. The sacrament of penance, as practiced by Rome, was unable to deliver the goods of forgiveness of sins, life, and salvation. Ultimately Luther would redefine the principal parts of the sacrament as (1) absolution, (2) faith, and (3) peace instead of (1) confession, (2) absolution, and (3) satisfaction.³¹

What was so problematic about the sacrament of penance for Luther?³² Surely a once-annual private confession is no burden. But for

²⁹ Papal Encyclicals, <https://www.papalencyclicals.net/councils/ecum12-2.htm>. For a general study of the practice of confession see Peter Biller, “Confession in the Middle Ages: Introduction” in *Handling Sin: Confession in the Middle Ages* (Woodbridge, Suffolk: York Medieval Press, 1998), 3-33.

³⁰ Bob Kellemen, *Counseling Under the Cross: How Martin Luther Applied the Gospel to Daily Life* (Greensboro, NC: New Growth Press, 2017), 30.

³¹ The Sacrament of Penance (1519) in LW 35:19.

³² Luther answered it this way in the Lectures on Galatians (1535): “When I was a monk, I made a great effort to live according to the requirements of the monastic rule. I made a practice of confessing and reciting all my sins, but always with prior contrition; I went to confession frequently, and I performed the assigned penance faithfully. Nevertheless my conscience could never achieve certainty but was always in doubt and said ‘You have not done this correctly. You are not contrite enough. You omitted this in your confession.’ Therefore the longer I tried to heal my uncertain, weak, and troubled

the effort to count as contrition, a penitent must demonstrate “sufficient” sorrow. By what criterion should that be measured? Additionally, all mortal sins must be recounted. But again, can we be sure that we will remember and enumerate all of them? Then, after the granting of absolution, some prescribed works of “penance” or “satisfaction” are prescribed. The rubric for ascertaining the validity of the forgiveness is unclear.³³

As early as the *Ninety-Five Theses* (1517) Luther protested the requirement of doing works of penance after the granting of the absolution.³⁴ It was an exercise that did not accord with the practice of the ancient church. At the core of Luther’s complaint was the inability of the sacrament to grant certainty with respect to forgiveness. But, perhaps, that was the goal of the medieval penitential system. Luther complained that this sacrament fed priestly control over the faithful: the priests “create nothing but tyranny out of this lovely and comforting authority [of the keys], as if Christ were thinking only of the will and dominion of the priests when he instituted the keys.”³⁵ Luther wrote, “Therefore the longer I tried to heal my uncertain, weak, and troubled conscience with human traditions, the more uncertain, weak, and troubled I continually made it.”³⁶ The medieval approach to confession made it impossible for absolution to deliver the goods of forgiveness of sins, life, and salvation.

As Luther revised the practice of confession he humanized the whole process. First, he acknowledged that it is impossible to enumerate all sins.³⁷ Likewise, it is not possible for sinners to make reparation to God for mortal sins.³⁸ A penitent’s prayer will be, “O Lord God, I do not have what I should have, and I cannot do it. Grant what you command and command what you will.”³⁹ The Roman configuration of

conscience with human traditions, the more uncertain, weak, and troubled I continually made it.” See LW 27:103.

³³ Denis R. Janz, “Penance” in *The Westminster Handbook to Martin Luther* (Louisville, KY: Westminster/John Knox, 2010), 103.

³⁴ *Ninety-Five Theses* (1517), thesis 12: “In former times canonical penalties were imposed, not after, but before absolution, as tests of true contrition.” In the translation, Harold Grimm noted, “To justify the placing of absolution before satisfaction, contrary to the practice of the early church, theologians distinguished between the guilt and the penalty of sins.” See p. 28, n. 11.

³⁵ The Sacrament of Penance, LW 35:17.

³⁶ Lectures on Galatians (1535) in LW 27:13.

³⁷ The Babylonian Captivity of the Church (1520) in LW 36:84-5.

³⁸ The Babylonian Captivity of the Church (1520) in LW 36:89-90.

³⁹ A Discussion on How Confession Should be Made (1520) in LW 39:31.

the sacrament of penance promoted works-righteousness and anxious consciences because of its requirement that penitents confess every mortal sin in order to be forgiven and the requirement that penitents perform works of satisfaction in order for the priestly absolution to be efficacious. Luther's Evangelical soteriology held that human beings' fallen condition made it impossible to discern all their sins and that Christ's atonement precluded the need for human works of satisfaction. Forgiveness was a gift of sheer grace that was received by faith.⁴⁰

Luther did not seek to have private confession disappear from use in the church. The Large Catechism includes a brief exhortation to confession.⁴¹ Luther unmasked various Roman Catholic practices which sought to acquire merit such as indulgences, pilgrimages, and asceticism as tantamount to trusting in oneself, which "issues finally in despair and eternal damnation."⁴² Faith in Jesus Christ's objective atonement alone is the way to relieve the conscience.⁴³ That said, it is appropriated in faith. It is *no opera ex operato*. Instead, the goods are received in trusting that God does what he says he'll do: forgive sins. "for as you believe, so it is done for you."⁴⁴

Much is made of the so-called "happy exchange" in Luther, as well it should, with both its biblical and medieval heritage, especially in the spiritual writings of Bernard of Clairvaux, embedded in it. It is a powerful tool to reorient penitent sinners and confirm their status as beloved children of God allowing faith active in love to awaken in them. But it is not the only exchange of which Luther speaks. Quoting *The Freedom of a Christian* (1520), the late Eberhard Jüngel noted:

For Luther, in faith there first occurs the most solemn of all exchanges, in which God is declared and in which God declares one to be *truthful*. "When, however, God sees that we consider him truthful and by the faith of our heart pay him the great honor which is due him, he does us that great honor of considering us truthful and righteous for the sake of our faith. That we consider God truthful and righteous, this is righteous and truthful, and it makes us righteous and truthful, because it is true and right that God be considered truthful; which those who do not believe do

⁴⁰ Ronald Rittgers, "Confession" in *Dictionary of Luther and the Lutheran Traditions*, ed. Timothy Wengert et al. (Grand Rapids, MI: Baker, 2017), 157.

⁴¹ Book of Concord, 476-80.

⁴² The Sacrament of Penance in LW 35:15.

⁴³ The Sacrament of Penance in LW 35:11.

⁴⁴ The Sacrament of Penance in LW 35:11.

not.” Without truth toward God one is not truthful and thus also not free. Only the truth can make one free. But in the medium of truth the human being is both object and subject, when spoken to by an alien authority addressing it and by this authority speaks to itself.⁴⁵

Jüngel hammers home how faith gives God the honor that is his due but all in light of the gospel promise:

For this reason the one who by faith gives truth its due must not perish. Faith cannot give the accusing law its due without giving the liberating gospel its due even more. Through his own humanity God has overridden humanity’s lost existence and thus *overridden* his accusing word through his liberating word, a word which faith must trust *all the more*: “but so that you come out of and away from yourself, that is, out of your corruption, he sets you before his dear Son, Jesus Christ, and lets his living, comforting Word say to you: You shall surrender to him with firm faith, and trust in him anew.”⁴⁶

The pastoral task wants to shape a community in which people fear, love, and trust in God above all things, the heart of this “solemn exchange.”

Law and Gospel

The most important discovery that the early Luther made as he interpreted and taught Scripture, studied Bernard of Clairvaux, Augustine, the *Theologia Germanica*, and Johannes Tauler, and absorbed the wisdom of his *Seelsorger* Staupitz, was the proper distinction between law and gospel. Here we speak of gospel not in the broad sense but the narrow. This is one of the most effective tools that pastors have in their toolkit. Mainline Protestant pastors and many Evangelical pastors are confused about their role: What is a pastor’s calling all about? Both groups default to the modern role of pastor as therapist, social worker, or CEO. Eventually these false guises eat away at those called to this vocation, leading to cynicism and burnout. If you know what you are about or what you are supposed to do, then you are able to establish appropriate boundaries so that you do not become diffuse. You are empowered to stay true to your mission, especially as you see your gifts reinforced and encouraged over time. You are able to set realistic goals

⁴⁵ Eberhard Jüngel, *The Freedom of a Christian: Luther’s Significance for Contemporary Theology*, trans. Roy A. Harrisville (Minneapolis: Augsburg, 1988), 62.

⁴⁶ Jüngel, *The Freedom of a Christian*, 63.

for yourself, because ultimately God is responsible for your ministry and not you. Appealing to the three traditional university-trained vocations, law, medicine, and ministry, Luther noted that lawyers deal people in terms of property, physicians in terms of health, but pastors in terms of sin.⁴⁷ Preaching the law accuses smug, unrepentant people of their sin while preaching the gospel comforts terrified sinners with the good news that in Jesus Christ, God is for them. As Luther puts it in his lectures on Psalm 51, “The proper subject of theology is man guilty of sin and condemned, and God the Justifier and Savior of man the sinner. Whatever is asked or discussed in theology outside this subject, is error and poison. All Scripture points to this, that God commends His kindness to us and in His Son restores to righteousness and life the nature that has fallen into sin and condemnation.”⁴⁸

In his Commentary on Galatians (1535), Luther clarified that

Such a proper distinction between the function of the Law and that of the Gospel keeps all genuine theology in its correct use. It also establishes us believers in a position as judges over all styles of life and over all the laws and dogmas of men. Finally it provides us with a faculty for testing all the spirits (1 John 4:1). By contrast, because the papists have completely intermingled and confused the doctrine of the Law and that of the Gospel, they have been unable to teach anything certain either about faith or about works or about styles of life or about judging the spirits. And the same thing is happening to the sectarians today.⁴⁹

This proper distinction can be learned only from intense study of the Scriptures as well as responding to the *Anfechtungen* which one encounters in one’s own experience. As Luther put it, it is not self-taught, but instead pastors are under the tutelage of the Holy Spirit.⁵⁰ The experience is directed not by the medieval scheme of *lectio, oratio, and contemplatio*, where contemplation is, similar to Plato or Aristotle, put on the highest level, beyond trial and tribulation, when reading Scripture. But it is instead directed at *oratio, meditatio, and tentatio*. That is, the life of prayer, the daily praying through the Psalter that Luther did in the monastery, along with the regular cycle of worship is formative and transformative of the Christian. It leads us into the Scriptures and

⁴⁷ Psalm 51 (1532) in LW 12:310.

⁴⁸ Psalm 51 (1532) in LW 12:311.

⁴⁹ Lectures on Galatians (1535) in LW 26:331.

⁵⁰ Table Talk no. 1234 (before December 14, 1531) in LW 54:127.

through meditating on them we encounter the accusers' charges alongside God's own directives. All this humbles a Christian and guides the Christian to seek solace, comfort, and power in the gospel alone.⁵¹ John Pless summarizes the pastoral implications of this truth nicely:

[I]t is instead a functional distinction that is critical for pastoral diagnosis of a person's spiritual condition before God. Without this distinction, one cannot "test the spirit," that is, discern the truth of Christ from human fabrications or demonic counterfeits ... [which] enables the pastor to use this theology evangelically so that the guilty are broken by the Law and those so crushed are vivified by the word of forgiveness.⁵²

Luther's view of pastoral care has no Rogerian overtones. It is not about offering unconditional positive regard. Like the prophets of yore, it calls out the sins of idolatry and injustice (not to be confused with Marxist-inspired "social justice warriors"⁵³), as well as sound stewardship of the earth, given that Adam and Eve's original calling was to be tenders of God's garden. The law is best preached not with a closed fist, but instead simply as telling the truth. Quoted earlier, Jüngel, raised in the former East Germany, was attracted to the church precisely because it was the one place where one was most apt to hear and speak truth, all other places being strictly under the surveillance of the Stasi (though even the church was not immune from Stasi interference). Luther would direct clergy today to simply state the truth even in the face of our systemically secular culture. But if you do, expect "secular fragility," anticipate secular-minded peoples' defenses to go way up.⁵⁴

Luther's deep pastoral sensitivity brings out not only neglected scriptural truths such as the theology of the cross, the fundamentally receptive nature of humans before God, a theology of the sacraments which allows them to deliver God's promise in a graspable way, and the proper distinction of law and gospel, but also the hidden God. Obviously, God is hidden from the eye in the torture that our Lord Jesus experienced on the cross not only with physical agony but even more so emotional agony of bearing all human sin, a position not widely

⁵¹ Preface to the German Writings (1539) in LW 34:285-287.

⁵² Pless, *Martin Luther, Preacher of the Cross*, 15.

⁵³ See Mark Mattes, "Rethinking Social Justice" in *Law and Gospel in Action: Foundations, Ethics, Church* (Irvine, CA: 1517 Publishing, 2018), 191-98.

⁵⁴ For a helpful introduction to apologetics from a Lutheran perspective, see Mark Mattes, "A Lutheran Case for Apologetics" in *Law and Gospel in Action: Foundations, Ethics, Church* (Irvine, CA: 1517 Publishing, 2018), 93-111.

appreciated by medieval theologians,⁵⁵ even if Christ in popular piety and art was portrayed as the “man of sorrows.” Luther also pointed out another divine hiddenness, that God is masked in all creation, and that if we attempt either through metaphysics or mysticism to climb into the divine reality we will only experience anguish. Sheer abstractions about God’s goodness alone, apart from the shed blood of Christ, will not bring sinners to God, no matter how philosophical or spiritual those sinners may be. No doubt expressing his disappointment with the mysticism of the Pseudo-Dionysius or the subtleties of metaphysical reasonings about God found in Scotus or Ockham Luther noted:

The people of Israel did not have a God who was viewed “absolutely,” to use the expression, the way the inexperienced monks rise into heaven with their speculations and think about God as he is in Himself. From this absolute God everyone should flee who does not want to perish, because human nature and the absolute God—for the sake of teaching we use this familiar term—are the bitterest or enemies. Human weakness cannot help being crushed by such majesty, as Scripture reminds us over and over. Let no one, therefore, interpret David as speaking with the absolute God. He is speaking with God as He is dressed and clothed in His Word and promises, so that from the name “God” we cannot exclude Christ, who God promised to Adam and the other patriarchs. We must take hold of this God, not naked but clothed and revealed in His Word; otherwise certain despair will crush us. This distinction must always be made between the Prophets who speak with God, and the Gentiles. The Gentiles speak with God outside His Word and promises, according to the thoughts of their own hearts; but the Prophets speak with God as He is clothed and revealed in His promises and Word. This God, clothed in such a kind appearance and, so to speak, in such a pleasant mask, that is to say, dressed in His promises—this God we can grasp and look at with joy and trust. The absolute God, on the other hand, is like an iron wall, against which we cannot bump without destroying ourselves.⁵⁶

To see how Luther draws out the pastoral implications of his view of the hidden God, particular with respect to the question of one’s own election to eternal life, consider his *Table Talk* (February 18, 1542), recorded by Caspar Heydenreich. Speaking as God’s voice, the Reformer writes:

⁵⁵ See Kevin Madigan, *The Passions of Christ in High-Medieval Thought: An Essay on Christological Development* (Oxford: Oxford University Press, 2007).

⁵⁶ Psalm 51 in LW 12:312.

Here I wish to remain unrevealed. I shall reveal your election in another way. From the unrevealed God I shall become the revealed God. I shall incarnate my Son and shall give you one who will enable you to see whether you are elected. Do this: Give up your speculations which are apart from the Word of God, thoroughly root them out, and drive them to the devil in hell. "This is my beloved Son. Hear ye him." Behold his death, cross, and Passion. See him hanging on his mother's breast and on the cross.⁵⁷

As Stavanger theologian Knut Alfsvåg puts it, God must be Christologically bridged in order for him to be experienced as the sheer overflowing goodness that he is.⁵⁸ This Christological bridge is mediated through preaching Christ crucified.

Nor should the proper distinction of law and gospel be misread as obviating the role of the law in the Christian life. It is not as if law and gospel preaching should be devoid of directives. Luther's preaching is marked throughout with directives of one sort or another. As he put it in *The Bondage of the Will* (1525), promise comes first but exhortations then follow.⁵⁹ So for example, in the *Invocavit Sermons* (1522), Luther encourages the Wittenbergers to disown the more radical paths of reform proposed by Carlstadt, an offense to those of weak faith. Instead, Luther says that "believers must not insist upon their own rights, but must see what may be useful and helpful to their brothers and sisters, as Paul says, *Omnia mihi licent, sed non omnia expedient*."⁶⁰ A simple reading of Luther's *Postils* will reveal that they are often didactic, an extension of catechesis, seeking to interpret the treasures of the Scriptures and the Christian tradition not only to secure people in Christ but also to empower them to live out their Christian walk in lives of discipleship within their vocations. Luther's sermons do not follow the model of

⁵⁷ Martin Luther, *Letters of Spiritual Counsel*, ed. Theodore G. Tappert (Philadelphia: Westminster Press, 1955), 132-33.

⁵⁸ Knut Alfsvåg, *What No Mind Has Conceived: On the Significance of Christological Apophaticism* (Leuven: Peeters, 2010).

⁵⁹ "It is all entirely free, given by the mercy of God the Father alone as he shows His favour towards us, who are unworthy, and who deserve condemnation rather than anything else. Exhortations follows after this; and they are intended to stir up those who have obtained mercy and have been justified already, to be energetic in bringing forth the fruits of the Spirit and of the righteousness given them, to exercise themselves in love and good works, and boldly to bear the cross and all the other tribulation of this world. This is the whole sum of the New Testament." See *Bondage of the Will*, trans. J. I. Packer and O. R. Johnston (New York: Fleming H. Revell, 1957), 180.

⁶⁰ *Invocavit Sermons* in *The Annotated Luther: Pastoral Writings*, vol. 4 (Minneapolis: Fortress, 2016), 16.

Richard Caemmerer's approach of "goal, malady, means."⁶¹ It is not as if you could do a word count of distinctively law words with their accompanying accusation, which should be 50% of the sermon, and a word count of distinctively gospel words, with their accompanying promise, the remainder percentage, in any of Luther's sermons. Instead, Luther allows the Scripture to speak for itself and allows the Holy Spirit either to accuse or comfort as the Spirit sees fit.

Scrupulosity: A Case Study

Stephen Pietsch notes that consolation is the "art of comforting and consoling those in affliction."⁶² That we have correspondence from Luther in the genre of consolation clues us into the various strategies which Luther used to help ease others' pain, whether anxiety, melancholia, grief, scrupulosity, suicide, and other such situations. Pietsch notes that as written communication consolation included seven basic elements which could be expanded or contracted and reordered or reiterated: 1. *Salutatio* (the address), 2. *Exordium* (opening words), 3. *Narratio* (the occasion), 4. *Argumentatio* (the consolation itself), 5. *Remedia* (outcomes, means and/or actions which bring comfort), 6. *Exhortatio* (encouragement in particular attitudes, actions, or habits), and 7. *Conclusio* (prayer, blessing, or commendation to God).⁶³ An in-depth examination of such a letter, specifically that to Jerome Weller, can give us a clue into Luther's uncanny pastoral aptitude.⁶⁴ Weller, a student preparing for ministry, long-time friend of Luther, and tutor to Luther's children, was struggling with depression in the summer of 1530 while residing in Luther's home. It is likely that Weller suffered from scrupulosity, as Luther did as a young monk. We are not given the specific details, but something ate at his sense of adequacy which he was not able to squelch on his own. He became a victim of his own accusations, it would seem.

⁶¹ See David R. Schmitt, "Richard Caemmerer's Goal, Malady, Means," *Concordia Theological Quarterly* (2010) 1:23-38. Schmitt does not wholly reject Caemmerer's approach but cautions that the context today is characterized by biblical illiteracy to a far greater extent than the 1950s. Preaching should not be reduced to Caemmerer's formula.

⁶² Stephen Pietsch, *Of Good Comfort: Martin Luther's Letters to the Depressed and their Significance for Pastoral Care Today* (Adelaide: ATF Theology, 2016), 15. See also the entire issue "Pastoral Formation & Practice Today" in *Logia: A Journal of Lutheran Theology* XXX:4 (Reformation 2021).

⁶³ Pietsch, *Of Good Comfort*, 16.

⁶⁴ See "To Jerome Weller. July, 1530" in Martin Luther, *Letters of Spiritual Counsel*, 84-87.

After a brief salutation and opening words, Luther jumps right into the matter plaguing Weller. Weller's *Anfechtungen* indicate not something for which he is responsible, another matter for which he should blame himself, but instead they are "onslaughts of the devil." But, surprisingly, as such, they are not all bad. Indeed, they are a "sure sign that you have a gracious and merciful God." Obviously a smug, insensitive person whose heart is indifferent to God's law, as opposed to someone who actually should suffer *Anfechtungen*, would never be in Weller's position. But Weller's sensitivity and desire to be true to Christ precisely makes him vulnerable to Satan's attack. Luther noted that people such as Eck and Zwingli, enemies of the gospel, are "at ease and happy," while "all of us who are Christians must have the devil for our adversary..." Weller's afflictions are not evidence that he has been condemned by God. Just the opposite. Bad, unevangelical theologians prosper while faithful ones suffer and are attacked by the accuser. And the accuser is tenacious. If he does not succeed in getting his victim to despair on the first bounce, he'll keep up his attack. So, Luther outlines a strategy for dealing with the accuser. Similar to standard guidance for dealing with a bully, Luther advises: don't argue with the devil. Don't feed his power by taking him seriously. Instead, you must hold the devil in contempt, laugh at him, and do not allow him to isolate you from others. Instead, seek others out; that way the devil cannot corner you. Here, Luther was dependent upon advice from Jean Gerson, the *Doctor Consolatorius*. Gerson followed "the ancient stoic strategy of consolation: coping with suffering, affliction or loss depends on how effectively one can place it within a larger rational framework and in so doing, objectify it and distance oneself from it emotionally."⁶⁵

Indeed, Gerson's influence on Luther is precisely in identifying melancholy moods as the devil's attack. Likewise, it was Gerson who was apt to urge that depressives make fun of, and show contempt for "the devil rather than being afraid of him; the importance of embracing life's external gifts of joy—food, laughter, wine and music—and the use of cognitive and diversional strategies to counter depressive moods,"⁶⁶ such as Luther's advising Weller to join in the company of others rather than to isolate himself. No doubt this later strategy would sound counter-intuitive to many who suffer depression. They often do not feel up to socializing, that their depression makes them less than convivial. Luther's admonition is just the opposite of a melancholiac's tendency to

⁶⁵ Pietsch, *Of Good Comfort*, 18.

⁶⁶ Pietsch, *Of Good Comfort*, 18.

self-isolate. Luther tells Jerome that he “must engage in merry talk and games with my wife and the rest, so as to defeat these devilish thoughts, and you must be intent on being cheerful.” Luther urges life-affirming behaviors that disempower or relativize the accusations and concomitant depression.

