

PUBLIC REBUKE OF PUBLIC SIN

Considerations in Light of the Large Catechism
Explanation of the Eighth Commandment



A Report of the Commission on Theology and Church Relations
of The Lutheran Church—Missouri Synod

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Abbreviations:

AC = Augsburg Confession

Ap = Apology of the Augsburg Confession

FC SD = Formula of Concord, Solid Declaration

LC = Large Catechism

SA = Smalcald Articles

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Introduction

Although the idea of public rebuke of public sin often becomes an issue in conflicted and volatile situations, it is rooted in a positive tenet of Lutheran theology, namely, the obligation of all Christians to evaluate doctrine and life on the basis of Scripture.² The Lutheran reformers refused to subject the clear teaching of Scripture to human authority. They did not believe that any special power to interpret God's Word had been granted to priests, bishops, or pope by virtue of their office. Luther himself argued, in fact, that any Christian, by virtue of the priesthood given in Baptism, could pass judgment on an issue of faith or morals. Such matters could not be solved simply by an appeal to human authority or human tradition.

Public rebuke of public sin has often been an issue in our walk together in The Lutheran Church—Missouri Synod (LCMS). The most frequently quoted text relating to public rebuke of public sin is from the Large Catechism of Martin Luther in his explanation of the Eighth Commandment:

¹This report has been prepared in response to an October 28, 2002, request from President Gerald Kieschnick that the Commission on Theology and Church Relations "prepare a study on the explanation to the Eighth Commandment found in Luther's Large Catechism" and that the Commission "give special attention to the notion of public rebuke being given to public sin." In preparing this report the Commission notes that former Vice President Robert Kuhn requested the two seminaries of The Lutheran Church—Missouri Synod to prepare a response to how Matthew 18 and the Eighth Commandment relate to public error in the church. The Department of Systematics of Concordia Theological Seminary, Ft. Wayne, prepared a brief response (March 9, 2000), which is available at: www.lifeoftheworld.com/believe/statements/sept2000report.php.

²Martin Luther, "That a Christian Assembly or Congregation Has the Right and Power to Judge All Teaching and to Call, Appoint, and Dismiss Teachers, Established and Proven by Scripture" (1523), *Luther's Works [LW]*, American Edition (Philadelphia: Fortress Press, 1970), 39:306–308. C. F. W. Walther, *The Form of a Christian Congregation*, trans. J. T. Mueller (St. Louis: Concordia Publishing House, 1987 [Concordia Heritage Series Reprint]), 31–34. *A Brief Statement of the Doctrinal Position of the Missouri Synod* (1932), par. 30: "Naturally all Christians have also the right and the duty to judge and decide matters of doctrine, not according to their own notions, of course, but according to the Word of God, 1 John 4:1; 1 Pet. 4:11."

“But where the sin is so public that the judge and everyone else are aware of it . . . you may also testify publicly against them” (LC I, 284).³ The fact that books on pastoral theology going back to C. F. W. Walther have quoted this excerpt and have dealt specifically with public rebuke suggests that our more recent experiences with this issue are nothing new in the life of the church. Nevertheless, it is certainly appropriate for the Synod to revisit the question of interpreting this text and thus appropriately to apply Luther’s words to our present circumstances.

This document on public rebuke of public sin is an attempt to read Luther’s comment in its context both within the text of the Catechism and in light of historical events. Because Luther in faithfulness to the witness of Scripture seeks to understand how Matthew 18 relates to the Eighth Commandment, it is appropriate that we first examine this text briefly. Other biblical texts are pertinent as well, and for this reason we will discuss some that appear to have a direct bearing on the matter of public rebuke of public sin. The method of rebuke modeled in the Lutheran confessions other than the Large Catechism is also considered. Potential application to our present circumstances begins with a consideration of key words in the debate: public, rebuke, and sin. We must consider seriously how ideas associated with these terms or how the terms themselves have changed in meaning and application from Luther’s day to our own. We must also clearly differentiate between what Scripture might allow in such matters and what might be required for proper order in the church. All of this is then summarized in a number of statements offering counsel concerning public rebuke of public sin.

³*The Book of Concord*, ed. Robert Kolb and Timothy J. Wengert (Minneapolis: Augsburg Fortress, 2000), 424. Luther’s explanation of the Eighth Commandment extends from paragraphs 222–291. Hereafter references from this section will be cited by paragraph.

I. Explanation of the Eighth Commandment: Luther's Large Catechism

A. Context of Luther's Paragraph on Public Rebuke

The full