Luther then goes on to relate the comfort that Staupitz had given him when he suffered depression as a young monk. Luther was transparent about his own scrupulous self-condemning thoughts to Staupitz. Staupitz’s reply, which Luther appropriates for Weller, is that the affliction is “useful and necessary.” God has a purpose behind it, that through such affliction Luther was being groomed “to accomplish great things” even though while suffering he never would have believed this to be possible. In addition to Staupitz, an anonymous man whom Luther had comforted told him the same thing. Hence, Luther resituates the trial from being a pointless experience to one that potentially can help one grow and be empowered for ministry. Luther then writes,

... whenever the devil worries you with these thoughts, seek the company of men at once, or drink somewhat more liberally, jest and play some jolly prank, or do anything exhilarating. Occasionally a person must drink somewhat more liberally, engage in plays, and jests, or even commit some little sin from hatred and contempt of the devil, so as to leave him no room for raising scruples in our conscience about the most trifling matters. For when we are over-anxious and careful for fear that we may be doing wrong in any matter, we shall be conquered.⁶⁷

Luther not only commends diversionary tactics but also a prestidigitation or sleight of hand with the devil. Clearly the devil is using small sins to keep Weller inward looking, seeking to be blameless on the basis of his own proper righteousness and not the alien righteousness of Christ. Luther forbids Weller to take Satan’s bait or fall for Satan’s trick of counting on proper righteousness to justify himself before God and no doubt humans as well. If the devil is holding forth scruples as his way to harass and oppress, then the pastoral response is to wholly disempower the devil.

Chad Vegas notes that “Luther’s purpose was not to provide Jerome permission to sin. He was not encouraging Jerome to continue in sin so that grace may abound (Romans 6:1). To the contrary, he was helping Jerome to avoid biting down on the hook Satan had baited with the

⁶⁷ Pietsch, *Of Good Comfort*, 283-4.

greater sin of self-righteousness.”⁶⁸ Indeed, Luther was worried that Weller avoid an improper use of the Law. “Luther was concerned that Jerome’s heart and mind were being easily confused by the fallen human tendency to turn back in upon our own self-righteousness.”⁶⁹ Luther’s admonition proves that the devil and his accusations are no match for Christ and his righteousness. It is Christ who Weller must trust and not his own abilities. If Christ’s righteousness covers our sin, then even our lapses which are inevitable cannot make us vulnerable such that we are beyond God’s mercy and love. Luther offers the most potent *remedia* possible for anyone suffering scrupulosity: Christ’s alien righteousness. Hence, Luther’s exhortation is to “drink up.” Outwit the devil by not playing his game. If you play the devil’s game on his own terms, you’ll never win. But if you play the game on Christ’s terms, you have won already. Because Christ has already won. When the devil uses the law to accuse, don’t argue with it. Agree to it: “I admit that I deserve death and hell; what, then, will happen to me? Why, you will be eternally damned!” Yet, accusation is never the last word. The last word for any scrupulous soul who runs to Jesus is “I know one who has suffered and made satisfaction for me. His name is Jesus Christ, the Son of God. Where He abides, there will I also abide.” The gospel wholly reframes the identity of a sinner such that the law as accusing has no bearing whatsoever.

Suffering Not Salvific

A major difference between Luther and his medieval forebears was that suffering offered nothing salvific. For the medieval thinkers, not only penance would help free one from purgatory but even suffering could be rendered meritorious. Ronald Rittgers notes,

Suffering was not simply punishment for sin; it was also an expression of divine grace, because it provided one with an opportunity to shorten one’s stay in purgatory and also to be conformed more closely to the image of Christ and the saints. In many ways, the patient endurance of divinely sent suffering was the ideal penance, for it rendered compensation to Christ the judge *in kind* for his suffering on humanity’s behalf.⁷⁰

⁶⁸ Chad Vegas, “Was Luther’s Pastoral Theology Antinomian?” Part 4. See <https://founders.org/2016/11/30/was-luthers-pastoral-theology-antinomiah-part-4/>. Accessed 2/1/2022.

⁶⁹ Vegas, “Was Luther’s Pastoral Theology Antinomian?” Part 4.

⁷⁰ Rittgers, *The Reformation of Suffering*, 31.

For Luther, suffering cannot be counted as a penance along with good works, but it does humble us, disempowers the old Adam, and leads us to trust in God's mercy alone. Rittgers notes that suffering mortifies the "old man" by persuading Christians once again of their wretchedness and nothingness before God, along with his subsequent ongoing need to receive all things, especially righteousness, from God.⁷¹ Indeed, hardship causes enlargement or dilation of the Christian's soul and brings growth in the new person in Christ. Luther notes in his Sermons on First Peter:

It is characteristic of a Christian life to improve constantly and to become purer. When we come to faith through the preaching of the Gospel, we become pious and begin to be pure. But as long as we are still in the flesh, we never become completely pure. For this reason, God throws us right into the fire, that is, into suffering, disgrace, and misfortune. In this way we are purged more and more until we die. No works can do this for us. For how can an external work cleanse the heart inwardly? But when faith is tested in this way, all alloy and everything false must disappear. Then, when Christ is revealed, splendid honor, praise, and glory will follow.⁷²

It is beyond the confines of this paper to present all of Luther's insights into pastoral care. But, it is valuable to mention the comfort that he brought his own mother when she was ill and not long after would die.⁷³ In 1531, he noted to her that "this sickness of yours is his gracious, fatherly chastisement. It is quite a slight thing in comparison with what he inflicts upon the godless, and sometimes even upon his own dear children."⁷⁴ Gently presenting her the gospel, he wrote:

Should any thought of sin or death frighten us, let us life up our hearts and say: "Behold, dear soul, what are you doing? Dear death, dear sin, how is it that you are alive and terrify me? Do you not know that you have been overcome? Do you, death, not know that you are

⁷¹ Rittgers, *The Reformation of Suffering*, 93. See also LW 11:404 and LW 10:34.

⁷² Catholic Epistles in LW 30:17.

⁷³ The late Middle Ages had significant devotional literature on the art of dying well (*ars moriendi*). Significantly Luther revised this tradition in light of Christ who is victor over death: "Here sins are never sins, for here they are overcome and swallowed up in Christ. He takes your death upon himself and strangles it so that it may not harm you, if you believe that he does it for you and see your death in him and not in yourself. Likewise, he also takes your sins upon himself and overcomes them with his righteousness out of sheer mercy, and if you believe that, your sins will never work you harm. In that way Christ, the picture of life and of grace over against the picture of death and sin, is our consolation." See "A Sermon on Preparing to Die" in LW 42:105.

⁷⁴ To Mrs. John Luther (May 20, 1531) in Letters on Spiritual Counsel, 33.

quite dead? Do you not know the One who has said of you, 'I have overcome the world'? It does not behoove me to listen to or heed your terrifying suggestions. I shall pay attention only to the cheering words of my Saviour, 'Be of good cheer, be of good cheer; I have overcome the world.' He is the Conqueror, the true Hero, who in these words, 'Be of good cheer,' gives me the benefit of his victory. I shall cling to him. To his words and comfort I shall hold fast. Whether I remain here or go yonder, he will not forsake me."⁷⁵

Conclusion

For the Lutheran reformers, the Holy Spirit uses the pastoral office for preaching the gospel and administering the means of grace. But the Holy Spirit also creates a "pastor's heart," the ability to empathize with others in their pain and fearlessly comfort them not based on their ability to empathize but instead on God's objective word of truth. A pastor's heart is forged in the trials one experiences in life precisely as the candidate for ministry or pastor prays and meditates on Scripture. Not only pastors but all Christians are being purged of their Old Adam with its self-centered agency and find themselves more compassionate. No one chooses afflictions, but even though they contribute no merit, they are not beyond but instead precisely within God's orbit of creativity. As we sing with David, "create in me a clean heart, O God, and renew a right spirit within me," (Psalm 51:10) is ever on a Christian's lips. The gospel not only comforts those attacked by the accusations of the law but also those undergoing grief, trial, and all afflictions. The pastor not only comforts but also guides people grounding them in scriptural wisdom. It is a privilege to offer pastoral care. [LSQ](#)

⁷⁵ To Mrs. John Luther (May 20, 1531) in *Letters on Spiritual Counsel*, 34.

The Care of Souls in Lutheran Orthodoxy: Early Modern Lutherans Confront Roman Catholic Probabilism

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LSQ Vol. 63, No. 1 (March 2023)

“THE CARE OF SOULS IN LUTHERAN Orthodoxy” is a broad topic, and impossible even to summarize in the space of an hour. Thankfully, this topic is becoming better known. We English-speaking Lutherans now have access to C. F. W. Walther’s *Pastoral Theology*.¹ This is a remarkable distillation of the pastoral wisdom of Lutheranism from the 16th to the 18th centuries. By taking any topic therein and then reading the old sources that Walther cites, you will have your hands full for the rest of your life.

One area of pastoral care that Walther discusses has captivated my attention since I was a seminary student at Concordia Theological Seminary, Fort Wayne, in the late '90s and early '00s: casuistry. Walther on individual pastoral care made me aware of a vast Lutheran literature on casuistry, a topic on which I then wrote in my dissertation (published in 2011).² Casuistry is the practice of answering questions for people who ask for our advice, and then keeping track of those answers for future use. The Lutheran Orthodox theologians did a lot of this. The questions they answered often dealt with matters of faith and truth, and just as often with matters of morality and sin. The Lutheran Orthodox

¹ Carl Ferdinand Wilhelm Walther, *American-Lutheran Pastoral Theology*, ed. David W. Loy, trans. Christian C. Tiews (St. Louis: Concordia Publishing House, 2017).

² Benjamin T. G. Mayes, *Counsel and Conscience: Lutheran Casuistry and Moral Reasoning after the Reformation* (Göttingen: Vandenhoeck & Ruprecht, 2011).

answered questions in great number, and in time people gathered up these answers and published them for the future use of pastors.

What were their standards and procedures? What methods did they follow to stay firmly within the bounds of Scripture? How did they deal with hard questions where Scripture does not appear to give a clear answer? In my dissertation I hoped to find some answers to these questions, but did not find as much as I had hoped. But now I have. And I hope you will see that the topic is important. Why should we take time to think about casuistry methods, i.e., the ways in which we decide on moral questions? Because we are tempted to use unprincipled moral reasoning to justify our base, sinful desires. Because a reigning model of the care of souls proposes situation ethics and wants us to affirm people absolutely, no matter what their attitudes and behaviors may be. Because each of us has a convenience-centered ethic inborn with us, in which our old Adam teaches us to follow the path of least resistance. Because, on the other hand, the old Adam in us can be quite a Pharisee, trying to use legalistic minutiae to justify himself. And finally, because pastors and church leaders need wise advice in carrying out their heavy duties of the care of souls.

Casuistry literature was by no means new in the post-Reformation period. Among Roman Catholics after the Council of Trent, and for the next century, there was a veritable flood of casuistic publications.³ Roman Catholics led the way in reflecting methodologically on what casuistry writers actually were doing, and on the rules by which cases of conscience could or should be solved.⁴ The basic trajectory in the history of Roman Catholic casuistic methodology heads from strict to lax. Pope Innocent III (r. 1198–1216) set forth the position that “in doubtful matters, the safer way is to be chosen.”⁵ This is a classic expression of “tutorism,” the view that if one doubts whether a proposed

³ Mayes, 21–26; Pierre Hurtubise, *La casuistique dans tous ses états: de Martin Azpilcueta à Alphonse de Liguori* (Ottawa: Novalis, 2005); Heinz-Dieter Kittsteiner, *Die Entstehung des modernen Gewissens* (Frankfurt am Main: Insel Verlag, 1991), 176–77; Johann Joseph Ignaz von Döllinger and Franz Heinrich Reusch, *Geschichte der Moralstreitigkeiten in der Römisch-Katholischen Kirche seit dem sechzehnten Jahrhundert mit Beiträgen zur Geschichte und Charakteristik des Jesuitenordens*, 2 vols. (Nördlingen: C.H. Beck, 1889).

⁴ Döllinger and Reusch, *Geschichte der Moralstreitigkeiten*, 13–23; Kittsteiner, *Die Entstehung des modernen Gewissens*, 209.

⁵ Decretales Gregorii IX. 5.27.5, in Aemilius Friedberg, ed., *Corpus Iuris Canonici*, editio Lipsiensis secunda, 2 vols. (Graz: Akademische Druck- u. Verlagsanstalt, 1959), 2:830; James Franklin, *The Science of Conjecture: Evidence and Probability before Pascal* (Baltimore, MD: Johns Hopkins University Press, 2015), 67.

action conflicts with God's law or not, that action is impermissible, even if recognized authorities speak in favor of the action. This is the most restrictive of casuistic methods. A significant step towards laxer methods came about with the advent of probabilism, the view that morally less-safe opinions are permissible as long as they are "probable," that is, as long as they have some degree of approvability from recognized authorities.⁶ Probability was then distinguished between that which is intrinsic (consisting of good arguments) and extrinsic (consisting of the authority of wise men). This led to a situation where many Roman Catholic moralists of the 17th century considered an action permissible and not sinful so long as it had some moral theologians giving approval, regardless of intrinsic good arguments or scriptural authority.⁷ The opinions of theologians could then become custom, which could in turn become a maxim for moral action.⁸ From a Lutheran perspective, this is an invented moral system based on the teachings of men. Also, it seems that probabilism rests on the distinction between speculative and practical certainty. It says that even if you are uncertain speculatively about a law or a fact, you can be certain practically about the permissibility of an action, as long as you are supported by an opinion that is really probable. Absolute certainty is impossible anyway, they would say, so this method prevents one from being incapacitated and unable to act due to doubt or scrupulosity.⁹

⁶ Such a view was set forth as early as 1577 by Bartolomeo Medina. See Albert R. Jonsen and Stephen Toulmin, *The Abuse of Casuistry: A History of Moral Reasoning* (Berkeley: University of California Press, 1988), 164–65, 376; see also Ilkka Kantola, *Probability and Moral Uncertainty in Late Medieval and Early Modern Times*, *Schriften der Luther-Agricola-Gesellschaft* 32 (Helsinki: Luther-Agricola Society, 1994), 179, 182; Franklin, *The Science of Conjecture*, 67.

⁷ This can be seen in the doctrine of Gabriel Vasquez (1551–1604) and his followers. Jonsen and Toulmin, *The Abuse of Casuistry*, 167.

⁸ M. W. F. Stone and Toon van Houdt, "Probabilism and Its Methods: Leonardus Lessius and His Contribution to the Development of Jesuit Casuistry," *Ephemerides Theologicae Lovanienses* 75, no. 4 (December 1999): 367–68.

⁹ Stone and Houdt, "Probabilism and Its Methods." On the rise of Roman Catholic probabilism, see Antuan Ilgit, "Casuistry and the Development of Moral Theology: A Troubled and Fascinating History from the Jesuits to St. Alphonsus de Liguori," *Studia Moralia* 57, no. 1 (2019): 121–46; Julia A. Fleming, *Defending Probabilism: The Moral Theology of Juan Caramuel* (Washington, DC: Georgetown University Press, 2006); Hurtubise, *La casuistique dans tous ses états*; M. W. F. Stone, "Scrupulosity and Conscience: Probabilism in Early Modern Scholastic Ethics," in *Contexts of Conscience in Early Modern Europe, 1500–1700*, ed. Edward Vallance and Harald E. Braun (New York: Palgrave Macmillan, 2004), 000; Wilhelm Gass, *Geschichte der christlichen Ethik*, vol. 2/1 (Berlin: Reimer, 1881), 197–210. On the terms "probable," "equally probable," "more probable," "less probable," "intrinsic or extrinsic probability," "safer," and "less

Since methodologies for making moral decision deal with doubt and opinion, they were treated in discussions of the conscience, especially the “doubting conscience” (*conscientia dubia*) and “opinion-based conscience” (*conscientia opinans*).¹⁰ Lutheran casuistry and moral decision-making likewise centered on the conscience. Similar to Roman Catholic moral treatises, Lutheran casuistry works often included a preliminary treatise on the nature and function of the conscience.¹¹ For early modern Lutherans, the terms “conscience” (*Gewissen, conscientia*) and “casuistry” (actually “cases of conscience,” *Gewissensfälle, casus conscientiae*) are distinct but related. A “case of conscience” is a difficult situation which a person faces, or in which one must make a moral decision. It affects one’s conscience to the extent that one’s conscience is uncertain or doubtful as to what the right course of action is. In these cases, the conscience is restless until it has been informed more fully. This is what Lutheran casuistry works aimed to do: inform the conscience.¹² The conscience is defined by the post-Reformation Lutherans in various ways, but in its function, Lutherans seem to agree that it applies the divine law, known by the light of Scripture or of nature, to particular cases. It is not legislative, but judicial, giving judgment based on what it believes to be true. Only later, in the Enlightenment period, did the conscience begin to be seen as a self-determining, legislative faculty in man.¹³

The method of post-Reformation Lutheran casuistry, by general scholarly agreement, can be described as anti-probabilist. Wherever

safe,” see Mayes, *Counsel and Conscience*, 22–24; Fleming, *Defending Probabilism*, 4–6, 28, 109; Edward Vallance and Harald E. Braun, “Introduction,” in *Contexts of Conscience in Early Modern Europe, 1500–1700*, ed. Edward Vallance and Harald E. Braun (New York: Palgrave Macmillan, 2004), x–xviii; Kantola, *Probability and moral uncertainty*, 13; Jonsen and Toulmin, *The Abuse of Casuistry*, 164–69; Döllinger and Reusch, *Geschichte der Moralstreitigkeiten*, 3–5.

¹⁰ For example, Juan Azor, *Institutionum Moralium, In Quibus Universae Quaestiones Ad conscientiam rectè, aut pravè factorum pertinentes, breviter tractantur*, vol. 1 (Romae: Zannettus, 1600), cols. 128–176, book 2, chapters 8–20.

¹¹ Examples include: Friedrich Balduin, *Tractatus Luculentus, Posthumus, Toti Reipublicae Christianae Utilissimus, De Materiâ rarissimè antehac enucleatâ, Casibus nimirum Conscientiae* (Wittenberg: Paulus Helwigius, 1628), 1–44; Ludovicus Dunte, *Decisiones Casuum Conscientiae* (Lübeck: Martinus Janovius, 1636), 1–13.

¹² Mayes, *Counsel and Conscience*, 44–50; Ottmar Dittrich, *Geschichte der Ethik: die Systeme der Moral vom Altertum bis zur Gegenwart*, vol. 4/1 (Leipzig: F. Meiner, 1932), 386.

¹³ H.-D. Kittsteiner, “Kant and Casuistry,” in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites, Ideas in Context 9 (Cambridge: Cambridge University Press, 1988), 201.

Protestant casuistry was developed, explicit differentiation from Jesuitism and probabilism were part of the standard repertoire.¹⁴ So far, the examination of Lutheran Orthodox casuistic methodology has been scattered. Yet reflecting on the methodology for moral decisions and casuistry is important, since without intentional understanding, people will default to one of the dominant modern methods for moral decision-making: situation ethics,¹⁵ charismatic influences,¹⁶ or muddled group-think.¹⁷ For Protestants who believe in *sola Scriptura*, that God's will for our lives and for our salvation is revealed in Scripture alone, it is important to counter the aforementioned methods.

An examination of Lutheran casuistry method in the era of Lutheran Orthodoxy will show that Lutherans were especially concerned about proper authority for Christian life. To demonstrate this, two casuistry writers will be contrasted. First, Juan Azor (1535–1603) will be examined, as the premier example of Jesuit casuistry. The first volume of his *Institutionum Moralium* (1600) includes an introductory treatise on the conscience, which sets forth his casuistic method. Azor's work was published in Rome 1600–1611 and enjoyed vast popularity at first,¹⁸

¹⁴ Kittsteiner, *Die Entstehung des modernen Gewissens*, 209; Gass, *Geschichte der christlichen Ethik*, 2/1:216; for example, Johann Georg Walch, "Probabilismus," in *Philosophisches Lexikon* (Leipzig: Gleditsch, 1775), 508. Kittsteiner goes so far as to classify the Protestant casuists in general as tutorists. Kittsteiner, *Die Entstehung des modernen Gewissens*, 183; see also Döllinger and Reusch, *Geschichte der Moralstreitigkeiten*, 28. Dittrich, however, leaves the door open to both tutorism and probabilism among the Lutheran casuists. Dittrich, *Geschichte der Ethik*, 4/1:394.

¹⁵ Joseph F. Fletcher, *Situation Ethics: The New Morality* (Philadelphia: Westminster Press, 1966); Albert R. Jonsen, "Casuistry, Situationism, and Laxism," in *Joseph Fletcher: Memoir of an Ex-Radical: Reminiscence and Reappraisal*, ed. Kenneth L. Vaux (Louisville: Westminster/John Knox Press, 1993), 000.

¹⁶ Gordon T. Smith, *Spiritual Direction: A Guide to Giving & Receiving Direction* (Downers Grove, Ill.: InterVarsity Press, 2014).

¹⁷ Cf. the method of "disciplined chaos" proposed by the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, *Christians and Procreative Choices: How Do God's Chosen Choose?* (St. Louis: The Lutheran Church—Missouri Synod, 1996), 5–8, 13–15; based on James Bachman, "The Appeal to Authority," in *Fallacies: Classical and Contemporary Readings*, ed. Hans V. Hansen and Robert C. Pinto (University Park, PA: Pennsylvania State University Press, 1995), 274–86; Jaakko Hintikka and James Bachman, *What If...?: Toward Excellence in Reasoning* (Mountain View, CA: Mayfield Pub., 1991). In Bachman's works, followed by the CTCR in 1996, one should use a "disciplined chaos" of opinions in order to inform one's own moral decisions.

¹⁸ Jonsen and Toulmin, *The Abuse of Casuistry*, 153–55.

though in 1679 Pope Innocent XI accused it of shameful and pernicious content.¹⁹

Second, I shall examine the casuistry of Friedrich Balduin.²⁰ An initial foray into Lutheran Orthodox casuistry must start somewhere, and it may as well begin with the man considered the first Lutheran casuistry writer. His *De casibus conscientiae* (posthumous, 1628) includes a chapter dealing with the conscience, which presents some methodological principles for doubtful and opinion-based consciences. Balduin also read widely among previous Roman Catholic casuists and thus was at least somewhat aware of previous methodological discussions. In particular, he read Azor.²¹

Juan Azor: The Foremost Proponent of Probabilism

For Lutheran casuists, one of the main proponents of Roman Catholic probabilism was Juan Azor (1535–1603), professor of moral theology at Alcalá de Henares, and then for the last two decades of his life, professor at the Jesuit College in Rome.²² Among the many topics Azor treats, his definition of the conscience and his treatment of the opinion-based conscience are pertinent for us. What happens when the conscience is uncertain and must rely on the opinions of others? Azor takes this up in his chapter “On the opinion-based conscience, and first, on selecting opinions in every thing that is to be done.”²³

¹⁹ Johann Georg Walch, *Bibliotheca Theologica Selecta Litterariis Adnotationibus Instructa*, vol. 2 (Jena: sumtu viduae Croeckeriane, 1758), 1114–15.

²⁰ On Balduin, see Daniel Wolfgang Bohnert, *Wittenberger Universitätstheologie im frühen 17. Jahrhundert: Eine Fallstudie zu Friedrich Balduin (1575–1627)* (Tübingen: Mohr Siebeck, 2019); Friedrich Balduin, *Apostolic Agenda: The Epistles of the Holy Apostle Paul to Titus and Philemon*, trans. Eric G. Phillips and James L. Langebartels (Fort Wayne: Emmanuel Press, 2020); Benjamin T. G. Mayes, “Friedrich Balduin (1575–1627),” in *Lives & Writings of the Great Fathers of the Lutheran Church*, ed. Timothy Schmeling (St. Louis: Concordia Publishing House, 2016), 97–112; Benjamin T. G. Mayes, “Not Just Proof-Texting: Friedrich Balduin’s Orthodox Lutheran Use of Exegesis for Doctrine,” *Concordia Theological Quarterly* 79, no. 1–2 (2015): 103–20; Mayes, *Counsel and Conscience*, 48–49; Roderick Henry Martin, “The Reformation of Conscience: Rhetoric in the Lutheran Casuistry of Friedrich Balduin (1575–1627)” (Ph.D., University of Virginia, 2008).

²¹ Balduin, *De Casibus Conscientiae*, 15, 23–24.

²² Balduin, fol.]:(): (4]v; Johann Olearius, *Introductio Brevis In Theologiam Casisticam* (Lipsiae: Wohlfartus, 1694), 48, section 11.61; cf. Gass, *Geschichte der christlichen Ethik*, 2/1:206–10; Jonsen and Toulmin, *The Abuse of Casuistry*, 153.

²³ “De conscientia opinante, & primum de opinionibus delegendis quacunque in re agenda.” Azor, *Institutionum Moralium*, vol. 1, col. 132, section 1.2.9.

Azor says that the matter of selecting opinions can be handled in two ways: according to the external forum or the internal forum. The external forum deals with court cases or outward deliberations on issues of law, or even medicine. The rules pertaining to the external forum were given in detail by the summists (writers of “summaries” of casuistry, pastoral care, moral theology, and canon law) and can be seen in Angelus de Clavasio (1411–1495)²⁴ and other writers.²⁵ At this point Azor gives six precepts dealing with how to select opinions in the exterior forum.²⁶ Azor’s first precept on opinions in the external forum is:

However often a sentence or definition of faith is manifest with clear words, then (no matter what the doctors who are in other respects the most grave handed down) the opinion or definition which seems to rest or be based on this sort of sentence or definition of faith, or which approaches it very closely, should entirely be held as certain and true, the sentence of all doctors having been esteemed less.²⁷

This seems to argue against the authority of the scholastic doctors as such, and in favor of the inherent soundness of the statement or argument. The examples that Azor then gives show that this rule is actually meant to give ranking to opinions and doctrinal statements. The Council of Trent, for example, is more weighty than Alexander of Hales and Bonaventure. As Azor explains, this rule, however, is not meant to condemn any doctors who lived prior to the Council of Trent, nor even to reject their opinions completely.²⁸ Already we see that for Azor, the opinion-based conscience has to do with authority, and the authorities with which he mainly deals are councils and doctors, which Lutherans would not consider authoritative.

As part of this precept’s explanation, Azor introduces a distinction between speculative and practical questions. Speculative questions here deal with physical matters, while practical questions deal with actions.

²⁴ Angelus de Clavasio, *Summa Angelica de Casibus Conscientialibus*, 2 vols. (Venetiis: A. Regazola, 1578).

²⁵ Azor, *Institutionum Moralium*, vol. 1, cols. 132–133, section 1.2.9.

²⁶ Azor, vol. 1, cols. 133–155, sections 1.2.9–15.

²⁷ “Quotiescunque sententia, aut definitio Fidei verbis apertis manifesta est, tunc quidquid Doctores alioqui grauiissimi tradiderint, opinio quae huiusmodi sententia, vel definitione Fidei videtur inniti & fulciri, aut quae ei maxime accedit, est omninò tanquam certa, & vera quorumcumque Doctorum sententia posthabita, tenenda.” Azor, vol. 1, col. 133, section 1.2.9.

²⁸ Azor, vol. 1, cols. 133–134, section 1.2.9.

For example, the scholastics debated whether wine made from the fruit of trees is of the same species as grape wine. Scholastics disagreed, but it does not matter, since it is clear to Azor that the material for the Eucharist has to be grape wine.²⁹ With this distinction he cuts through many disagreements. Speculative questions can be left open, but these do not overthrow clear doctrinal statements. This distinction also shows how one can be in doubt speculatively, but be certain practically: one can have doubts about how things are constituted, but be certain about what the right answer is.

Azor's second precept on opinions in the external forum is: "Between two opinions, that one is to be preferred which is based more on the sense and meaning of the law, or which is more approved by custom and received use."³⁰ But here he makes a careful distinction: "First, notice that human custom does not have the power to bind the consciences of men against divine or natural law, as is a certain fact among all people."³¹

The third precept counsels leniency in cases of civil and canon law. "Whenever there is a situation [*res*], which among the interpreters of civil or canon law is called 'penal,' or which tends toward hatred and not favor, then among two or more opinions, that one should be embraced which is kinder and gentler, according to the legal rule, which says: 'Penalties and hatreds should be restrained.'"³² The first example Azor gives concerns whether to rise to greet someone who has been excommunicated. The second example deals with how to treat a manslaying committed by an inebriated person.³³

The fourth precept seems to follow the old scholastic approach in which the safer of equally probable opinions must be preferred. Azor writes: "When, in all other things, two opinions are equal, but one of them is safer, this one should usually be preferred"³⁴ This might seem

²⁹ Azor, vol. 1, col. 135, section 1.2.9.

³⁰ "Inter duas opiniones ea est praefenda, quae in legis & iuris sensu, & intelligentia magis innititur, aut quae consuetudine & usu recepto magis comprobatur." Azor, vol. 1, col. 136, section 1.2.10.

³¹ "Primò est animadvertendum, contra legem diuinam, vel naturalem conscientias hominum ligandi vim non habere humanam consuetudinem, vt est res comperta apud omnes." Azor, vol. 1, col. 136, section 1.2.10.

³² "Qyotiescunque res est, quae apud ciuilis, aut canonici iuris interpretes dicitur Poenalis, vel quae ad odia non fauores spectat, tunc inter duas, pluresque opiniones ea est amplectanda, quae est benignior, & mitior, iuxta Regulam iuris, quae habet: Poenae, & odia sunt restringenda." Azor, vol. 1, cols. 139–140, section 1.2.11.

³³ Azor, vol. 1, cols. 141–142, section 1.2.11.

³⁴ "Quando in caeteris duae opiniones sunt pares, sed altera earum est tutior, ea vt plurimum est antefenda..." Azor, vol. 1, col. 142, section 1.2.12.

like a statement of tutorism, that the morally safer option should always be selected, but Azor says “usually,” and limits this to situations where all other factors are equal, that is, the two opinions are equally probable. This rule does not conflict with or exclude the probabilism that he will later expound.

Azor’s fifth precept teaches that one should follow the common opinion of doctors if the previous four rules do not apply. This can occur in legal, canonical, or theological matters. That is, even if there are lone voices that dissent from the common opinion, the common opinion is to be followed. Since this is so, Azor next lists the classic authors from whom a probable position can be obtained. He gives lists of theologians, interpreters of canon law, interpreters of civil law, and summists, going back to the 1100s and continuing up to his time.³⁵

The sixth precept again says that the safest of equally probable opinions should be selected. “When several opinions are equal in all other things, that one should be selected which more favors religion, piety, and law.”³⁶ This concludes his section on selecting opinions in the external forum.

Next, Azor turns to the conscience. In the internal forum, or the forum of the conscience, what opinion is to be selected? He begins by saying that the first three of the previous rules apply here,³⁷ namely: (1) It does not matter what the doctors say, you should follow the opinion that is based on or comes close to a definition of faith. (2) Choose the opinion that seems based on the meaning of the law in question, or is approved by custom. But human custom must submit to divine or natural law. (3) There should be leniency in cases of civil or canon law.

Then Azor raises the big question: “The question arises: In the forum of conscience must one always select the safer opinion?”³⁸ He quotes a number of theologians who argue that one cannot act on the basis of opinion, since opinion always includes the fear of the opposite side. To act with an opinion-based conscience would be to sin against conscience. But it can happen, says Azor, that one can be convinced that an opinion is right without fear of it being wrong, and in such cases, one does well in following such an opinion.³⁹ Thus, even though it is an

³⁵ Azor, vol. 1, cols. 146–152, section 1.2.13–14.

³⁶ “Quando plures sunt opiniones in caeteris omnibus pares, ea est eligenda, quae magis religioni, pietati, & iuri favet.” Azor, vol. 1, col. 152, section 1.2.15.

³⁷ Azor, vol. 1, col. 155, section 1.2.16.

³⁸ “Secundo Quaeritur, An in foro conscientiae semper oporteat eligere opinionem tutiorem.” Azor, vol. 1, col. 155, section 1.2.16.

³⁹ Azor, vol. 1, cols. 155–156, section 1.2.16.

opinion, it is not necessarily joined with a fear of the opposite side, and does not always entail sinning against conscience.

Next, Azor points out that it is permissible to follow an opinion when it is equally probable with another opinion. “When opinions are equally probable, certain, and safe, in the doing of an action everyone can select the one that he prefers.”⁴⁰ He gives the example of two candidates, equally qualified, for an ecclesiastical benefice. In this case, I can elect whichever one I want.⁴¹ Azor here is still relating the opinions of others. He has not yet given his judgment. According to other scholars, one can also follow a safer, less probable opinion or a more probable, less safe opinion.⁴²

Azor used the phrase “in the doing of an action [*in agendo*].” It is a phrase he will use several more times in the course of his discussion on selecting opinions.⁴³ He seems to use *in agendo* when he speaks of personal ethics, dealing with the internal forum, rather than the giving of judgment or advice to others. In other early modern works on the conscience and moral theology, *in agendo* is contrasted with *in docendo* [“when teaching”], *in consulendo* [“when giving counsel”], *in iudicando* [“when judging”], and *in credendo* [“in believing”].⁴⁴ Thus, it seems to be a specification, calling attention to his distinction between the two fora, which apparently have different standards for moral behavior.

Returning to Azor’s discussion of equally probable opinions, before giving his determination, he points out that the “safer” opinion is always the one that assumes that a given action is sinful. The less safe opinion is always one in which the action is thought to be not sinful.⁴⁵ Now, if

⁴⁰ “Quando opinioniones sunt aequè probabiles, certae, & tutae, posse unumquemque in agendo, quam maluerit eligere...” Azor, vol. 1, col. 156, section 1.2.16.

⁴¹ “...ita si duae sint opinioniones aequè probabiles & tutae, licet mihi earum, quam magis probevero, unam amplecti.” Azor, vol. 1, col. 156, section 1.2.16.

⁴² Azor, vol. 1, col. 156, section 1.2.16.

⁴³ See below, nn. 51, 53, 55, 57. Balduin uses the expression, too. See below, nn. 94, 95, 97, 100.

⁴⁴ E.g., “ut rectam in posterum formandae sibi & aliis conscientiae normam in agendo, docendo, & consulendo ad veritatis amussim sibi statuunt.” Thomas Muniessa, *Stimulus Conscientiae* (Caesaraugustae: Paschasius Bueno, 1696), 2. “[I]n docendo, & in agendo.” Muniessa, 228. “[S]i ratio ista probat ita esse de usu opinionis minùs probabilis in agendo, probat ita esse de usu opinionis minùs probabilis in iudicando, & credendo, necnon in usu opinionis minimae probabilitatis in agendo.” Henri de Saint Ignace, *Ethica amoris, sive theologia sanctorum, magni praesertim Augustini, et Thomae Aquinatis*, vol. 1 (Leodii: Ex officina typographia J. Francisci Broncart, 1709), 890, section 903; see also pp. 191, 831, 857, 860, 864, 889; sections 14, 613, 746, 775, [899].

⁴⁵ “Primò est animaduertendum, tutiorem opinionem dici eam, quae censet id, de quo quaestio est, esse peccatum: Minùs tutam dici eam, quae ait non esse peccatum.”

both opinions can have the danger of sin, then they are both equally safe (or unsafe). In this case one should see which of the opinions is more probable. “Next, note that sometimes two opinions are such that whichever we follow, we fall into a risk of sin... Then certainly both opinions are equally safe, because whichever we follow, either we run into the peril of sin, or we are completely free of sin, having a just excuse: for which reason one should only look at which of those is more probable.”⁴⁶ Here he does not say that all situations in which there is peril of sin in each decision is constituted like this example, in which both options are equally safe, and in which it is possible to be completely free of sin in one of the options. The example he gives is of a judge who knows an accused person to be innocent, but the evidence presented in court make her out to be guilty. Should the judge follow the presented evidence and condemn the accused, or not? This is the situation, according to Azor, in which both unsafe options are equally safe. But does he then assume that there are many such situations? If so, this would give a big role to the probability of an opinion, which in Azor’s system includes extrinsic probability, from recognized human authorities.

Azor next distinguishes kinds of probability. “Moreover, note that we can assent to something either on the basis of its proper and internal principles; or on the basis of principles that are common and gained extrinsically.”⁴⁷ The former is based on the facts of the situation itself, whereas the latter is based just on the testimony of men. The latter, human testimonies can make either side of the question probable. “For the testimonies of those who speak are taken from the outside [*extrinsecùs*], and are only common, probable arguments; because they make each side of the question probable.”⁴⁸ Since there are two kinds of probability (intrinsic and extrinsic), Azor next remarks that it is possible to assent to both contrary sides of a moral question at the same time. “Finally, note that we can have two contrary assents about

Azor, *Institutionum Moralium*, vol. 1, col. 156B, section 1.2.16.

⁴⁶ “Deindè animaduertendum est, aliquando duas opiniones tales esse, vt quacumque sequamur, in peccati discrimen incidamus... Certè tunc ambae opiniones sunt aequè tutae, quia quacumque sequamur, vel peccati periculum incurrimus, vel sumus à peccato omninò liberi, iustam excusationem habentes: quare solùm videndum est vtra illarum sit probabilior.” Azor, vol. 1, col. 156B–C, section 1.2.16.

⁴⁷ “Insuper animaduertendum est, posse nos rei alicui assentiri, vel ex principijs eius proprijs, & internis; aut ex principijs communibus, & extrinsecùs assumptis.” Azor, vol. 1, col. 156C, section 1.2.16.

⁴⁸ “Nam testimonia dicentium, extrinsecùs petuntur, & argumenta probabilia communia tantùm sunt, non propria; quoniam vtramque quaestionis partem probabilem conficiunt.” Azor, vol. 1, col. 156C, section 1.2.16.

the same thing at the same time; one on the basis of principles that are proper and joined with the thing itself, the other from principles that are common and added from the outside [*extrinsecus accedentibus*].⁴⁹ He gives an example: loaning money at interest. One could think that from the nature of the action this might be sin, but on the basis of common opinion he might believe he is doing no wrong. Another example: someone might doubt whether something in his possession actually belongs to himself. But on the other hand he could feel justified keeping it on the basis of the principle, “in matters pertaining to justice, the condition of the possessor is better.”⁵⁰

The foregoing points were preliminary clarifications. Now Azor gives his judgment on following opinions. “If the less safe opinion is more probable or more certain, we may follow it while doing an action... Now, that [opinion] is called ‘more probable’ or ‘more certain’ which is based on a stronger and better reason [*ratione*].”⁵¹ He is speaking of extrinsic probability. The examples that Azor gives of less safe but more probable opinions all deal with extrinsic probability, i.e., common consent. For example, some say that one may not purchase rental income (a financial product) and this is more safe. But most people say this is no sin, and so we can follow it. Again, it would be safer to confess mortal sins whenever one has the opportunity to do so, but most commonly people hold to the other opinion, and this is more probable. Again, some say one must grieve over his sins on Sundays, and this would be safer, but we may follow the common opinion, which disagrees with this. Again, if one commits a mortal sin on a feast day, must he confess the circumstance of the sin? It would be safer to do so.

⁴⁹ “Postremò est animaduertendum, posse nos duos assensus de eadem re simul contrarios habere; vnum ex principijs proprijs, & cum re ipsa coniunctis: alterum ex principijs communibus, & extrinsecus accedentibus.” Azor, vol. 1, col. 156C–D, section 1.2.16.

⁵⁰ “in rebus ad iustitiam pertinentibus melior est conditio possidentis.” Azor, vol. 1, col. 156C–D, section 1.2.16. On the role this maxim would play in the development of Roman Catholic probabilism, see Rudolf Schüssler, “On the Anatomy of Probabilism,” in *Moral Philosophy on the Threshold of Modernity*, ed. Jill Krave and Risto Saarinen, New Synthese Historical Library 57 (Dordrecht: Springer, 2005), 98–100.

⁵¹ “Si opinio minùs tuta est probabilior aut certior, eam in agendo nobis sequi licet... Probabilior autem vel certior dicitur ea, quae firmiori, & meliori ratione fulcitur.” Azor, *Institutionum Moralium*, vol. 1, col. 157A, section 1.2.16. “Ratione” could also be rendered “explanation, account, argument, concept.” In this case I shall use the word “reason,” not as the faculty of the mind, but as an argument, account, or explanation—i.e., a reason that one gives for a decision or opinion.

“Others have taught the opposite: and although the former opinion is safer, we embrace the second, strengthened with greater probability.”⁵²

In general, Azor is affirming that one may always follow the crowd! “Next, if a less-safe opinion is common, we may follow it while doing an action.”⁵³ Because it is common, it is more probable. “[A]n opinion, by the very fact that it is common, is more probable.”⁵⁴ From this it seems that one can espouse a kind of probabiliorism in which following common opinion is always licit. Even this kind of probabiliorism (following the opinion that is extrinsically more probable) would appear far too lax to Lutherans, and the reason is that the principles of moral action are found in the opinions of men rather than divine revelation. As we shall see, Azor is even more lax than this kind of probabiliorism.

Next, Azor claims that if the two opinions are equally probable, one may choose the less safe option. In fact, the less safe opinion is permitted even if it is less probable! “Likewise, when opinions are equally probable, we can rightly prefer the less safe one when doing an action [*in agendo*]; indeed, even if the one that is less safe is considered less probable, as I shall say right away.”⁵⁵ This can happen due to the difference between reasons internal to the situation and external testimony. The examples Azor gives here deal with trivial matters: fasting on a certain day; traveling on Sunday.⁵⁶ Responding to objections, Azor claims that so long as an opinion is probable (and this can be probable merely extrinsically, based on the judgment of learned men) it is not sinful, even if the action is evil!

I respond: He who does something, led by a probable opinion, undergoes no peril of sin: because although the opposite side may be true, he avoids sin in the doing of the action [*in agendo*], because he is working on the basis of a probable opinion, just as he acts well

⁵² “Alij oppositum tradiderunt: & licet prior opinio sit tutior, secundam amplectimur maiori probabilitate firmatam.” Azor, vol. 1, col. 157A–B, section 1.2.16.

⁵³ “Deinde, si opinio minùs tuta, fuerit communis; nobis licet eam in agendo sectari.” Azor, vol. 1, col. 157B, section 1.2.16.

⁵⁴ “[O]pinio eo ipso quod est commnis, est probabilior.” Azor, vol. 1, col. 157B, section 1.2.16.

⁵⁵ “Item quando opiniones sunt aequè probabiles, iure possumus minùs tutam in agendo praeferre: immo etiam si quae minùs tuta est, minùs probabilis habeatur, vt statim dicam.” Azor, vol. 1, col. 157B, section 1.2.16.

⁵⁶ Azor, vol. 1, col. 157B section 1.2.16.

who accomplishes something on the counsel of a good and experienced man, although in reality what he chooses may be evil.⁵⁷

In all of this, Azor is working on the assumption that extrinsic authority justifies our actions.

His third question in this chapter deals with whether one should always select the more probable of equally safe opinions. He repeats what he said previously. One may follow a less probable opinion on the basis of common or extrinsic principles, “because in this matter it is enough if the opinion is probable.”⁵⁸ Lest his ethic seem to follow the whim of the crowd, Azor explains that one should not always consider the majority opinion to be right. The weight of arguments should be examined more than the number of votes, and he refers to Exod. 23:2: “Thou shalt not follow a multitude to do evil; neither shalt thou speak in a cause to decline after many to wrest judgment” (KJV). Usually the majority is right, “yet sometimes the number of those judging is conquered and defeated by the gravity of others.”⁵⁹ But when does common opinion *not* make an opinion a valid option? Azor does not explain.

In his sixth question, Azor asks whether one may, in his conscience, follow the opinion of a single classic author who dissents from the common opinion. The answer: yes, as long as this is infrequent.⁶⁰

What have we found by this foray into Juan Azor’s probabilism? Several things. The issue of probabilism is discussed under the topic of the conscience’s uncertainty and whether one may act on the basis of opinions. Azor wants to maintain standards, such as the Council of Trent, over all opinions, at least in the external forum (courts of law and the giving of advice to others). His use of the speculative/practical distinction supports this. Clear doctrinal pronouncements of the Church must be affirmed regardless of a person’s doubts about them. In doubtful matters, the safer opinion should usually be followed, at least in the external forum.

⁵⁷ “Respondeo, eum, qui probabili opinione ductus quidpiam agit, nullum peccati periculum subire: quia quamvis pars opposita esset vera, peccatum in agendo deuitat, eo quod ex probabili opinione operatur. Quemadmodum is qui consilio boni & periti viri aliquid efficit, prudenter & bene agit, quamvis re ipsa malum sit id, quod eligit.” Azor, vol. 1, col. 157D, section 1.2.16.

⁵⁸ “quoniam hac in re sufficit si opinio probabilis sit...” Azor, vol. 1, cols. 157–158, section 1.2.16.

⁵⁹ “aliquando tamen numerum sentientium, gravitas aliorum vincit, ac superat.” Azor, vol. 1, col. 158C, section 1.2.16.

⁶⁰ Azor, vol. 1, col. 157, section 1.2.16.

A notable feature in Azor is his distinction between the external and internal forum. This allows him to maintain commonly accepted procedures for deciding court cases, while allowing somewhat different, more permissive procedures for personal morality. His frequent use of *in agendo* as opposed to *in judicando* or *in consulendo* supports the distinction between the two fora. The probabilism he sets forth is for use in personal moral decisions, not in court cases or in giving advice to others. Of course, by the fact that he has written this and published it, how is he not giving advice to others? And can the standards for personal decisions truly be different from the public norms without undermining those public norms?

In all of this, I do not see Azor giving much guidance on how to sift through *intrinsic* probability. Thus even his very detailed instructions on casuistic method do not provide specific rules applicable to all cases. Presumably, the moral principles governing the specific areas of life must be taken into account before this can be done.⁶¹

Precedent plays a big role in Azor's moral teaching, in the form of the teaching of experts: doctors in theology, canon law experts, civil law experts, and summists. The contours of one's moral decisions and options are defined by these authorities of the past, and based on the amount of time he spends discussing their authority, they seem *more* significant than the *intrinsic* probability of a case (based on the application of unchanging moral principles to various situations of life). Extrinsic probability can be based on very few human authorities, even a single dissenting voice, at times.

Yet the loopholes in Azor's moral teaching are striking. In doubtful matters the safer opinion should *usually* be followed. The more probable opinion should be followed in the *external* forum, whereas in the internal forum, a less safe, less probable opinion is fine. So this seems like an attempt to be flexible and lenient while trying to maintain ecclesiastical doctrine and moral standards at the same time. Despite the statements of binding principles, the sum effect of his teaching comes across as lax and permissive.

⁶¹ Perhaps this indicates that Lutheran casuistry, with its seeming lack of principles, is not as unprincipled as it might appear at first glance. One would need to examine a specific topic to see how principles are applied to cases before such a judgment could be made.

Friedrich Balduin: First Lutheran Casuist

Friedrich Balduin (1575–1627), exegete and church superintendent in Wittenberg in the early 17th century, is remembered as the first Lutheran casuist on account of his posthumous *De casibus conscientiae* (1628), even though other casuistry-like collections of counsels appeared earlier.⁶² Considering Balduin after Azor makes a lot of sense, since Balduin read Azor and adopted many of Azor's rules, while modifying and rejecting others.⁶³

According to Balduin, a “case of conscience” is essentially a “scruple of conscience” or a “doubt of conscience.”⁶⁴ “Case” [*casus*] itself can mean a “falling,” a “moral error,” an “occurrence,” “accident,” or “emergency.”⁶⁵ Perhaps the latter comes closest to what Balduin means here. According to Balduin, some people define a *casus conscientiae* as any action which is deprived of right reason, and which is opposed to it. But, he says,

it is more rightly called a scruple or doubt⁶⁶ in an action of man, concerning which the conscience, without information, is not able to make judgment rightly. For whatever happens to man in which he is able to stray from his judgment is called “case of conscience,” which as long as it is directed with right judgment, the conscience remains good. But if it strays, it becomes a lapse, which wounds the conscience.⁶⁷

This shows why what Balduin says about the doubtful and opinion-based conscience is really the method for his casuistry. Most of the problems with the conscience arise from doubt or ignorance on what is right. So let us examine Balduin on the opinion-based conscience.

⁶² Mayes, *Counsel and Conscience*, 30–35.

⁶³ In discussing the “erroneous conscience,” Balduin refers to Azor, *Institutionum Moralium* 1.2.8, and at the end of his section on the “opinion-based conscience,” he refers his readers to the same work of Azor, section 1.2.17. Balduin, *De Casibus Conscientiae*, 15, 23–24, sections 1.7, 1.9.

⁶⁴ Balduin, 42, section 1.16.

⁶⁵ Charlton Thomas Lewis and Charles Short, eds., *A Latin Dictionary, Founded on Andrews' Ed. of Freund's Latin Dictionary* (Oxford: Clarendon Press, 1962), s.v. “casus.”

⁶⁶ Thus related to the “dubious” and “scrupulous” conscience.

⁶⁷ “[R]ectius appellatur scrupulus, seu dubium in actione aliqua hominis, de quo conscientia sine informatione iudicium suum rite instituere non potest. Quidquid enim homini contingit, in quo iudicio suo aberrare potest, casus conscientiae dicitur, qui dum rector iudicio dirigitur, conscientia retinetur bona: sin verò aberratur, lapsus fit, qui conscientiam vulnerat.” Balduin, *De Casibus Conscientiae*, 42, section 1.16.

Balduin begins his chapter *De Conscientiae opinabili* with a definition of the opinion-based conscience: “The opinion-based conscience is one that judges one side is probably honorable in a work, to which it also assents; yet it fears that perhaps the other, contrary side is honorable, because it has only a probable reason for its knowledge.”⁶⁸ An opinion-based conscience arises from “probable reasons,” which cannot establish assent.⁶⁹

Must one act on the basis of an opinion? Balduin explains that opinion does not obligate someone when it is wholly improbable. It also does not obligate when it rests merely on the great number of those who think so, “since a multitude of erring people does not make a defense for the error.”⁷⁰ But if you hold an opinion to be true on the basis of probable causes, then you are obligated in your conscience not to act against it until you hear truer reasons supporting the other side.⁷¹ Already it is clear that for Balduin, common opinion is unable to make a moral or doctrinal opinion right. The act or proposition itself must be examined. This is quite contrary to Azor, for whom common opinion nearly always justifies a course of action.

Balduin then gives eight rules which he says should be followed in order to save the conscience in opinion-based matters. These rules are significant, since they show us the methodology for Balduin’s casuistry. Rule 1 is: “In matters of faith, one statement of Scripture must be preferred to the opinions of doctors, even the most eminent doctors, as well as the decrees of councils and popes.”⁷² This is not a statement of Scripture alone, but rather of Scripture supreme. It deals with matters of faith, that is, matters that have been revealed. Yet this includes moral matters. Balduin gives the example of how Paphnutius at the Council of Nicea argued from Scripture in favor of the marriage of priests. The example is moral, and shows that “in matters of faith” does not exclude moral questions.

⁶⁸ “Opinabilis conscientia est, quae probabiliter iudicat partem alteram honestam esse in aliquo opere, cui & assentitur; timet tamen, ne fortè & altera pars contraria honesta sit, quia notitiae suae probabilem saltem rationem habet.” Balduin, 21, section 1.9.

⁶⁹ “quae assensum stabilire non possunt”. Balduin, 21, section 1.9.

⁷⁰ “quia multitudo errantium, non facit errori patrocinium.” Balduin, 21, section 1.9.

⁷¹ Balduin, 21, section 1.9.

⁷² “In rebus fidei una scripturae sententia, praeferenda est opinionibus doctorum etiam gravissimorum, ipsis etiam conciliorum & Pontificum decretis.” Balduin, 21, section 1.9.

This rule is obviously a comment on Azor's first precept, which stated that when a sentence or definition of faith is set forth in clear words, it should be held, regardless of what the doctors and learned men taught. But then Azor found this basis of faith in the Council of Trent.⁷³ Balduin takes the same idea, but specifies that Scripture, even just one statement of it, must be preferred not just to the words of doctors but also to the decisions of councils and popes. Just as Azor intended this for a matter of "faith," so also does Balduin. Now, it is notable that Balduin does not designate his rules here as applying to the external or internal forum as Azor did. For Balduin, they all seem to deal with the forum of conscience, though they might also deal with the external forum.⁷⁴

Balduin's second rule: "Among two probable opinions, that one should be selected which is based on the sense of the law [*aut legis aut juris*], rather than that which is based on custom and received use."⁷⁵ This rule demotes custom as a factor in deciding cases of conscience. The sense of a precept [*legis*] or of the law as a whole [*juris*] must take precedence. No human custom can obligate the conscience to act against divine or natural law. For example, long custom with regard to the distinction of foods and certain days cannot trump what the Apostle writes in Col. 2:16.⁷⁶

This rule uses similar language as does Azor's second precept, but Balduin's meaning is just the opposite of Azor's. He changes Azor's "or which [*aut quae*]" to "than which" [*quam quae*], so that instead of saying one may safely follow common opinion, Balduin says common opinion is secondary to the real meaning of a law. Balduin uses the language of Azor here, with the change of one word, to indicate the opposite of Azor's position.⁷⁷

Balduin's rule no. 3: "In two or more opinions about penal and hateful matters, the one should be embraced which is kinder and gentler, according to the rule of law: 'penalties and hatreds should be restricted.'"⁷⁸

⁷³ Azor, *Institutionum Moralium*, vol. 1, col. 133, section 1.2.9.

⁷⁴ Rule 3, below, deals with "punishable matters" and thus is certainly meant for the external forum.

⁷⁵ "Inter duas probabiles opiniones, ea magis est eligenda, quae nititur aut legis aut juris sensu, quam quae consuetudine & usu recepto." Balduin, *De Casibus Conscientiae*, 22, section 1.9.

⁷⁶ Balduin, 22, section 1.9.

⁷⁷ Azor, *Institutionum Moralium*, vol. 1, col. 136, section 1.2.10; Balduin, *De Casibus Conscientiae*, 22, section 1.9.

⁷⁸ "In opinionibus duabus vel pluribus, de rebus poenalibus & odiosis, amplectenda, quae benignior & mitior est, iuxta regulam iuris: poena & odia sunt restringenda." Balduin, *De Casibus Conscientiae*, 22, section 1.9.

Here is a principle of mercy built into Balduin's casuistry. For example, some people are of the opinion that an excommunicated person should not be greeted or shown any kindness. Others think this sort of greeting or benevolence should not be prevented. Balduin's answer: "Because the latter judgment is gentler, therefore it is safer in the conscience."⁷⁹ Church discipline dare not be despised, but kind treatment toward the excommunicated can help lead them to repentance. Also, "excommunication does not extend farther than Christian charity."⁸⁰ What is notable about Balduin's explanation here is that although he starts with a general principle about preferring the kinder, gentler opinion, the reasons he gives for the example bring in other practical and theological arguments. He might instead have formulated his rule on the basis of "Christian charity," and then articulated that the principles governing the particular situation (such as the divinely established purposes for church discipline) should be considered, since these are the factors that govern the example case. Why does he then have a rule on preferring the kinder, gentler option? Because Azor does.

Balduin accepts Azor's precept and uses the same example as does Azor, though with different wording. This is also an issue which for Balduin pertains to a Christian's conscientious duty, not to the intricacies of rule-following, as it does for Azor.⁸¹ For Azor it seems to apply mainly to the external forum, but Balduin applies it to the internal forum of conscience.

Balduin's rule no. 4 gives what seems to be a statement of tutorism: "When two opinions are equal, with regard to the number of authors, that one should be followed which is safer."⁸² For example, if some think a eunuch can marry, and others think he cannot, the latter opinion should be followed, because it is safer. (He does not explain why it is safer, but for early modern Lutherans, the conjugal act and procreation were divinely instituted purposes of marriage, of which eunuchs are incapable.) Azor had said, "When, in all other things, two opinions are equal," but Balduin clarifies this as "with regard to the number of authors." That is, Balduin takes this as referring to extrinsic probability. The number of opinions is evenly divided. And indeed, the examples

⁷⁹ "posterior sententia quia mitior, ideò tutor in conscientia." Balduin, 22, section 1.9.

⁸⁰ "excommunicatio se non latius extendit, quàm charitas Christiana." Balduin, 22, section 1.9.

⁸¹ Azor, *Institutionum Moralium*, vol. 1, col. 140, section 1.2.11.

⁸² "Cùm opiniones duo sunt pares, quoad auctorum numerum, sequenda ea est, quae tutor." Balduin, *De Casibus Conscientiae*, 22–23, section 1.9.

Azor gives do not talk about the internal probability that would arise from the nature of the situations, but about disagreeing opinions of respected theologians.⁸³ Balduin understood Azor aright.

This rule deals with choosing among opinions when the facts of the case do not make one certain about the right course of action. Balduin explains: “Now, this rule applies when someone doubts speculatively about a deed and cannot draw out from certain practical principles whether in this way and at this time he may do this or not.”⁸⁴ Unfortunately Balduin does not explain “speculative” and “practical.” From the context, “speculative” seems to deal with the fact or deed, with a knowledge of the situation. Practical principles, then, would be rules of action. This is how Azor explained the distinction.⁸⁵ That is, because one is uncertain about the facts of the case (speculative uncertainty), he also is not sure how the moral principles would apply to the case (practical uncertainty). In this case, the rule of what is safer applies: “for then one should choose what is safer.”⁸⁶

But it is not clear whether Balduin understands the distinction clearly from the few words he devotes to the topic. He continues, giving a different kind of situation in which one can be speculatively uncertain but practically certain. “Now when one is doubtful speculatively, because of contrary, probable opinions, but is certain practically, then it is not always valid” (that is, the rule of what is safer), “for each opinion practically and from practical principles can appear safe; then he can choose which of the two he wants.”⁸⁷ But what does it mean to be speculatively and practically certain or uncertain? Normally speculative matters deal with knowledge and truths, while practical matters deal with actions. Azor uses the terms to mean factual knowledge, on one hand, and knowledge about one’s duty, on the other.⁸⁸ Whereas Azor gives examples to clarify the difference between speculative and practical certainty, Balduin does not, at least not here. Previously, Balduin touched briefly on the

⁸³ Azor, *Institutionum Moralium*, vol. 1, col. 142, section 1.2.12.

⁸⁴ “Haec autem regula valet, cum quis speculativè dubitat de aliquo facto, & non potest ex certis principiis practicis elicere, an sic & nunc liceat sibi hoc facere, nec ne”. Balduin, *De Casibus Conscientiae*, 22, section 1.9.

⁸⁵ Azor, *Institutionum Moralium*, vol. 1, col. 135, section 1.2.9.

⁸⁶ “tunc enim eligere debet, quod tutius est”. Balduin, *De Casibus Conscientiae*, 22, section 1.9.

⁸⁷ “quando autem speculativè quidem est dubius, propter opiniones contrarias probabiles, practicè autem certus, tunc non semper valet: nam utraque opinio practicè, & ex principiis practicis tuta apparere potest, tunc utrum vult, eligere potest.” Balduin, 22–23, section 1.9.

⁸⁸ Azor, *Institutionum Moralium*, vol. 1, col. 135, section 1.2.9.

distinction. In the chapter on the erroneous conscience, he dealt with speculative and practical judgment on an issue of theft. The speculative judgment decides what the facts of the situation are, and the practical judgment then concludes whether an action is to be done or avoided. Balduin writes: “and the judgment of the intellect should at least be conformed to the law of nature, which happens when the speculative judgment is changed (for example, that one should not steal in order to give alms to others), and when it is changed, the practical [judgment] will easily be changed, too.”⁸⁹ “Speculative” thus deals with truth for its own sake, and “practical” deals with doing something.⁹⁰

Balduin gave an example of the difference between “speculative” and “practical” in his chapter on the doubting conscience.

Now it is doubtful either practically or speculatively: practically, when someone in the exercise of an action doubts whether he is acting rightly or not, such as if someone by betraying an enemy doubts whether he is acting rightly; speculatively, when someone outside the exercise of an action is doubtful about whether that action is permitted, such as whether it is permissible to betray an enemy.⁹¹

Both of these would be *practical* for Azor, since they both deal with practice, regardless of whether one is currently engaging in the practice. Practical questions and judgments deal with actions and obligations, whereas speculative questions and judgments deal with truths and facts.⁹² Azor specifically wrote against the kind of speculative/practical distinction that Balduin employs.

And notice that there are some questions and doubts that, though they seem to pertain to speculation, nevertheless refer instead to

⁸⁹ “& iudicium intellectus juxta legem naturae saltem conformandum, quod fit, cum iudicium speculativum mutatur, puta, furandum non esse, ut aliis detur eleemosyna, quo mutato, facillè etiam mutatur practicum.” Balduin, *De Casibus Conscientiae*, 18, section 1.7; see also p. 11, section 1.5.

⁹⁰ Roy J. Deferrari, M. Inviolata Barry, and Ignatius McGuinness, *A Lexicon of St. Thomas Aquinas Based on the Summa Theologica and Selected Passages of His Other Works* (Washington: Catholic University of America Press, 1948), s.v. “practicus” and “speculativus.”

⁹¹ “Est autem dubia vel practicè vel speculativè: practicè, cum quis in ipso exercitio actionis dubitat, an rectè agat vel secus, ut si quis, prodendo hostem, dubitet an rectè faciat: Speculativè, cum quis extra exercitium actionis dubius est, an actio illa licita sit, ut, an liceat hostem prodere?” Balduin, *De Casibus Conscientiae*, 20, section 1.8.

⁹² Azor, *Institutionum Moralium*, vol. 1, cols. 135, 168, sections 1.2.9, 1.2.18.

action, such as when it is asked or doubted whether this thing is evil or good, whether it is sin or not. For these things are asked more for the sake of doing than for knowing. For it is the same to ask whether this is sin, and whether this should be fled, be avoided.⁹³

But because of Balduin's confusion of "practical" and "speculative," he does not actually give any clear guidance here on when one may have doubts about the permissibility of one's actions and still do the action.

Balduin's rule no. 5 skips Azor's fifth precept, which taught that one should follow the common opinion of doctors in the external forum, and which then ranked those authorities. Balduin also seems to skip Azor's sixth precept, which was basically the same as the fourth, on how one should select the safer opinion if opinions are equally probable. Instead, Balduin here seems to cover the same ground as Azor does later (ch. 16, q. 2), on whether one must always follow the safer opinion in the forum of conscience. For Azor, there was a possibility that one could base an action on opinion and not have a fear of being wrong. Balduin's rule reads: "Opinion, taken strictly and properly, exists with fear and doubting about the opposite side, and then whatever is safer should be chosen. But if someone holds an opinion in such a way that he has no doubt, then in the doing of an action he can follow even the less safe opinion, because he is clinging to it with certainty and without any doubting."⁹⁴ The latter sentence is almost an exact quote from Azor, who was explaining the position of Cajetan, of which he approved. Azor's words:

[O]pinion always has doubt mixed with it: and in doubts, that which is safer should always be embraced, according to the rule of law. And note, this sentence is understood in that way in which Cajetan explains it. For opinion ought to be taken properly and strictly, as it exists with fear and doubting about the opposite side, which is how opinion usually is. Yet if someone holds an opinion in such a

⁹³ "Et animaduertendum est, aliquas esse quaestiones & dubitationes quae tametsi ad speculationem pertinere videantur, potius tamen ad actionem spectant: ut cum quaeritur aut dubitatur an hoc sit malum an bonum; sit peccatum necne: haec enim potius operandi gratia quam sciendi quaeruntur. nam idem est quaerere an hoc sit peccatum; quod est, an hoc sit fugiendum, sit cauendum." Azor, vol. 1, col. 168B, section 1.2.18.

⁹⁴ "Opinio strictè & propriè sumta est cum formidine & dubitatione partis oppositae, & tunc eligendum id, quod tutius est. Si verò quis ita opinetur, ut nullam dubitationem habeat, tunc in agendo potest opinionem etiam minus tutam sequi, quia ei certò & citra ullam dubitationem adhaeret..." Balduin, *De Casibus Conscientiae*, 23, section 1.9.

way that he has no doubt, the kind which moral certainty tends to be—such as when we are of the opinion that Constantinople really exists—while we have no doubt at all about this matter, then in the doing of an action one can follow even a less safe opinion, because he is clinging to it with certainty and without any doubting.⁹⁵

Balduin then, unlike Azor, gives a biblical example to confirm his rule.

For example, he who thinks it is better not to give away his daughter in such a way that he does not doubt about the truth of his opinion, even though he may not have completely infallible reasons for his opinion, acts rightly if he does not give her away. This is the position of the Apostle Paul in 1 Cor. 7:37: “He who stands firm in his heart, not having necessity, but having the power of his will, and has decided in his heart to keep his virgin, does well.”⁹⁶

This recognizes that there are situations in life where one does not have full certainty of the correctness of his action, but as long as one is certain and does not have fear that he is acting immorally, he may take the action. It should also be noticed that Balduin’s example is in a situation not explicitly covered by a moral, biblical precept. In this sort of situation, one can act on opinion if one is certain to some, unspecified degree.

Balduin’s rule no. 6: “If an opinion is less safe, more probable, and common, we may follow it in the doing of an action. Now, it is called ‘probable’ which is based on stronger and better reasons; ‘common,’ which all people in common follow.”⁹⁷ This, too, is mostly a direct quote from

⁹⁵ “[O]pinio semper habet dubitationem admixtam: & in dubijs, id quod tutius est, semper est amplectendum, iuxta iuris Regulam. Et animaduertendum est, hanc sententiam intelligi eo modo, quo eam explicat Caietanus. Opinio enim debet accipi propriè, & strictè, vt est cum formidine, & dubitatione partis oppositae, qualis plerumque solet esse opinio. Si tamen quis ita opinetur, vt nullam dubitationem habeat, qualis solet esse certitudo moralis; veluti cum opinamur, Constantinopolim esse in rerum natura, nihil prorsus ea de re dubitantes: tunc in agendo potest opinionem etiam minùs tutam sequi, quia ei certò, et citra vllam dubitationem adhaeret.” Azor, *Institutionum Moralium*, vol. 1, col. 155, section 1.2.16.

⁹⁶ “e.g. qui melius esse putat filiam suam non elocare, ita ut de opinionis suae veritate non dubitet, licet opinionis suae infallibiles planè rationes non habeat, rectè facit, si eam non elocet. Quae est sententia Apostoli Pauli 1. Cor. 7. v. 37: qui statuit in corde suo firmus, non habens necessitatem, potestatem autem suae voluntatis, & hoc iudicavit in corde suo, servare virginem suam, bene facit.” Balduin, *De Casibus Conscientiae*, 23, section 1.9.

⁹⁷ “Si opinio minùs tuta, probabilior & communis est, eam in agendo nobis sequi licet. Eam autem dicitur *probabilior*, quae firmioribus & melioribus rationibus fulcitur:

Azor.⁹⁸ For Balduin to assert that one may follow a common opinion even if it is less safe seems to open himself to Azor's probabilism, in which one may always follow a widely-held opinion without sin. But the example given by Balduin shows that he is speaking of an opinion that is *both* more probable *and* common. And, in fact, the example has biblical testimony, so it really is not a doubtful or opinion-based case at all. The example is of a judge of a case in which the judge knows that the accused is innocent, but the evidence in the case shows that the accused is guilty. Should the judge condemn him? Some say he would not be sinning if he condemned, others say he would indeed be sinning. While the latter opinion, being safer, might indicate that the judge should not condemn, Balduin concludes: "The former position, even though it seems less safe, is more probable and is commonly observed, therefore it is to be preferred to the latter."⁹⁹ Unfortunately, his explanation is very brief, and he does not explain here what would make this opinion more probable. He could have found certainty in Isa. 11:3: "He shall not judge after the sight of his eyes, neither reprove after the hearing of his ears." This seems to be a situation where Balduin has quoted a principle from Azor which he either does not fully understand or which, at least, is inconsistent with his previous rejection of extrinsic probability based on common opinion or the opinions of experts.

Balduin's rule no. 7: "The more probable opinion in the doing of an action should be preferred to the common [opinion]."¹⁰⁰ For example, among the Calvinists, it is a common opinion that one can baptize with a liquid other than water. But in opinions, the judgments should be weighed, not counted. It is more probable and agrees better with the institution of Baptism to baptize only with water. Therefore this option should be chosen.¹⁰¹ With this rule and its example, Balduin seems to reject Azor's assertion that one may always follow the common opinion, even if it is less safe, because the fact that it is common makes it more probable. Here Balduin clearly disagrees. Yet Azor himself had a similar statement to what Balduin includes here.¹⁰² For Azor, usually

communis, quam communiter omnes sectantur..." Balduin, 23, section 1.9.

⁹⁸ Azor, *Institutionum Moralium*, vol. 1, col. 157A–B, section 1.2.16, lines 1–4, 28–29.

⁹⁹ "Prior sententia, etsi minus tuta videtur, probabilior tamen est, & communiter observatur, ideò posteriori praeferenda." Balduin, *De Casibus Conscientiae*, 23, section 1.9.

¹⁰⁰ "Opinio probabilior in agendo praeferenda est communi." Balduin, 23, section 1.9.

¹⁰¹ Balduin, 23, section 1.9.

¹⁰² Azor, *Institutionum Moralium*, vol. 1, cols. 157B, 158B–C, section 1.2.16.

the majority is right, while Balduin seems to disagree. Of course, the example that Balduin gives here, about the common opinion among Calvinists that one may baptize with a different liquid than water, does not actually illustrate his rule. For can this be considered a common opinion if only Calvinists affirm it? This suggests that Balduin has not carefully thought through his rules and examples.

Balduin's rule no. 8, his last, is:

A sentence in which several people think one thing is not to be judged more probable in the forum of conscience. For in casting votes the bigger side not infrequently wins over the better side. Therefore in the Law the Lord said, "You shall not follow the crowd to do evil, and in judgment you shall not give assent to the sentence of many, to turn aside from what is true" (Exod 23:2).¹⁰³

This, too, is found in Azor, even the reference to Exod. 23:2.¹⁰⁴ Nevertheless, in Azor the majority is usually right, and Balduin does not say or imply this.

At the end of his rules on the opinion-based conscience, Balduin finally directs his readers to his main source, Azor. "For more on selecting opinions in the forum of conscience, see Juan Azor, *Moral.*, vol. 1, bk. 2, ch. 17."¹⁰⁵

At the end of a previous chapter, on the doubtful conscience, Balduin speaks of the role of prayer and direct divine revelation in moral decision-making. "In this category" (i.e., doubtful questions) "if someone is not enough for himself, let him hear the counsels of others, and let him pray seriously to God, that He would choose what is best."¹⁰⁶ The category here is doubtful cases of moral conduct, where one choice is better, though it may not be known which is better. The procedure recommended is to consult others and then to pray. Balduin then continues, dealing with cases of equally doubtful options.

¹⁰³ "Sententia, in quâ plures unum aliquid sentiunt, in foro conscientiae non est probabilior judicanda. Nam in suffragiis ferendis major pars non rarò meliorem vincit: ideò Dominus in lege dixit: *non sequèris turbam ad faciendum malum, nec in iudicio plurimorum adquires sententiae, ut à vero devies Exod. 23. v. 2.*" Balduin, *De Casibus Conscientiae*, 23, section 1.9.

¹⁰⁴ Azor, *Institutionum Moralium*, vol. 1, col. 158B–C, section 1.2.16.

¹⁰⁵ "Plura de opinionum selectu in foro conscientiae vid. apud *Johann. Azorium tom. 1. Moral. lib. 2. c. 17.*" Balduin, *De Casibus Conscientiae*, 23–24, section 1.9.

¹⁰⁶ "... quo in genere si quis sibi ipsi non sufficit, aliorum consilia audiatur, & Deum, ut ipse quoque optimum est eligat, seriò oret." Balduin, 20–21, section 1.8.

But if each side brings with it equal bad or good, let him choose and follow that which, after prayers, God shows with His heavenly finger, or to which God inclines man's will. "For like the divisions of waters, so is the king's heart in the hand of God; wherever he wants, He will turn it" (Ps. 21:1 [Prov. 21:1]). Therefore whoever in doubtful matters has committed his ways to God by prayers, he can be certain that to whichever side he submits in doubt, it is done according to the will of God, "who will not deny to anyone what is asked according to His will" (1 John 5:14).¹⁰⁷

A marginal note at this point¹⁰⁸ sends the reader back to a previous quotation from Bonaventure, which reads: "And if it" (the conscience) "does not know the Law of God, it should consult wiser people, or turn to God through prayer if there is no human counsel; otherwise if one is negligent, it will be proved true in him what the Apostle says: 'He who does not know will not be known' (1 Cor. 14[:38])."¹⁰⁹ This points to the necessity of study and counsel. Prayer for direct revelation does not replace these. Also, direct revelation only plays a role when one has ascertained that the good and bad of each side of a doubtful case are equal. This indicates a carefully limited role for prayer and direct revelation in moral reasoning. The moral options are first investigated in light of Holy Scripture and other vocational obligations, and only when two options are determined to be permissible does one ask for and expect direct, extrascriptural, divine guidance. Even in this case, the responsibility of the individual to decide is not taken away.¹¹⁰

So now, what did Balduin accomplish in his chapters on the doubting and opinion-based conscience? He was certainly aware of one of the foremost Roman Catholic probabilists. Balduin's exposition

¹⁰⁷ "Si vero utraque pars aequale malum vel bonum secum ferat, eligat et sequatur, quod praevis precibus Deus coelesti suo digito monstraverit, seu quò Deus voluntatem hominis inclinaverit. *Nam sicut divisiones aquarum, ita cor regis in manu Dei; quocumque voluerit, inclinabit illud* Psal. 21,1. Qui ergò in rebus dubiis vias suas precibus commisit Deo, is certus esse potest, quòd, cuicumque parti in dubio se submiserit, id secundum Dei nutum factum sit, *qui, quod secundum voluntatem ejus petitur, nemini denegabit* 1. Joh. 5,14." Balduin, 21, section 1.8.

¹⁰⁸ Balduin, 21, end of section 1.8.

¹⁰⁹ "... & si nescit legem Dei, debet sapientiores consulere, vel per orationem se ad Deum convertere, si humanum consilium deest; alioquin si negligens est, verificatur in eo, quod dicit Apostolus: qui ignorat, ignorabitur, 1. Cor. 14." Balduin, 18, section 1.7.

¹¹⁰ Contrast this method with common Pentecostal-charismatic ways of discerning God's will, as described, for example, in Tanya M. Luhrmann, *When God Talks Back: Understanding the American Evangelical Relationship with God* (New York: Alfred A. Knopf, 2012).

here looks like his unsifted notes from reading Azor. He misunderstands some of Azor's distinctions (such as speculative and practical certainty)¹¹¹ and gives examples that sometimes do not illustrate his own rules. Unsifted notes—this would make sense, seeing as how this book by Balduin was posthumous, published by his heirs on the basis of his notes. Balduin has selected certain statements that fit with his Lutheran outlook and omitted the really probabilistic parts of Azor. Yet he includes no critique of Azor here, and even encourages readers to consult Azor. This indicates that Balduin has not yet recognized the grave problems with Azor's probabilism that later Lutherans would criticize. Even in the preface to Balduin's work, there is no awareness of Roman Catholic probabilism. While the dedicatory preface to Balduin's casuistry criticizes Catholic casuistry, it does so mostly on the answers that it gives, not on its methodology. The one methodological criticism it makes deals with authority: Catholic casuistry instructs conscience to acquiesce to the authority of men.¹¹²

Thus, rather than providing good Lutheran *rules* for the care of souls, Balduin shows us some basic Lutheran *sensibilities* regarding moral decision-making. I summarize his principles as follows.

(1) Scripture is the highest authority. Even single biblical statements have more authority than common opinion and all extrinsic probability based on human authorities and experts.¹¹³

(2) Intrinsic probability is important. For Balduin, not just explicit biblical statements are what decide questions; intrinsic probability must also be considered. By this I mean the arguments and reasons that are based on laws or on the meaning of laws, or conclusions drawn clearly from Scripture.¹¹⁴ To give a modern example, we do not need a specific passage saying, "You shall not commit insurance fraud." This is already covered categorically by the 7th commandment (Exod. 20:15; Deut. 5:19). Intrinsic probability would consist of the arguments that show that a certain act is truly insurance fraud, and that this is a form of theft. Then the answer is clear.

(3) There is no extrinsic probability. The number of people affirming an opinion, no matter who they are, does not make an opinion binding or probable. Likewise, custom does not make an opinion probable.¹¹⁵

¹¹¹ Balduin, *De Casibus Conscientiae*, 22–23, section 1.9, under rule 4.

¹¹² Wittenberg Theological Faculty, "Praefatio," in Balduin, fol. III 1r, IIII 3v.

¹¹³ Rule 1, Balduin, 21, section 1.9.

¹¹⁴ Rule 2, Balduin, 22, section 1.9; see also Mayes, "Not Just Proof-Texting: Friedrich Balduin's Orthodox Lutheran Use of Exegesis for Doctrine," 109–12.

¹¹⁵ Rules 2, 7, and 8, Balduin, *De Casibus Conscientiae*, 21–23, section 1.9.

(4) Follow the morally safer opinion, all other things being equal. When one side of a question is not clearly more probable (on the basis of Scripture and intrinsic probability), then Balduin says one should follow the morally safer opinion—the one less likely to be sinful. But this only holds true for equally probable options.¹¹⁶

(5) Absolute certainty is not required. Balduin does not require absolute certainty before one can be allowed to follow an opinion. What is necessary is for one to be free of doubt that the intended course of action is sinful. While he does not clearly articulate the difference between absolute certainty and freedom from doubt, he certainly seems flexible enough to allow people to make decisions based on the knowledge they have of the situation.¹¹⁷

Outcome and Conclusions

Balduin's casuistry is among the first Lutheran works to confront early modern probabilism. Being free of a previous Lutheran polemical tradition on this particular point, it has been enlightening to see how he reacted to probabilism, how he selects from it, and adapts it for Lutheran use in such a way that the heart of probabilism (extrinsic probability) is rejected. The Lutheran casuistry methodology is located in the doctrine of the conscience, a topic that was central to the Reformation from the very beginning. Balduin makes a beginning in this field, and later Lutherans would pick up the baton and run with it.¹¹⁸

¹¹⁶ Rules 4 and 6, Balduin, 22–23, section 1.9.

¹¹⁷ Rule 5, Balduin, 23, section 1.9.

¹¹⁸ Olearius, *Introductio Brevis In Theologiam Casisticam*; Dunte, *Decisiones Casuum Conscientiae*, 1–11; Johannes Steuber, *Theologiae Moralis Tractatus, De Conscientia Recta, Erronea Et Probabili: Ex Sacra Scriptura, S. Patrum Scriptis, Conciliorum Decretis, Iure Canonico, Constitutionibus Ecclesiasticis, Historiis Sacris & Prophanis Traductus* (Marpurgi: Chemlinus, 1642); Johann Konrad Dannhauer, *Liber conscientiae apertus sive theologiae conscientiarum*, vol. 1 (Argentorati: Spoor, 1662); Johann Adam Oslander, *Theologiae Casualis, In Qua Quaestiones, Dubia Et Casus Conscientiae Circa Credenda Et Agenda Enucleantur* (Tübingae: Cotta, 1680), 1–168; Friedemann Bechmann, *Theologia Conscientiarum Sive Tractatus De Casibus Conscientiae* (Francof.: Meyer, 1692), 1–11; Georg König, *Casus Conscientiae: Qui In Sex Capitibus Doctrinae Catecheticae, Una Cum Tabula Oeconomica, Subinde Solent Occurrere* (Noribergae: Georg Hagen, 1654), 1–17; Samuel Schelwig, *Cynosura Conscientiae, Oder Leit-Stern Des Gewissens, Das ist: Deutliche und Schrifftmäßige Erörterung vieler, mehrentheils seltzamer und ungemeyner, auch einiger zuvor noch niemahls vollständig ausgeführter Gewissens-Fragen* (Franckfurth: Johann Adam Plener, 1692), 1–5; Samuel Rachelius, “Examen Probabilitatis Qyam Jesuitae Novique Casuistae Theologiae suae Moralis fundamentum constituerunt,” in *Ludovici Montaltii Litterae Provinciales De Morali & Politica Jesuitarum Disciplina*, by Blaise Pascal (Helmstadii: typis Jacobi Mvlleri, 1664); Adam Rechenberg, “Dissertatio ex Theologia Morali, De Fundamento Et Norma Decidendi Casus Conscientiae,” in

Beyond what Balduin has set forth, does more really need to be said? While his methodology is not very complicated, it says most of what a truly biblical, Lutheran care of souls would need to say about making moral decisions. He deals with authority, moral principles, conscience, certainty, doubt, and deciding difficult questions. There is no need for a Lutheran to rank extrinsic authorities and give probabilistic rules, since extrinsic probability has no authority for us in matters related to God. And with regard to intrinsic probability, not even Azor gave very detailed explanation of that. Presumably intrinsic probability would be handled in the discussions of the casuistry questions themselves, such as on marriage, divorce, and remarriage, or any other area of life.

Of course, more could be said, and presumably other Lutherans dealt with these other matters. For example, how are adiaphora to be handled? How does the potential for offense to others affect the morality of my decision right now? How much must I strive to make others obey God's biblically revealed will, such as through the vocation of father, friend, or government leader?¹¹⁹ More can be said and should be said on these matters. So Balduin gives us an indication of a good Lutheran care of souls, but not everything.

Reflecting on the methodology for moral decisions and casuistry is important, since without intentional understanding, people will default to decisions that are either stricter than God's Word or, more commonly, looser. Instead of situation ethics, charismatic-pentecostal supposed direct revelation, or muddled group-think, we who believe in *sola Scriptura*, that God's will for our lives and for our salvation is revealed in Scripture alone, should be clear with ourselves and our people about *the way* in which we, justified freely for Christ's sake through faith alone and now made alive in Christ through the Holy Spirit, should be making good decisions. LSQ

Gottholds Manuale Casuisticum; Oder Der für angehende Priester in schwebren und vorkommenden Gewissens-Fällen und Fragen allzeit fertige und Christliche Gewissens-Raht, ed. Johann Franz Buddeus (Franckfurt: Renger, 1717); Christian Scriver, *Gottholds Manuale Casuisticum; Oder Der für angehende Priester in schwebren und vorkommenden Gewissens-Fällen und Fragen allzeit fertige und Christliche Gewissens-Raht*, ed. Johann Franz Buddeus, Adam Rechenberg, and Johann Christian Albrecht (Franckfurt: Renger, 1717); Johann Friedrich Cotta, *De probabilismo morali exercitatio prior historica* (Jena: Mullerus, 1728); Johann Friedrich Cotta, *De probabilismo morali exercitatio posterior dogmatico-polemica* (Jena: Mullerus, 1728); Christian Gotthold, *Theologia Casuistica Oder Sammlung Auserlesener Amts- Und Gewissens-Fälle* (Nürnberg: Stein und Raspe, 1746), 1–19.

¹¹⁹ Olearius has much to say on this question. Olearius, *Introductio Brevis In Theologiam Casisticam*.

Pastoral Care in Contemporary Lutheranism

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LSQ Vol. 63, No. 1 (March 2023)

IF EXEGETICAL THEOLOGY IS THE EYES, HISTORICAL theology the memory, and dogmatics the mind of the church, then pastoral theology is the church's mouth, hands, and feet. Drawing on the previously mentioned disciplines, pastoral theology attends to how the pastor speaks God's law and gospel from the Holy Scriptures distinguishing between these two words of God and how he delivers God's promised gifts in the sacraments. Lutheran pastoral theology embraces the place of the pastoral office in the life of the church, the internal life of the pastor (i.e. the *habitus practicus*), the official duties of the pastor, and the relationships of the pastor in his family, the church, and the world. It is the intention of this paper to examine how this discipline has fared in contemporary North American Lutheranism and then to offer a few thoughts as to where a distinctively Lutheran pastoral theology might move forward.

Richard Lischer, a Lutheran who taught at Duke Divinity School for many years, reflected on his own experience as a seminarian at Concordia Seminary in the late 1960's: "What language shall I borrow? An odd question when you stop to think, and one with a long and controversial history. Over the years, preachers have not been satisfied to speak from the embedded position. They have not been content with the starkness of the New Testament's theology of the word. They have sought other language to communicate the gospel. When I was a seminarian, we all preached 'existentially' after the manner of Bultmann,

in the confidence that the existentialist analysis of the human predicament was pretty much the same as Paul's. When we weren't preaching existentially, we donned our white coats, lit our pipes, and preached therapeutically, in the equally misplaced confidence that psychologist Carl Rogers's view of the person was not all that different from Jesus."¹

The times, they were changing. Pastoral care, like preaching, was in search of a new language. The old language of *poimenics*, or the art of pastoring, seemed no longer adequate as it reflected what was deemed to be a less sophisticated age indebted to naïve acceptance of the categories of the Scriptures.² Indeed John McNeil optimistically proclaimed in 1934: "We are evidently at the opening of a new era in the history of the cure of souls. The new ministry to personality will be at once more scientific and religious."³ E. Brooks Holifield has demonstrated the shifts that were at work in his book, *A History of Pastoral Care in America*. The subtitle of Holifield's book is altogether telling: "From salvation to self-realization."

While Holifield begins his narrative with the American Puritans with only scant attention to Lutherans, for our purposes we will pick up with a leading figure in the history of pastoral care, Anton Boisen (1876–1965), who indirectly will have influence on Lutheran approaches to pastoral care down to the present day. Boisen had studied at Union Seminary, where he studied under George Albert Coe, a psychologist of religion. Hospitalized twice for mental breakdowns, Boisen concluded that ministers were trained to exegete texts but need to gain the capacity to read "living human documents."⁴ The best venue for such a study is the crisis of physical or mental health making patients likely to experience a time of "religious quickening." It was in these moments where death and life intersect that people are most likely to give attention to things that matter most or what Paul Tillich would name as "ultimate concerns."

Boisen served as a chaplain at the Worcester State Hospital (Massachusetts) beginning in July of 1924. A year later, he organized a program whereby seminarians could participate in a summer of clinical

¹ Richard Lischer, *The End of Words: The Language of Reconciliation in a Culture of Violence* (Grand Rapids: Eerdmans, 2005), 12.

² Here see, Robert C. Dykstra, ed. *Images of Pastoral Care: Classic Readings* (St. Louis: Chalice Press, 2005).

³ Cited by E. Brooks Holifield, *A History of Pastoral Care in America: From Salvation to Self-Realization* (Nashville: Abingdon Press, 1983), 221.

⁴ Anton Boisen, "The Living Human Document" in Dykstra, *Images of Pastoral Care*, 22–39.

experience. This experiment would become the beginning of the clinical pastoral education movement that would grow in popularity throughout the twentieth century to the point that it would become a requirement in some Lutheran seminaries, a point to which we will return later in this paper.

American pastors were beginning to embrace insights from psychology with the intention of harnessing them to care for people undergoing a variety of life crises. On a popular level, there is Harry Emerson Fosdick (1878–1969), preacher at the fashionable Riverside Church in Manhattan flourishing with generous donations from the Rockefeller brothers, John D and William. Fosdick was a crusader for the progressive cause in the “modernist-fundamentalist” battle; but he was also interested in both pastoral counseling and social causes. For Fosdick, preaching at its best was personal counseling on a group scale. His books widely distributed and read would influence American preachers and laity including some within the United Lutheran Church in America.⁵

On a larger scale and at a more academic level, we should also note the influence of Rollo May, Carl Rogers, and Paul Tillich. It would be difficult to overstate their impact on pastoral theology in American Christianity in the twentieth century.

Rollo May (1909–1994) studied at Adler’s Vienna Clinic and at Union Theological Seminary. In 1939, he wrote his *The Art of Counseling* where he proposed that the counselor is to assist the client with the development of self-understanding in light of reality. May’s second book, *The Springs of Creative Living*, was dedicated to his friend, Paul Tillich (1886–1995).

Like May, Carl Rogers (1902–1987) also studied at Union. Rogers switched from the theology to psychology identifying himself as an atheist and humanist. Rogers promoted what he called “person-centered therapy.” Reflecting on the growing interest in a new model of pastoral care, William Hulme observed:

The Bible for pastoral care in the earlier days was Carl Rogers’ *Counseling and Psychotherapy* [published in 1942]. Adapting

⁵ When Fosdick preached at a ULCA congregation in Dayton and at Wittenberg College in Springfield in the spring of 1925, J. Michel Reu was enraged that church officials ignored this breach of Lutheran practice, responding with articles in the *Kirchliche Zeitschrift*: “Modernismus in der lutherischen Kirche?” 49 (1925), 448; “The ULC und Dr. Fosdick” 49 (1925), 570ff.; “Fosdick und Wittenberg” 49 (1925), 652–654. For background, see Fred W. Meuser, *The Formation of the American Lutheran Church* (Chicago: Wartburg Press, 1958), 233.

psychoanalytic concepts to the counseling process, Rogers proposed a simple method for achieving self-actualization that attracted the clergy. So far as I could perceive at the time, Rogers's concern was primarily for a method that would enable the counselee to affirm his own selfhood. The moral content of his decisions was not a major consideration.⁶

Rogers was in conversation with Paul Tillich and had influence on his thought especially as Tillich sought to correlate religious language that he saw as symbolic and mythical with the language of this developing field of psychology.⁷ In an article published in 1959 under the title, "The Theology of Pastoral Care," Tillich wrote "Pastoral Care helps to develop the questions to which the religious symbols are supposed to be the answer."⁸

The influence of Rogers and Tillich is evident in a book by the Princeton Professor of Theology and Personality, Seward Hiltner, in his *Preface to Pastoral Theology*, published in 1958.⁹ This book represents something of a fusion of the older pastoral theologies with the newer approaches to person-centered counseling. Hiltner suggested that there are three functions of pastoral care: (1) healing; (2) sustaining; (3) guiding.¹⁰ Hiltner's book along with Howard Clinebell's (1922–2005)

⁶ William Hulme, *Pastoral Care Come of Age* (Nashville: Abingdon Press, 1970), 15–16.

⁷ For a generally sympathetic overview of Tillich's influence on pastoral counseling, see Pamela Cooper-White, "Paul Tillich's Legacy in Psychology and Pastoral Psychotherapy" in *Why Tillich? Why Now?* ed. Thomas G. Brady (Macon, Georgia: Mercer University Press, 2021), 207–219. Cooper-White concluded, "In pastoral theology... Tillich's method of correlation has been probably the most significant framework for all our work" (218). A detailed account of Tillich's interaction with various schools of psychology is John Dourley, "Tillich in Dialogue with Psychology" in *The Cambridge Companion to Paul Tillich*, ed. Russel Re Manning (Cambridge: Cambridge University Press, 2009):238–253. For a more critical assessment of Tillich, see Oswald Bayer, "Tillich as a Systematic Theologian" in *The Cambridge Companion to Paul Tillich*, 18–36.

⁸ Paul Tillich, "The Theology of Pastoral Care," *Pastoral Psychology* (October, 1959), 24. Also see Paul Tillich, "The Impact of Pastoral Psychology on Theological Thought" in *The Ministry and Mental Health*, ed. Hans Hofmann (New York: Association Press, 1960), 14.

⁹ Stewart Hiltner, *Preface to Pastoral Theology* (Nashville: Abingdon Press, 1958), 89–172. Also see the *festschrift* presented to Stewart Hiltner in 1969, *The New Shape of Pastoral Theology: Essays in Honor of Steward Hiltner*, ed. William B. Oglesby Jr. (Nashville: Abingdon Press, 1969) as it contains a wide sampling of essays representative of Hiltner's influence in the field.

¹⁰ Here also see William Clebsch and Charles Jaekle, *Pastoral Care in Historical Perspective* (Englewood Cliffs, New Jersey: Prentice-Hall, 1964) who suggest that pastoral care has four functions: (1) healing; (2) sustaining; (3) guiding; and (4) reconciling (32–66).

Basic Types of Pastoral Counseling would become standard texts in pastoral theology courses in Lutheran seminaries in the 1960's and 70's. Clinebell contended that the church was experiencing a "renaissance in pastoral counseling." He was particularly optimistic that "broad streams of healing would be released through the churches."¹¹ Clinebell stated that it was the purpose of his book to offer a revised model for pastoral counseling based on "relational, personal, supportive, ego-adaptive, reality-oriented approaches to therapy."¹²

The older works like those of G.H. Gerberding (1847–1927) *The Lutheran Pastor* (1902), and John H.C. Fritz (1874–1953) *Pastoral Theology* (1932), would give way to newer approaches bearing the imprint of the latest psychological theory. Along the way there was the growing assumption that the clinic not the church was the best training ground for ministerial candidates. The middle of the last century would see the emergence of several significant figures in the field of pastoral care among American Lutherans.

Three of these men would shape the contours of pastoral theology in their respective Lutheran synods and beyond by their advocacy for clinical pastoral education: Frederic Norstad, Granger Westberg, and Edward Mahnke.

Frederic Norstad had been trained at City Hospital in Boston and Massachusetts Memorial Hospital under supervisors shaped by the Institute of Pastoral Care that had its roots in the work of Richard Cabot a collaborator with Anton Boisen. Norstad was a hospital chaplain in the Twin Cities. He began training students in clinical pastoral care in 1949 under the auspices of the Lutheran Welfare Society of Minnesota. A few years later Norstad was called to teach practical theology at Luther Seminary in St. Paul.

Granger Westberg (1913–1999) grew up in the ethos of the Augustana Synod. After two years of parish ministry in Bloomington, Illinois, Westberg became a full time hospital chaplain at Augustana Lutheran Hospital in Chicago. In 1952 he would become chaplain at the University of Chicago Medical Center. This appointment would open the door for Westberg to become a member of the University's Federated Theological Faculty where he would lecture in pastoral care. A few years later, Westberg would accept a joint appointment to the Divinity School and the School of Medicine at the University

¹¹ Howard Clinebell, *Basic Types of Pastoral Counseling* (Nashville: Abingdon Press, 1966), 16–17.

¹² Clinebell, *Basic Types of Pastoral Counseling*, 23.

of Chicago. This appointment deepened Westberg's appreciation for a wholistic approach to medicine and spiritual care and it would result in his 1961 book, *Minister and Doctor Meet*. The next year, 1962, Westberg would write a short book under the title, *Good Grief*, which would become a best-seller, widely used by pastors in their ministry to the grieving. Westberg sees pastoral theology as an inter-disciplinary undertaking that requires interaction and cooperation between physicians, nurses, and clergy.¹³

Working in roughly the same time period as Norstad and Westberg, was the LCMS chaplain, Edward Mahnke. From 1915 to 1945, the Missouri Synod had supplied the chaplain at City Hospital in Saint Louis. In 1945, a certified supervisor from the Council for Clinical Training was installed as a chaplain. The Missouri Synod was eager to keep a chaplain at the hospital. This prompted President Louis J. Sieck of Concordia Seminary to call Mahnke to the faculty to teach pastoral theology. Mahnke received his training under Ernie Bruder and Henry Cassler of the Council for Clinical Training and in time became a supervisor for St. Louis seminarians.

In 1949, the Lutheran Advisory Council on Pastoral Care was formed with participation from the major Lutheran bodies. The purpose of this council was to promote clinical training as a part of theological education. The Lutheran group would join with other associations to form the Association for Clinical Pastoral Education in 1967. A significant aspect of the Lutheran Council in the United States (LCUSA), also established in 1967, would be to provide direction for institutional chaplaincies and support for clinical pastoral education.

Under the impetus of the clinical model for pastoral education, the understanding of pastoral care was changing. William Hulme, a professor of pastoral care at Luther Seminary, wanted to embrace the new without jettisoning the past. Hulme's 1970 book, *Pastoral Care Come of Age*, as well as his 1981 book, *Pastoral Care & Counseling: Using the Unique Resources of the Christian Tradition*, were efforts in this direction. For example, in his 1970 book Hulme observes, "The maturation of pastoral care has placed us also in a better position to utilize the behavioral sciences. We are over the infatuation stage in our fascination with psychological concepts. Infatuation even at the intellectual level is of limited duration—and we have had it. As a profession we have lived

¹³ For more of Westberg, see David Zersen, "Parish Nursing Explores its Lutheran Heritage" *Concordia Historical Institute Quarterly* 95 (Fall 2022), 26–45. Also see, Jane Westberg with Jill Westberg McNamara, *Gentle Rebel: The Life of Granger Westberg, Pioneer in Whole Person Care* (Memphis: Church Health, 2015).

with psychology long enough to be able to use it without wanting to become psychologists. Instead they enlighten us in our understanding of the Word and enhance our potential for communicating it.”¹⁴

At a time when the use of Scripture and prayer in the context of pastoral care was often viewed with suspicion as though “God talk” was a way of avoiding what were deemed to be “real issues” of the human psyche and interpersonal relationships, Hulme recognized that the pastor is a minister of the Word. As such he is commissioned to speak for God using God’s Word and to speak to God in prayer on behalf of those who are suffering. The pastor’s aim is not to be a psychotherapist or a social worker but to use the particular resources of their calling to speak as God’s ambassadors. Rather than giving into the critique, Hulme suggests, “it would be more accurate to twit the psychotherapists for talking like pastors.”¹⁵

Eleven years later in his *Pastoral Care & Counseling: Using the Unique Resources of the Christian Tradition*, Hulme wonders why it is that some clergy seem almost embarrassed to use God language, enter into spiritual conversations with people, or utilize prayer. He regrets that a preoccupation with psychology has led some ministers away from very means of grace that they have been entrusted to use. Hulme resonates with the Menninger Foundation psychologist and author of *The Minister as Diagnostician*, Paul W. Pruyser, who worried “that pastors seem to like psychological language better than theological language.”¹⁶

Hulme was not a singular voice. Thomas Oden, a United Methodist clergyman, would shake the theological world with his turn away from Tillich, Bultmann, and psychoanalysis to embrace the orthodoxy of the early church in his 1979 book, *Agenda for Theology*. Oden would go on to write *Pastoral Theology: Essentials of Ministry*. Published in 1983, this book would break fresh ground as Oden took the broad outline of classical topics in pastoral theology, fleshing it out with citations from the church fathers, the Reformers, and some well-known and not-so-well-known figures from the seventeenth century and beyond. Oden was convinced that a return to the church’s legacy embedded in the writings of those who have gone before was a needed corrective to the one-sidedness of more recent attempts at pastoral theology.¹⁷ Oden

¹⁴ Hulme, *Pastoral Care Come of Age*, 19.

¹⁵ Hulme, *Pastoral Care Come of Age*, 25.

¹⁶ William Hulme, *Pastoral Care & Counseling: Using the Unique Resources of the Christian Tradition* (Minneapolis: Augsburg Publishing House, 1981), 172.

¹⁷ This theme is also taken up by Andrew Purves, *Pastoral Theology in the Classical Tradition* (Louisville: Westminster/John Knox Press, 2001).

would follow up with four additional volumes in a series under the title, *Classical Pastoral Care*.

Another United Methodist, William Willimon, published his book, *Worship as Pastoral Care*, in 1979. Willimon argues that the true locus of pastoral care is not in the clinic but in the church's liturgical life. Willimon is critical of the limitations of the Clinical Pastoral Education model: "To me, the major criticism of Clinical Pastoral Education are that it contributes to the current infatuation with pastoral counseling as the primary task of pastoral care and its practitioners have not done enough careful thinking about the context of its care."¹⁸ The place for ongoing pastoral care is the church gathered around altar and pulpit. Willimon worries that this truth has been lost in contemporary Protestantism.

There were other voices as well. The Presbyterian minister, Eugene Peterson, worried "The pastors of America have metamorphosed into a company of shopkeepers, and the shop they keep are churches. They are preoccupied with shopkeeper's concerns—how to keep the customers happy, how to lure customers away from the competitors down the street, how to package the goods so that the customers will lay out more money."¹⁹ Neglecting the reality of their calling that Peterson sees as Scripture, prayer, and spiritual direction, contemporary pastors have turned to other sources to ensure their professional status. This theme of the "professionalization" of the clergy that makes of them ecclesiastical technicians rather than practitioners of the art of the care of souls is a theme that runs through much of Peterson's prolific literary corpus.

Writing on the state of American Evangelical theology in the late twentieth century, David Wells remarks on the inevitable outcome of those clergy who have hankered after recognition as professionals:

Professionalization, however, is itself a culture and the values by which it operates are not always friendly to pastoral calling and character. For the most part, American clergy have not understood this. They grabbed at professionalism like a drowning man might grab at a life jacket, but having thus been saved, they must now live by its limitations and dictates.²⁰

¹⁸ William Willimon, *Worship as Pastoral Care* (Nashville, Abingdon Press, 1979), 38.

¹⁹ Eugene Peterson, *Working the Angles* (Grand Rapids: Eerdmans, 1987), 1.

²⁰ David Wells, *No Place for Truth or Whatever Happened to Evangelical Theology?* (Grand Rapids: Eerdmans, 1993), 246. Here also see, Richard Lischer's excellent article, "The Called Life: An Essay on the Pastoral Vocation" *Interpretation* (April

In an article, “Whatever Happened to *Seelsorge*?,” Herbert Anderson laments that this rich Lutheran word has been eclipsed if not lost: “The emergence of specialized forms of pastoral care have contributed to the hiddenness of *Seelsorge* in our time. For the last several decades, the theories of pastoral care have been funded intellectually by specialized practices of chaplaincy and pastoral psychotherapy.”²¹ Anderson goes on to note the continuing evolution of the mission statement for the Association of Clinical Pastoral Education:

My question, “Whatever happened to *Seelsorge*?” has been prompted by the recent decision of the Association for Clinical Pastoral Education, Inc., to replace “pastoral care” with “spiritual care” in its mission statement. The final sentence of the ACPE Mission Statement now reads: “We promote the integration of personal history, faith tradition and the behavioral sciences in the practice of spiritual care.” The motivation for this change is at least fivefold: (1) the work of care is done more and more by laypersons for whom the word “pastoral” is too clearly associated with the clerical paradigm; (2) the work of chaplains is now most often paid for by the health care institution; (3) since most of the patients visited by chaplains are not practicing Christians or at least not identified with a Christian community, generic spirituality must be the context for exploring “ultimate meanings and concerns”; (4) spirituality is promoted by health care administrators because people who recognize the transcendent in life and pray recover from disease more quickly; and (5) the religious diversity of chaplains requires a more inclusive metaphor than pastoral care.²²

No wonder that Carl Braaten calls CPE a legacy of American Protestant Liberalism, arguing that “The prevailing theories in contemporary pastoral psychology are not in harmony with our confessional Lutheran understanding of the care of souls.”²³

2005):166–175. Lischer notes that categories of professionalism may leave space for spirituality but not for the Word of God: “Today we find the church cautiously distancing its ministry from the word of God. It does so under the modern pressure of professionalism and the postmodern impulse to pluralism, both of which are offended by spoken affirmations of the gospel of Jesus Christ. As a matter of public policy, the wider culture still wants something like ministry, much in the way it encourages volunteerism and philanthropy, but it thinks it can have it without the word of God. Faith-based initiatives are welcome; preaching is not” (168).

²¹ Herbert Anderson, “Whatever Happened to *Seelsorge*?” *Word & World* XXI:1 (Winter, 2001), 32.

²² Anderson, “Whatever Happened to *Seelsorge*?” 35.

²³ Carl E. Braaten, *Justification: The Article by Which the Church Stands or Falls* (Minneapolis: Fortress Press, 1990), 155.

I would suggest that the trends over the last century critiqued by Oden, Willimon, Peterson, Wells, and Anderson might be of two categories, therapeutic and managerial. In therapeutic models, the goal of pastoral care is often defined in terms of restoration of spiritual health and the repairing of human relationships. In these models, spiritual health or the well-being of the soul is sometimes confused with mental health. Where this happens the pastor, in effect, becomes a therapist.²⁴ In a paper given at a commemoration of the 400th anniversary of the *Formula of Concord* in 1977, Kenneth Korby concluded:

The vocabulary of therapeutic diagnosis has co-opted the language of the spiritual life. Pastors are dislocated and dispirited; most training in pastoral care is done with the vocabulary of the clinic, but it is also with techniques of therapy. Both the vocabulary and techniques have their meaning within the context of the clinic and the crisis. The pastors, located by the Spirit within the church, are by such training, located more as “junior therapists” than as pastors. Pastoral care, located in the context of the church with the Word and sacraments as the means for care, has been dislocated. The clinic, the crisis, the therapeutic groups become surrogates.²⁵

The managerial category might move in a variety of directions. For example, one way would be to see the pastor as a life coach who comes alongside of congregants to help them learn how to cope with life’s problems, effectively developing skills that will lead to a successful marriage, effective parenting, time management, financial stability, and the like. Another form of management-defined pastoral care would be the pastor as CEO where the pastor sees his role as directing the life of a non-profit, volunteer organization defined by efficiency and growth. Here the Church Growth Movement of the late twentieth century comes to

²⁴ Here see John T. Pless, “Your Pastor is Not Your Therapist” in *Pastor Craft: Essays and Sermons by John T. Pless* (Irvine: New Reformation Publications, 2020): 285–309. Also note Richard John Neuhaus’ wry observation: “In light of the cross, Christians proclaim the triumph not of the therapeutic but of the pathetic.” Richard John Neuhaus, *Freedom for Ministry: A Critical Affirmation of the Church and its Mission* (San Francisco: Harper and Row, 1979), 71. Neuhaus has little patience with pastoral fascination with psychology: “If the law revealed by God could not justify, how much less are we justified by the dicta of the modern contrivance that is psychology” (70). Also see Paul C. Vitz, *Psychology as Religion: The Cult of Self-Worship*, 2nd ed. (Grand Rapids: Eerdmans, 1994).

²⁵ Kenneth F. Korby, “Naming and Healing the Disorders of Man: Therapy and Absolution” in *Confession and Congregation: Resources for Parish Life and Work (The Cresset Occasional Paper III)* ed. David G. Truemper (Valparaiso: Valparaiso University Press, 1978), 9.

mind where it was widely suggested that pastors should not think of themselves as “shepherds” but as “ranchers.” Yet another example from managerial realm is the pastor as social activist or community organizer where the clergy are thought to be useful in mobilizing congregations in causes for social justice and liberation.

Up to this point in the paper, my evaluation of contemporary pastoral theology has been fairly dark and negative. Are there are any bright spots? Are there any causes for hope that in these gray and latter days we might see a genuine renewal in confessional Lutheran pastoral theology? I think that there are. Some good work has already been done and we can observe a number of positive impulses.

There has been a renewed interest in Luther’s pastoral work. In 1955, Theodore Tappert translated and edited numerous letters from the Reformer to individuals in situations of loss, crisis, or confusion, publishing them under the title, *Luther’s Letters of Spiritual Counsel*.²⁶

Stephen Pietsch is the author of *Of Good Comfort: Luther’s Letters to the Depressed and their Significance for Pastoral Care Today*. Pietsch, a lecturer in pastoral theology and counseling at the Australian Lutheran College in Adelaide, South Australia, has probed twenty-one of Luther’s letters to people suffering from depression, setting the Reformer into conversation with contemporary theorists, and suggesting ways in which Luther’s insights might serve pastors today.

While Luther’s world is strange to us in many aspects, it is “strangely familiar” to use the language of Pietsch’s first chapter. What in the sixteenth century was called “melancholy” is now given the name “depression.” Luther himself experienced it and he became skilled in diagnosing and addressing it as a theologian who cared for souls. Drawing on the stellar work of Gerhard Ebeling, Pietsch recognizes that Luther’s theology was not segregated from his pastoral care of Christians. Consolation is grounded in God’s justification of the ungodly through faith for the sake of Christ. Pietsch aptly sets Luther’s own pastoral writings in the context of the late medieval tradition of

²⁶ Martin Luther, *Letters of Spiritual Counsel*, ed. Theodore Tappert (Louisville: Westminster/John Knox Press, 1955). My own work, *Martin Luther—Preacher of the Cross: A Study of Luther’s Pastoral Theology* (St. Louis: Concordia Publishing House, 2006) is dependent on this volume as I seek to draw out themes from Luther’s letters and appropriate them for pastoral work today. Robert Kellemen, a Christian counselor active in American Evangelical circles also appropriates Luther in his book, *Counseling Under the Cross: How Martin Luther Applied the Gospel to Daily Life* (Greensboro: New Growth Press, 2017). Also see Rick W. Marrs, *Making Christian Counseling More Christ Centered* (Bloomington, Indiana: WestBow Press, 2019).

spiritual care. He demonstrates how Luther used the “art of the letter” as a means to enter into the sufferings of the depressed, anchoring them in Christ and his sure promises that draw them outside of morbid introspection into the crucified and risen Savior. Here Pietsch carefully examines Luther’s letters to Wittenberg student Jerome Weller and the young Prince Joachim of Anhalt showing how Luther used his evangelical doctrine for consolation while attending to their social situations in offering practical advice. From these and other individual cases, Pietsch demonstrates Luther’s pastoral hermeneutic of the Holy Scriptures as biblical texts are cited to give comfort and direction.

Conversant with the growing body of literature on depression, its causes, and treatments, Pietsch is both appreciative and critical. He engages a wide variety of Christian counseling techniques, sympathetic with the aim to bring Christ to the aid of the distressed but also aware of abuses when the law is not distinguished from the gospel and the path out of depression becomes itself a theology of glory. Noting that “the dominance of clinical and psychological interventions in our culture tends to create pressure for Christian pastoral carers to give up their spiritual means and practices, and bow to the authority of science, as the only significant frame of reference for addressing mental illness.” Rather, Christian pastors should follow Luther and “carefully maintain its own legitimate language and categories for understanding and addressing depressive illness as a *spiritual reality*.”²⁷ Echoing Heiko Oberman, Pietsch recognizes the reality of the devil in Luther’s theology and makes it clear that genuine spiritual care must be cognizant of the devil’s tactics in attacking the conscience and distorting the promises of God in the suffering of God’s children. Observing that the broad category of “spirituality” is invoked even by some secular therapists, Pietsch draws on the work of his faculty colleague, John Kleinig, in suggesting appropriate disciplines of prayer, the reading of the Scriptures, and meditation for those who suffer from depression. These disciplines are not legalistic impositions but instruments rooted in God’s will to refresh his people

²⁷ Stephen Pietsch, *Of Good Comfort: Martin Luther’s Letters to the Depressed and their Significance for Pastoral Care Today* (Adelaide, South Australia: ATF Theology, 2016), 247. Other significant recent studies that have relevance for the study of Luther as a pastoral theologian include Neil R. Leroux, *Martin Luther as Comforter: Writings on Death* (Leiden: Brill, 2007); Ronald K. Rittgers, *The Reformation of Suffering* (Oxford: Oxford University Press, 2012); and Oswald Bayer, “Luther’s Ethics as Pastoral Care” in *Freedom in Response—Lutheran Ethics: Sources and Controversies*, trans. Jeffrey F. Cayzer (Oxford: Oxford University Press, 2007): 119–137 and “Twenty Questions on the Relevance of Luther for Today” *Lutheran Quarterly* 29 (Winter 2015): 439–443.

with joy in a world that often seems gray, devoid of hope, and joyless. In Pietsch's work, we have a robust and carefully-worked-out approach to contemporary pastoral theology using Luther as his main source.

In the last two decades or so, we have witnessed a retrieval of some crucial sources. C.W.F. Walther's (1811–1887) *American-Lutheran Pastoral Theology*²⁸ has been freshly-translated without abridgement giving English-speaking Lutherans access Walther's approach to the life and work of the pastor.

The *American-Lutheran Pastoral Theology* is striking for at least two reasons. First, it is a carefully executed attempt to provide a classical Lutheran pastoral theology drawing on Luther and the orthodox Lutheran fathers. Second, we may not overlook the fact that is also *American*. Walther recognized and addressed the needs of largely immigrant pastors serving in North America. He brings Luther's legacy focused through the lens of Lutheran Orthodoxy to bear on the life and work of pastors serving in villages and cities that were remote from the German homeland with its territorial churches and established ecclesiastical practices.

Walther is sometimes accused of being a citation theologian as he collects citations from the fathers and, in large part, uses them to address cases of pastoral practice. This accusation overlooks the fact that Walther was intimately familiar with his sources and uses them creatively to address contemporary concerns. The criticism also fails to take into account the fact that Walther prepared the *American-Lutheran Pastoral Theology* for clergymen who lacked access to many of the books he references. This accounts for the fact that Walther's book is something of a compendium punctuated by his own observations gleaned from pastoral experience in the new world.

The structure of the *American-Lutheran Pastoral Theology* is systematic and practical. Walther defines pastoral theology as "disposition of the soul" and not merely as a theoretical discipline or science in order to demonstrate that the minister's sufficiency is ultimately from the triune God (see 2 Cor. 2:16; 3:5–6). Standing squarely within the legacy of Luther, Walther provides a succinct put potent commentary

²⁸ See Carl Ferdinand Wilhelm Walther, *American-Lutheran Pastoral Theology*, trans. Christian C. Tiews, ed. David Loy (St. Louis: Concordia Publishing House, 2017). For more on Walther as a pastoral theologian, see Robert C. Schultz, "Pastoral Theology" in *The Lively Function of the Gospel: Essays in Honor of Richard R. Caemmerer*, ed. Robert Bertram (St. Louis: Concordia Publishing House, 1966): 9–22 and Richard H. Warneck, "Walther's Pastoral for Pastoral Ministry Today" *Concordia Historical Quarterly* (Winter 2017):51–56.

on the Reformer's *oratio, meditatio, tentatio*. Walther also demonstrates his indebtedness to Contra Porta's *Pastorale Lutheri*, the first Lutheran pastoral theology. Walther lauds Porta for gathering up material of practical import for the care of souls from Luther's writings. Walther also provides his readers with a survey of pastoral literature produced by Lutherans since the Reformation, especially recommending the writings of Johann Ludwig Hartmann (1640–1684).

Concordia Publishing House also published Wilhelm Loehe's (1808–1872) *The Pastor*. Like Walther, Loehe²⁹ also relies on Luther, Lutheran church fathers, and pastoral writers from the period of Pietism. Loehe treats a variety of topics ranging from the preparation of men for the ministry, advice for those starting out in the office, the pastor's wife and family, the personal conduct of the minister, and thoughts on emeriti in the first half of the book. In the second half, Loehe treats traditional aspects of practical theology: homiletics, catechetics, liturgics, pastoral care, and ministry to the sick.

Loehe sees pastoral care as anchored in a churchly context. Kenneth F. Korby (1924–2006),³⁰ who in many ways was responsible for a revival of interest in Loehe and a persuasive voice for a renewed appreciation for a confessionally-formed and liturgically-responsible approach to pastoral theology in our day, summarizes Loehe's approach:

Three elements are inseparably interwoven in Loehe's conception of pastoral care and its theological ground plan. These elements form, as it were, a triangular field with three points of polarity: the congregation, the Word of God, and the pastor. The Word of God is in the center of the conceptual context for that kind of care which is intramural, as well as for the work that is extramural. The person of the pastor functions in the congregation like a star, leading the congregation to Jesus, the way the star led the wise men to Bethlehem. The chief element, in the sense of being the fountainhead, the wellspring

²⁹ For a comprehensive treatment of Loehe's understanding of pastoral theology, see Kenneth F. Korby, *Theology of Pastoral Care in Wilhem Loehe with Special Attention to the Function of the Liturgy and the Laity* (Fort Wayne: Concordia Theological Seminary Press, n.d); also see Herbert T. Mayer, "Wilhem Loehe" in *Pastoral Care: Its Roots and Renewal* (Atlanta: John Knox Press, 1979): 195–212, and John T. Pless, "Wilhem Loehe as Pastoral Theologian" in *Pastor Craft: Essays and Sermons of John T. Pless* (Irvine: New Reformation Publications, 2020):327–347.

³⁰ For more on Korby and his own approach to pastoral theology, see John T. Pless, "The Contribution of Kenneth Korby to a Renewed Reception of Wilhelm Loehe's Pastoral Theology" 73 (April 2009):99–113.

for wisdom and energy, is the Word of God, by which the pastor renders the service to the congregation.³¹

One of the many interesting points that Loehe makes in his overview of pastoral care is the need for the pastor to have a basic understanding of medical science so that he might recognize the mutual influence of body and soul. Yet Loehe quickly warns the pastor not to exchange the divine Word for scientific rationalism: “The pure rationalism of today’s psychiatry, even if formed scientifically, does not recommend itself any more than any other kind of rationalism to people whose source of knowledge is the divine Word, even for the mental conditions of people.”³² In the care of the sick, Loehe helps the pastor diagnose and address different kinds of temptation (spiritual, physical, mixed) and how to assess demonic activity.

Loehe deals extensively with private confession as the ordinary means of pastoral care.³³ Recalling his own ministerial experience in Neuendettelsau, Loehe writes that he “was not willing to reintroduce private confession with the speed of a storm wind”³⁴ and it took him six years of extolling the blessings of the practice before it could be restored to the life of the congregation. Loehe gives practical advice to confessors regarding how they listen to confession, gently guiding the penitent, and then learning how to be silent and deaf regarding the sins confessed to him: “A confessor has to secure himself and study silence and forgetfulness and learn not only to be silent, but also deaf.”³⁵

Other notable contemporary Lutheran contributions would include the newly-translated volumes of the Swedish bishop, Bo Giertz (1905–1998). Giertz’s *The Hammer of God* has been available in English since 1960. It is really a novel about pastoral care as individual pastors in three historical periods learn how to distinguish the law from the gospel in the school of experience. More recently Bror Erickson has provided English-speaking readers with two volumes that reflect the Bishop’s contribution to the care of souls, *Then Fell the Lord’s Fire*, a collection of

³¹ Korby, *Theology of Pastoral Care in Wilhelm Loehe*, 240.

³² Wilhelm Loehe, *The Pastor*, trans. Wolfe Knappe and Charles Schaum (St. Louis: Concordia Publishing House, 2015), 296.

³³ A helpful study of Loehe on private confession is Martin Wittenberg, “Wilhelm Loehe and Confession: A Contribution to the History of *Seelsorge* and the Office of the Ministry” in *And Every Tongue Confess: Essays in Honor of Norman Nagel on the Occasion of His Sixty-fifth Birthday*, ed. Gerald Krispin and Jon Vieker (Dearborn: Nagel Festschrift Committee, 1990): 113–150.

³⁴ Loehe, *The Pastor*, 309.

³⁵ Loehe, *The Pastor*, 320.

essays on pastoral theology and ordination sermons and his *A Shepherd's Letter* originally written for pastors in his diocese of Gothenburg.

On the American scene, there is the work of Harold Senkbeil. In addition to his service as a teacher of pastoral theology at Concordia Theological Seminary in Fort Wayne, Senkbeil was founder of *Doxology*, a Recognized Service Organization of The Lutheran Church–Missouri Synod that has provided continuing education and spiritual support to hundreds of Lutheran pastors both in North America and abroad. Senkbeil's most recent book, *The Care of Souls: Cultivating a Pastor's Heart* may well become a classic book on the life and work of the pastor.

Fritz's *Pastoral Theology* was showing its age. In 1960, The Lutheran Church–Missouri Synod under the auspices of its General Literature Board published *The Pastor at Work*. This assemblage of essays by various authors sought to “acquaint the reader with the wide scope of the pastor's duties and opportunities in twentieth-century America as well as with some of the ways and means of meeting them.”³⁶ *Pastoral Theology* edited by Nobert Mueller and George Kraus was published in 1990. The editors see the volume as a successor to Walther, Fritz, and *The Pastor at Work*. Like the *The Pastor at Work*, this volume is composed on numerous essays on a variety of pastoral topics. It was not until Richard Warneck's *Pastoral Ministry: Theology & Practice* appeared in 2018 that the LCMS had a full-length pastoral theology since 1932. Similar complete pastoral theologies were produced by the Wisconsin Synod in 1974, *The Shepherd under Christ: A Textbook for Pastoral Theology* by Armin Schuetze and Irwin Habeck, and in 2017, John Schuetze, *Doctor of Souls: The Art of Pastoral Theology*.

In 1968, in an essay entitled “The Crisis of the Christian Ministry,”³⁷ Hermann Sasse (1895–1976) observed that there are crises that are specific to a particular time in the life of the church and then there is a crisis that belongs to the nature of the office and is always present. The crisis that belongs to the nature of the office has to do with the sufficiency of God's Word to do what He has promised. We have examined some of the crises of the ministry that have been present in the twentieth century and still challenge us over two decades deep into the twenty-first century. Where do we go from here? I would suggest three key themes that should inform confessional Lutheran theology today.

³⁶ William Eifert, “Preface” to *The Pastor at Work*, (St. Louis: Concordia Publishing House, 1960), vi.

³⁷ See Hermann Sasse, “The Crisis of the Christian Ministry” in *The Lonely Way*, Vol. II, ed. Matthew C. Harrison (St. Louis: Concordia Publishing House, 2001): 355–372.

First, the recognition that pastoral theology has to do not simply with the acquisition of skills and techniques, but with the formation of a *habitus* marked by Luther's *oratio, meditatio, tentatio*.³⁸ Pastors are called and ordained not as clinicians or administrators but shepherds, who tend to God's flock as they themselves are shaped by prayer that flows from the Word of God, meditation on the Holy Scriptures, and the endurance of spiritual attack. In our day (especially post-pandemic) when we hear so much about pastoral "burn out" with men leading the ministry in frustration, cynicism, and despair, Luther's triad serves to frame the pastor's life and work, anchoring him in the sure and certain promises of God as he engages a calling that by human standards is impossible.³⁹

Second, Lutheran pastoral theology is built on the truth of the doctrine of God's justification of the ungodly by grace through faith alone for the sake of Christ. Far from being an empty slogan, the doctrine of justification by faith alone is essential for pastoral theology as it addresses the one to whom pastoral care is directed, the human being, the sinner and the One who is the ultimate source and donor of such care, God the justifier of the ungodly. Recall Luther's words in his 1532 lectures on Psalm 51: "The proper subject of theology is man guilty of sin and condemned, and God the Justifier and Savior of man, the sinner. Whatever is asked or discussed in theology outside this subject, is error and poison."⁴⁰

The doctrine of justification necessitates the right distinction of God's law from His gospel. God's Law is good and right. It provides order in creation and instructs us in God's design for human life in the world but it lacks the power to provide the renovation that it demands, only the gospel of Christ crucified and risen can bring righteousness before God and consolation to the terrified conscience. Where law and gospel are not distinguished but mixed and muddled together, human beings are either addicted to hubris or driven into despair.

Especially in a time of moral disintegration such as our own, it is perhaps tempting to place too much confidence in the law and for the pastor to rely on the law rather than the gospel in pastoral care. The other error would be making the gospel a mere affirmation of the sinner

³⁸ For more on the *oratio, meditatio, tentatio*, see Oswald Bayer, *Theology the Lutheran Way*, ed. Jeffrey G. Silcock and Mark C. Mattes (Grand Rapids, 2007), 33–82; as well as Bayer's "Theology as Askesis" *Logia* 27 (Holy Trinity, 2018):33–40.

³⁹ For more on this point, see John T. Pless, "Luther's *oratio, meditatio, tentatio* as the Shape of Pastoral Care for Pastors" in *Pastor Craft*, 248–262.

⁴⁰ AE 12:311.

rather than an absolution that forgives sin and strengthens the broken sinner for a new life of ongoing death and resurrection. C. FitzSimons Allison addresses both:

The biblical content of compassion for sinner has been reduced, as we have seen, to mixture of tolerance, acceptance, permissiveness, and privatization of morals. The temptation besetting contemporary pastors, facing the disintegration of morality in culture, is to revert to “conservatism.” Any legitimate recovery of the functions of the law in society and in the church, however, must follow the wisdom of biblical and confessional guidelines that are deeper realities than the historical pendulum swings of “liberal” and “conservative.”⁴¹

A confessional Lutheran pastoral theology will go neither in the direction of tolerance and permissiveness nor in the way of the misguided notion that a more persistent use of God’s law will create righteousness. Morality is a good thing but it is not the gospel which alone is the power of God unto salvation (Rom. 1:16–17). The task of pastoral theologians is not to advocate for a self that lives without limitations in this fallen world demanding an entitlement of rights. Nor is he to become the trainer for warriors in the ever-changing culture wars. Luther famously said that “the cross alone is our theology;”⁴² this must also be true for pastoral theology.

Third, Lutheran pastoral theology is centered in the means of grace. All pastoral care flows from the font, the pulpit, and the altar and leads back there. The Preface to the *Lutheran Service Book Agenda* states:

The liturgy itself is the primary place of pastoral care as week after week Christians are called together in the name of the triune God to receive His gifts in sermon and Sacrament and are enlivened to live in Christ by faith and in love toward the neighbor. All pastoral care radiates from the preaching of the gospel and the administration of the Sacraments and ultimately culminates in the reception of the Lord’s gifts proclaimed and distributed in the liturgy. Just as the planets are in orbit around the sun, so the rites of pastoral care revolve around the Divine Service, reflecting the light of Christ’s gifts on our living and dying, hallowing grief and pain with His

⁴¹ C. FitzSimmons Allison, “Pastoral Care in Light of Justification by Faith Alone” in *By Faith Alone: Essays on Justification in Honor of Gerhard O. Forde*, ed. Joseph A. Burgess and Marc Kolden (Grand Rapids: Eerdmans, 2004), 311.

⁴² WA 5.176.32.

promises... The liturgy extends itself into the hospital room and the cemetery, to the home and the prison cell, and to all the places where the pastor goes as the “bodily voice” of the Good Shepherd (AE 36:340).⁴³

The context of pastoral care is “in this Christian church” where the Holy Spirit “daily and richly forgives all my sins and the sins of all believers” (*Small Catechism*). One of the promising signs in contemporary pastoral theology is the recovery of private or individual confession and absolution. While it is true that God gives His absolution, that is, the forgiveness of sins, in more than one way, the great treasure of individual absolution is to be found in the reality that the penitent hears Christ’s words of forgiveness spoken directly to him or herself. These words are unmistakably “for you.”⁴⁴

⁴³ The Lutheran Church–Missouri Synod, *Pastoral Care Companion* (St. Louis: Concordia Publishing House, 2007), viii. On the liturgical nature of pastoral care, see John T. Pless. “Healing Through the Liturgy: The Rites of Pastoral Care” in *Christ’s Gifts for Healing the Soul: Toward a Lutheran Identity in the New Millennium*, ed. Daniel Zager (Fort Wayne: Concordia Theological Seminary Press, 2001):39–49.

⁴⁴ For more on confession and absolution, see John T. Pless, “Law and Gospel in Confession and Absolution” in *Pastor Craft*, 299–326; and John T. Pless, “Confession and Absolution” *Lutheran Quarterly* 30 (2016):28–42 and Gerhard Forde, “Absolution: Systematic Considerations” in *The Preached God: Proclamation in Word and Sacrament*, ed. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2007): 152–162. Forde underscores the way that contemporary theologies attempt to be “pastoral” by undercutting the need for or practice of absolution: “Pastoral practice is then predominately therapy, not absolution. The absolute has been dissolved and sin explained away. If you still labor under the illusion that you are a sinner, what you need is therapy, counseling, a new self-image, a new sense of self-worth; but not absolution. Thus the people wander like sheep without a shepherd” (157). Also see Forde’s essay, “The Irrelevance of the Modern World for Luther,” where he notes “Luther would find the modern world irrelevant right way because it no longer makes a distinction between human judgment and God’s judgment. What is important is strictly human judgment—what others think of us, or what we think of ourselves, what we call self-esteem, Robert Schuller says, is the ‘new Reformation.’ Feeling good about ourselves is the goal of life. Therapy, not theology, is the way to go. ‘St.’ Sigmund (Freud) is the real patron saint of the modern age. It seems nobody worries about God much anymore. God, if anyone thinks about him (her?) any more, is just love, love, love. God is a patsy. And just drops out of the picture for most folks. What is important is not get right with God, as they used to say in the old days, but to get right with ourselves. What is important is not to live the godly life, but to learn how to affirm one another in our chosen lifestyles. Whatever happened to God? Does anyone believe in God anymore, i.e., that God is living and he is not only love, but above all a judge? Does anyone believe that the ultimate question for our lives is not human judgment but God’s judgment?” Gerhard Forde, “The Irrelevance of the Modern World for Luther” in *A More Radical Gospel: Essays on Eschatology, Authority,*

In an age marked by pluralism and a disdain for the particular and given to a fixation with the self and individual freedom, Lutheran pastoral theology that is faithful to its name will let the words of Luther in the *Large Catechism* govern and guide the work of caring for souls:

Therefore everything in this Christian community is so ordered that everyone may daily obtain full forgiveness of sins through the Word and signs appointed to comfort and encourage our consciences as long as we live on earth. Although we have sin, the Holy Spirit sees to it that it does not harm us because we are part of this Christian community. Here there is full forgiveness of sins, both in that God forgives us and that we forgive, bear with, and aid one another.⁴⁵

The litmus test of this pastoral theology is that it gives all glory to Christ as the only Savior and full consolation to broken sinners. Lutheran theology offers a realism regarding human sin and God's grace in Christ Jesus to navigate the messiness that so often is present in the lives of the people in the congregations we serve, not reliant on programs or techniques but the Lord who has promised that His gospel will endure and accomplish the purpose for which He sent it. [LSQ](#)

Atonement, and Ecumenism, ed. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2004), 76.

⁴⁵ LC II:55, K-W, 438.

Our Returning King's Expectations

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LSQ Vol. 63, No. 1 (March 2023)

Last Judgment Sunday (2nd Sun. of End Time), November 10, 2019

Text: *While they were listening to this, he went on to tell them a parable, because he was near Jerusalem and the people thought that the kingdom of God was going to appear at once. He said: "A man of noble birth went to a distant country to have himself appointed king and then to return. So he called ten of his servants and gave them ten minas. 'Put this money to work,' he said, 'until I come back.' But his subjects hated him and sent a delegation after him to say, 'We don't want this man to be our king.' He was made king, however, and returned home. Then he sent for the servants to whom he had given the money, in order to find out what they had gained with it. The first one came and said, 'Sir, your mina has earned ten more.' 'Well done, my good servant!' his master replied. 'Because you have been trustworthy in a very small matter, take charge of ten cities.' The second came and said, 'Sir, your mina has earned five more.' His master answered, 'You take charge of five cities.' Then another servant came and said, 'Sir, here is your mina; I have kept it laid away in a piece of cloth. I was afraid of you, because you are a hard man. You take out what you did not put in and reap what you did not sow.' His master replied, 'I will judge you by your own words, you wicked servant! You knew, did you, that I am a hard man, taking out what I did not put in, and reaping what I did not sow? Why then didn't you put my money on deposit, so that when I came back, I could have collected it with interest?' Then he said to those standing by, 'Take his mina away from him and give it to the one who has ten minas.' 'Sir,' they said, 'he already has ten!' He replied,*

I tell you that to everyone who has, more will be given, but as for the one who has nothing, even what they have will be taken away. But those enemies of mine who did not want me to be king over them—bring them here and kill them in front of me.” (Luke 19:11–27 NIV)

THE WORLD ENDED ON OCTOBER 13, 2019. NOT this world, though. It was the world of Fortnite. In case you hadn't heard about it before, Fortnite is an online video game containing a virtual island that players can run around in. But a few weeks back, the makers of the game announced that The End was coming. Signs were present everywhere. Bright cracks in the game's skyline started appearing. And then, on October 13, while thousands of people were playing the game—and six million more were watching the livestream!—rockets fired, a giant meteor hit the island, and then everything—absolutely everything, including the characters of the players—got sucked into a giant black hole.

The world of Fortnite ended! People were distraught! Kids went into full meltdown mode—and so did their parents! They were told that “The End” was coming—but it wasn't what they expected!

Our world is still here; but we know that the end is coming. Our Lord Jesus has ascended to heaven to claim His kingdom and He will return in glory to judge the quick and the dead. Yet a lot of people go on in life thinking that tomorrow is always going to be there, and sure, the end is coming—but it's not coming today, right? When the end finally comes, for many it's not going to be what they expected.

And yet, if you were listening to the words of Jesus here in Luke 19, He's telling us exactly what to expect. In the parable of the ten minas, Jesus leaves us His own list of expectations—not only for what will happen on that day, but what His will for us is between now and then. Today we get to review **our returning King's expectations**—for us, His servants, and for the gospel, His treasure.

1. His expectations for us, His servants.

As they got closer and closer to Jerusalem, Jesus' disciples had their own expectations about what was going to happen. They expected that, when Jesus got to Jerusalem, He would be immediately crowned Messiah and King. Life would be heaven on earth. God's people would live in peace and safety forever. But their expectations were a fantasy. When Jesus got to Jerusalem, they would find humiliation instead of

glory—a cross instead of a throne, a crown of thorns instead of a crown of gold.

So, Jesus wanted to redirect their expectations with a few of His own. He told them a parable about a nobleman who traveled to a distant country to receive his kingdom and returned home. But before the nobleman left, Jesus said, “He called ten of his servants and gave them ten minas” (v. 13). A mina was basically a bar of silver worth about three months wages. And the man who would be king expected each of his ten servants to put their mina to work, to “conduct business” with it (v. 13). He expected them to invest his money for them—to buy assets that would give him a return on the investment. And he expected them to keep doing this over and over with his mina until he returned.

As our returning King, Jesus has similar expectations for us, His servants. After His death and resurrection, Jesus ascended to heaven to be crowned king of heaven and earth. But before He left, He entrusted us with the treasure of the gospel. He expects that we will put that gospel-treasure to work—making “disciples of all nations” (Mt 28:19-20), and at the same time putting the gospel to work in our own lives! And it’s not just a one-time investment. Christ expects us, His servants, to keep putting that gospel treasure to work until He returns in glory.

Yet not everyone will meet our returning King’s expectations. The king’s subjects who hated him and didn’t want him as their king represent everybody in the world who rejects Jesus as the ruler of their lives. Their ending’s not a happy one. But there was also the servant who defied his king’s expectations, laying away his master’s mina in a handkerchief. He thought the king was too demanding, saying, “You ... reap what you did not sow” (v. 21). In other words, his attitude was, “I take all the risks, and you get all the reward.” He didn’t invest the mina because there was nothing in it for him. The sad part is he wound up gaining nothing—and losing everything. His treasure was taken away.

That makes us stop and think, doesn’t it? Christ our King has entrusted each of us with the gospel. And yet how many times have I not lived up to my King’s expectations? Let’s face it, putting the gospel to work involves risk. What if I get rejected for telling someone about Jesus? What if people at work find out I’m a Christian? What if my friends start to think I’m some kind of Jesus-freak? When it comes to investing that gospel treasure, how many times have we been like that servant and said, “There’s nothing in it for me”? How many times have we laid away the treasure of the gospel and refused to put it to work?

When the last day comes, we deserve to be lumped in with the rest of the world that hates Jesus and sucked into the black hole of His wrath!

But we don't get what we deserve. Look at those servants in the parable. They were slaves, really. None of them *deserved* to be a wealth manager. And yet the master graciously chose each of those ten slaves and entrusted them with the exact same treasure, regardless of their talents and abilities. In the same way Jesus takes us and makes us stewards of the gospel—even though we don't deserve it. Because Christ our King has already met all our divine expectations at the cross. At the cross, Jesus became the wicked servant in our place. At the cross, God the Father took the treasure of His love away from His own Son—and gave it to us. Through the power of the gospel, He made us His own, granting us an equal share of His love in Christ. And the fact that Christ our King entrusts sinners like us with His treasure? It's a mark of His grace!

2. His expectations for the gospel, His treasure.

Because Jesus knows the power that His gospel-treasure has. Our returning King's expectations for us, His servants, are wrapped up in His expectations for the gospel, His treasure.

When the king in Jesus' parable returned, He was excited to learn what His servants had gained doing business with his minas. He had the full expectation that the minas he had entrusted to his servants would grow and profit. And the burden for that growth was never on the servant! As each servant came forward, he said, "*Your mina* has earned ten more... *Your mina* has earned five more." They might have picked the investment, but the mina did all the work. The king's wealth even bore fruit during a time when people didn't want him as their ruler!

The climate wasn't much better for Jesus than for his fictional king. As Jesus spoke those words, there were many in the world who hated Him. They perceived His message of faith and forgiveness as a threat. You'd think the gospel would have no success at all in such a hostile climate.

Sounds familiar, doesn't it? A lot like our current spiritual climate? After all, who wants to hear that they're a sinner in need of a Savior? Who wants to hear that all the good they're doing isn't going to be enough to earn heaven? Who wants to hear that there's only one way to be saved—one person you can trust to save you from what your sins deserve? Maybe that's why we grow bitter to the idea of investing the

treasure of the gospel. Maybe we've tried it in the past—and it seemed like nothing happened. And then *we* paid the price for trying.

And yet, even in our current religious climate, Jesus fully expects that the gospel, His great treasure, will bear fruit by the time He returns. And that's the expectation of glory Jesus wants us to cling to—not now, not in this life, but the glory that will be revealed at the last day. When it comes to sharing the gospel, it's not always going to be easy. When we risk sharing the gospel with people, sometimes we're not going to see a return on that investment right away.

Yet when we invest the gospel, it will grow! When we invest that gospel message in our own lives, with worship and the study of God's Word, it will grow. When we spend that gospel treasure on our kids and grandkids, it will grow. Even in our walk together as a congregation, as long as we use the gospel, it will grow! God's Word will not return to Him empty, but will accomplish what He desires and achieve the purpose for which He sends it (Isaiah 55:11). We may not see the results today or tomorrow—or ever in this life. But the accounting will come at the last day.

And that's why we can look forward to The End. We know what to expect. We're not getting sucked into a big black hole! We are receiving a reward beyond all comprehension! On that day we expect to stand before our King, confident that He judges us by His righteousness and not our own. On that day we expect to find that wherever the Gospel has been heard, Christ has caused it to bear fruit. And on that day, we expect to hear those precious words of grace from our Savior and King: "Well done, good servant." Amen. [LSQ](#)

He who Dwells in the Shelter of the Most High: Sermon on Psalm 91:1–4

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LSQ Vol. 63, No. 1 (March 2023)

Prayer: Lord God, heavenly Father, inasmuch as the adversary does continually afflict us, and as a roaring lion walks about, seeking to devour us: We beseech you for the sake of the suffering and death of your Son, Jesus Christ, to help us by the grace of the Holy Spirit, and to strengthen our hearts by your Word, that our enemy may not prevail over us, but that we may evermore abide in your grace, and be preserved unto everlasting life; through the same, your beloved Son, Jesus Christ, our Lord, who lives and reigns with you and the Holy Spirit, one God, now and forever. Amen.

Text: *He who dwells in the shelter of the Most High will abide in the shadow of the Almighty. I will say to the LORD, "My refuge and my fortress, my God, in whom I trust." For he will deliver you from the snare of the fowler and from the deadly pestilence. He will cover you with his pinions, and under his wings you will find refuge; his faithfulness is a shield and buckler (Psalm 91:1–4, ESV).*

IN 1973, WILLIAM PETER BLATTY'S BEST-SELLING novel finally debuted as a feature film. Americans waited in lines for hours just to see it. Many of those who saw it had visceral reactions. Some fainted in terror. Others fled the theater in fright. The film was none other than the *Exorcist*. It struck a cord because it challenged modern myths about there being no supernatural. It confronted an increasingly materialistic culture with the existence of real evil. More

importantly, Blatty (a devout Roman Catholic) reminds us that God will ultimately triumph over evil. This is the theme of our text for today: He who dwells in the shelter of the Most High will abide in the shadow of the Almighty.

In the Sacred Scriptures, there are a number of examples of demonic attack. Such incidents were quite prevalent during the life of Christ. Jesus not only cast seven demons out of Mary Magdalene, he drove an entire legion out of another man (Luke 8:2; Mark 5:1–20). But as scary as demonic possession is, it's not the primary way that the devil attacks us. The devil is a cunning adversary. He knows that the most effective attacks are the ones we don't even realize are separating us from God. The Psalmist clues us into his trickery when he speaks about the fowler's snares and pestilences, that is, the devil's bird traps and plagues.

Some of these snares are more obvious, albeit they entice us nevertheless. The *Large Catechism* reminds us that the young are most often snared by the sins of the flesh. Sloth, carnal pleasure, and insolence immediately come to mind. Whereas the mature are typically snared by the sins of the world (LC III, 107). Here money, power, and reputation remain chief.

The pestilences mentioned by our text can be literal or metaphorical. The devil used the literal pestilence of COVID-19 to bring out the very worst in us. Remember how we selfishly used delivery workers at times to shield ourselves from the disease? How we turned on one another the moment one of us coughed in a room? Or how we let COVID become an excuse for neglecting the sacraments and neglecting those who needed us most?

But devil's attacks are even subtler than these. Jesus's own temptation shows how the devil tries to twist our faith in God's Word and his angels' protection. Too often, he's got us convinced we can dally with unrepentance because God's angels will never let us fall. Too often, he's even got us convinced that we can wield God's Word against the devil without ever having internalized it. You see, once we start treating God's Word and his angels like talismans and magic genies, the devil has hold us without ever having to usher us out the church doors.

Now Psalm 91 appears to have a liturgical function in ancient Israel. It's a litany for creating trust in God's protection. Not only that, it empowers the believer to wield God's Word (i.e., Jesus Christ in verbal form) against the devil, flanked by God and a host of his holy angels. The first speaker of the Psalm calls faith forth from the second on the basis of this promise: "He who dwells in the shelter of the Most High

will abide in the shadow of the Almighty.” The second speaker then responds in faith, “I will say to the LORD, ‘My refuge and my fortress, my God, in whom I trust.’” The first speaker finally lists a number of reasons why we can have confidence in the devil-crushing work of our Lord Jesus Christ.

Three times, the devil tried to snare Christ at his temptation. Three times, Christ wielded God’s Word against him. Our starving Christ wouldn’t trade God’s Word for the devil’s bread. He wouldn’t tempt God by jumping off the temple to see if the angels would save him. He wouldn’t even bow before the devil to avoid the brutality of crucifixion. Not only that, Christ went on to beat the devil at his own game. Just when the devil thought he had won, the Son of Righteousness rose with healing in his winds and turned the tables on him (Mal 4:2). When the devil thought he had the seed of the woman snared on the cross, Christ broke the snare of death and crushed the old fowler’s head (Gen 3:15). This is how Christ deliver[ed] you from the snare of the fowler and from the deadly pestilence. This is why there is salvation and protection under his [healing] wings.

Clearly, we have every reason to trust in God’s protection. The myriad of metaphors the Psalmist uses shows just how secure his protection is. He is our shelter and shadow, our refuge and fortress, our mother bird, shield, and bulwark. Even his ancient names “Elyon” (עֶלְיוֹן) and “Shaddai” (שַׁדַּי), translated here as “Most High” and “Almighty,” reveal that his protection is in a league of its own.

Now this doesn’t mean that he won’t send crosses our way to refine our faith. It also doesn’t mean we can’t jump out of his protecting hand via persistent unrepentance. No, it means that *he who dwells and abides with God* can never be snatched from his hand. *He who dwells and abides with God* will never endure anything that isn’t for their eternal good.

But how do we dwell and abide with God? We dwell and abide with him by daily repentance and faith. When we daily repent of our sin and receive holy absolution, sin has no place to linger in our hearts and to choke off our faith. We also dwell and abide with him when we make the promises spelled out in the rest of this protection litany our own. Psalm 119 provides us a threefold strategy for doing exactly that. First, we *pray* (*oratio*) God to reveal to us the meaning of a given portion of Scripture. Second, we *meditate* (*mediatio*) upon that Scripture so that it permeates through our hearts and our minds. Finally, as we put that Scripture into practice in our lives, *it transforms us within the crosses* (*tentatio*) we bear in this life (Luther, *LW*, 34:285–88). When we

are so clothed with the full armor God, we are ready for spiritual battle, flanked by God and a host of his holy angels.

In 2010, M. Night Shyamalan made a movie about the devil tormenting a number of people in an elevator. Just when you think the devil will win, the main character confesses his sin and is ultimately forgiven. The film rather insightfully concludes with a young man telling how his mother used to comfort him: “Don’t worry,’ she’d say. ‘If the devil is real, then God must be real too.” You see, the materialistic world of the big bang can’t really account for good and evil, it can only truly speak of order and disorder. This is because good and evil are actually religious categories. Whenever someone claims something is good or evil, they are *de facto* pointing to the existence of an invisible reality that undergirds our entire visible reality. Fortunately for us that ultimate good is none other than the Triune God. He stands against all that goes bump in the night. And more importantly, he stands for us. He who dwells in the shelter of the Most High will abide in the shadow of the Almighty. This is why we can confidently pray, “Deliver us from evil.” Amen. [LSQ](#)

Book Reviews

LSQ Vol. 63, No. 1 (March 2023)

Book Review: The Gates of Hell: An Untold Story of Faith and Perseverance in the Early Soviet Union

Matthew Heise. *The Gates of Hell: An Untold Story of Faith and Perseverance in the Early Soviet Union*. Bellingham: Lexham Press, 2022. 496 pages. Price: \$29.99.

In *The Gates of Hell*, Matthew Heise recounts the bravery and suffering of Lutherans in the Soviet Union during the period between the two great world wars. The question that many Americans may ask is how Lutheranism came to the Russian Empire, one of the most Eastern Orthodox places on the face of the earth. Vladimir the Great had the Russian people baptized into the Orthodox faith already in 988. Russia was so Orthodox that many

considered Moscow to be the third Rome.

In the sixteenth century the Russian Czar Ivan the Terrible invited skilled craftsmen into his country. Among them were Lutherans from Denmark, Germany, and other Lutheran lands who settled in many Russian towns and cities. The first Lutheran church in Russia, St. Michael's of Moscow, was built in 1576 (p. 9). This was many years before Lutheranism was established in North America. As Russia conquered the Baltic States and Finland, large numbers of Lutherans were added to the Empire.

Later Russian leaders encouraged German farmers to settle in the Black Sea and Volga regions, many of which would eventually settle in the American Midwest. The best known of these leaders was Catherine the Great who presented a manifesto in 1763, inviting Germans to settle in the lands of the Volga valley (p. 10). The First World War caused

the Romanovs to doubt the loyalty of Germans in Russia, as was the case in America, which led to the persecution of Lutherans and their pastors. However, there were still 3,674,000 Lutherans in Russia proper in 1917 (p. 11).

With the advent of Russian Revolution and Communism, the author indicates that there were some positives, like the use of the Russian language in the divine service. During Romanov times, Lutherans were required to worship in their ethnic language and until 1905 it was a criminal offense to accept as converts to Lutheranism ethnic Russians, who all were Orthodox. Still the negatives far outweighed the positives. The Bolshevik Revolution eventually led to bans on Christian literature. All land and property of the church was nationalized. Congregations lost their legal status and had all their property confiscated (p. 13). Churches became gymnasiums, swimming pools, museums, and other civic buildings. This loss of property caused a major financial strain and made it very difficult for congregations to function and support the clergy. There was a general lack of pastors, and the pastors that were serving were often imprisoned or sent to Siberia (p. 67). This persecution of the church reached its climax during the Stalinist era when all Lutheran congregations in Russia were forcibly closed by 1939.

An interesting case in point was Sts. Peter and Paul Lutheran Church in Moscow. At the beginning of the First World War, the congregation numbered 20,000 parishioners, with 300 baptisms, 225 confirmations,

200 marriages, and 350 burials each year. By 1926, it was reduced to 100 baptisms, 75 confirmations, 80 marriages, and 85 burials a year. In addition, there was only one pastor to serve the congregation (p. 87). At this time there were about a million Lutherans left in the Soviet Union (p. 67).

Heise points out the invaluable support of the Lutheran church bodies in America during this difficult time. They provided financial assistance, Christian literature, and other resources. The primary American benefactor was Dr. John Morehead, the Executive Secretary of the National Lutheran Council (NLC) and first president of the Lutheran World Convention. The name of another individual who offered encouragement and aid to the suffering Lutherans in the Soviet Union is very familiar to the members of the Evangelical Lutheran Synod. This individual was Lauritz Larsen, who was the secretary of the NLC. He was the son of Peter Laurentius Larsen, the long-time president of Luther College in Decorah, Iowa (p. 24).

The author notes that there was animosity in the NLC toward the Missouri Synod because it attempted to help the Russian Lutherans outside the structure of the NLC (p. 84). What the author fails to mention is the fellowship issues involved. The Missouri Synod and the Synodical Conference were not a part of the NLC, nor were they in fellowship with the Lutheran church bodies which belonged to the NLC. The member churches of the Synodical

Conference provided assistance for Lutherans in Eastern Europe through their own structures.

In the dark days of Communist persecution, the light of the Christian faith still shone forth. Heise records the history of many Lutheran laypeople and pastors who gave their life for their faith in the Savior. They were great Christian martyrs who followed in the footsteps of St. Stephen, the first Christian martyr. They faced bloody deaths, languished in gruesome prisons, and endured the frozen gulags. While churches were closed and pastors imprisoned, Lutherans kept their faith aglow in their home through the life-giving Word of the Lord. Heise gives the example of the German Lutherans along the Volga. On Christmas Eve, the churches were dark and locked but, in the homes, the traditional Christmas carols like "*Vom Himmel hoch*," "*O du fröhliche*," "*Stille Nacht*," and "*Ihr Kinderlein kommet*," were sung by all. The Christ Child rightly took the place of Santa Claus in their tradition. There was even a Christmas tree decorated with *Pfeffernuss* cookies, bon bons, and apples. However, the center of all was the Christ Child present in the Word (p. 222–223).

In *The Gates of Hell*, Matthew Heise outlines the origins of many of the Lutheran groups who made their home on the Russian frontiers and suffered their ultimate demise during Communism. A fascinating account is the beginnings of Lutheranism in the Transcaucasian region. The church initially consisted of Germans from Württemberg

who were mild Pietists. They were followers of Johann Bengel who was a Greek scholar and a biblical exegete. While his *Gnomon*, an exegesis of the New Testament, was used by many orthodox Lutherans, he had some millennial tendencies. Believing that the end of the world was at hand, following Bengel's calculations, these Lutherans concluded that they should flee to the mountains, as stated in Matthew 24:16. They decided that their home should be near Mount Ararat. Czar Alexander I sympathized with these Lutherans and gave them the right to settle in the Transcaucasian area. These Lutherans found a kindred spirit in the czar whose mother, Maria Feodorovna, was a native of Württemberg (p. 111).

The years from 1939 to the fall of the Soviet Union in 1991 were difficult for Christians in Russia. However, during Gorbachev's *glasnost* in the late 1980s, there was an opening for Christians. Lutherans cautiously began revitalizing old congregations. Slowly synodical and regional bodies were organized (p. 386–393). Two church bodies which are members of the Confessional Evangelical Lutheran Conference had their origin during this time. These bodies are the Ukrainian Lutheran Church and the Concord Evangelical Lutheran Church-Russia.

This book gives clear evidence of the power of the Word of God. One of the greatest forces in the world, the Soviet Union, did its utmost to destroy the church. Still the Soviet Union fell in the course of time, but the church remains in Russia today. During those difficult years,

the life-giving Word kept faith in the Savior alive in the underground church. The Word appears insignificant, but it has caused great empires to fall and preserved the faith of the Lord's own. It is indeed the power of God unto salvation.

Also one finds a moving example for the suffering church in this book. The church in America is facing a less than conducive climate from the outside and tensions and extremes from within. One may wonder what things will be like a hundred years from now. Will faith still be found in America? This history clearly points out that the Lord is in control even when all appears lost. He can turn what appears to be the destruction of the church into a renewal. The Word of the Lord is all-powerful and the gates of hell will not prevail against His church.

Heise's book is well written and has many valuable illustrations. However, a number of maps showing the various locations in Russia discussed in the book would have been helpful. Matthew Heise has produced a superb account of the church in Russia during the two world wars. This book is an excellent contribution to the study of Russian church history. *The Gates of Hell* is a wonderful testimony to the enduring power of God's Word and to the preservation of the church of Christ in every age. This is a beneficial read for confessional Lutherans and conservative Christians. The book would be an excellent addition to any church library.

– Gaylin R. Schmeling

Book Review: The English District Saga: A Niche in the History of the Evangelical Lutheran Church in North America

David P. Stechholz. *The English District Saga: A Niche in the History of the Evangelical Lutheran Church in North America*. N.p.: Angels' Portion Books, 2021. 395 pages. Price: \$29.99

The former Bishop and President of the English District of the Lutheran Church–Missouri Synod (LCMS), the Reverend Dr. David P. Stechholz provides a thorough history of the English District with many interesting sidelights. The particular niche of the English District in American Lutheranism is clearly evident in the book. The English District is one of the two non-geographic districts of the LCMS, the other being the Synod of Evangelical Lutheran Churches (SELC), the Slovak Synod. Like the SELC, the English District was at one time an independent Lutheran synod in North America.

The beginning of the English District is unique and different from the rest of the LCMS. Its origins are to be found in the Tennessee Synod and the Holston Synod which was connected to the Tennessee Synod, where the Henkel family played an predominate role. It was one the most confessional Lutheran bodies in the East. The Henkels were confessional Lutherans from Saxony, who in this country among other things established the Henkel Press in New

Market, Virginia, where the first *Book of Concord* was published in English (p. 32).

After the Civil War as the Tennessee Synod was influenced by the winds of liberalism, the more conservative men looked to the Missouri Synod as a potential home. In August of 1872, representatives of the Missouri Synod met with pastors and congregations of the Tennessee Synod and the Holston Synod at Zion Lutheran Church in Gravelton, Missouri. Dr. Walther was a representative of the Missouri Synod and Professor F. A. Schmidt of the Norwegian Synod was present as a representative of the Synodical Conference. One of the representatives of the Tennessee Synod was the Rev. Polycarp Henkel, the grandson of the Rev. Paul Henkel, one of the founders of the Tennessee Synod. Dr. Walther presented sixteen theses that expressed the confession of the Missouri Synod (pp. 41–43). This conference indicated that there was doctrinal agreement among the participants. In 1888, the English Conference of the Tennessee Synod in Missouri was officially organized as a separate synod, which in 1891 was named the English Evangelical Lutheran Synod of Missouri and other states (p. 12). The new church body was in fellowship with the Missouri Synod but did not merge with it because of the language barrier. The Missouri Synod wanted to preserve the use of German in its congregations, fearing that the English language would endanger doctrinal integrity (p. 68), while the new English Synod used mainly

English. Finally in 1911, the English Synod merged with the Missouri Synod as a non-geographic district.

The English District was a great benefit to the Missouri Synod as the need for English language material became more evident. The first English language hymnal of the Missouri Synod was a gift from the English District. *The Lutheran Witness*, the official publication of the Missouri Synod, also was a production of the English District (p. 53). The district produced a variety of English Bible material for the ever-growing English-speaking membership of the synod. The district pioneered in evangelism and missions among the non-German speaking population of the nation. The district has a profound interest in liturgical renewal. As is evident, the synod owed a great deal to the English District.

With the benefits received from the English District, there were also negatives. The district was always extremely progressive. Slowly it led the LCMS in a more liberal direction in terms of theology and pastoral practice (p. 103). Already in the late 1930s and 1940s, the willingness of the LCMS to have doctrinal discussions with the United Lutheran Church in America and the American Lutheran Church caused tensions in the Synodical Conference. The author notes, “That was something abhorrent to the Wisconsin Evangelical Lutheran Synod (WELS) and the Evangelical Lutheran Synod...” (p. 86). The English District however encouraged these discussions. In the early 1960s, the English District called for the rescinding of

Resolution 9 which made the 1932 *Brief Statement* binding on the clergy of the LCMS (p. 116).

These liberal tendencies reached their climax in the 1970s with the Seminec debacle. In 1972 the English District approved resolutions to memorialize synod to prepare women to be ordained into the pastoral office. That same year the district requested that "A Statement of Scriptural and Confessional Principles" be withdrawn (p. 139). In 1974 when the Concordia Seminary walkout occurred, many of the members of the English District supported the seminary in exile. For example, Dr. John Tietjen was a member of the district (p. 121). The 1976 convention of the district was hopelessly polarized and many decided to leave the synod. Between 1976 and 1980, 78 congregations left the English District to become part of the Association of Evangelical Lutheran Churches (p. 164).

In 1968 the English District had 209 congregations and by 1982 it reached a low of 135 congregations. Those who stayed with the district desired to remain faithful to the Holy Scriptures and the Lutheran Confessions. In spite of the struggles that it endured, the district survived and enjoyed a slow and steady growth so that by 2000, there were 170 congregations in the district (p. 308). The English District remains an active and vibrant part of the LCMS.

The author speaks of the hallmarks of the English District (pp. 277–283) the first being weekly Eucharist. This is part of the district's historic interest in the liturgy and liturgical renewal.

This includes clerical attire such as the collar and proper vestments (p. 188). In 1987 the use of the term "President/Bishop" or "Bishop and President" became official usage in the district. The bishop of the district has the symbols of the office: the ring, crozier, pectoral cross, mitre, and bishop's chair or *cathedra* (pp. 211–213).

The second hallmark is a zeal for missions—envisioning, planting, and calling all God's people to serve, led by called and ordained pastors. Historically the English District has been a leader in home mission work and in special ministries such as twenty-first century ethnic missions among the Vietnamese, Sudanese, and Chinese (p. 222). The third hallmark centers in the fact the district spans two countries: both Canada and the United States. A spirit of service and camaraderie in the district is designated the fourth hallmark. The fifth is the district's patron saint, Robert Barnes. He was a staunch defender of the Lutheran Reformation and was opposed to King Henry's divorces. He was martyred in England for the faith in 1540. The English martyr, Robert Barnes, faithful to the Word of God, is a proper role model for the district with its English origins. The sixth hallmark of the district is human care ministries and the seventh is rehearsing the distinctive history of the English District.

The Reverend Dr. David P. Stechholz is a former bishop and president of the English District. Thus, he is personally involved in the history that he wrote and may show a bias toward the district at times. For example, the breakup of the Synodical

Conference is not a significant part of this history. However, the author generally portrays the good, the bad, and the ugly of his district. He tells it as it was. He clearly presents the unique beginnings of the district and its connection with the Tennessee Synod, which may be new history to many readers. He gives a straightforward account of the Concordia Seminary walkout and the repercussions in the district. The author provides an excellent history of the English District and its relationship

to the synod. This history is well worth reading to understand the transition from German to English in the Synodical Conference and to understand the English District's role in the seminary walkout. It reminds confessional Lutherans of the many pitfalls in our earthly walk and the wonderful protecting hand of the Lord.

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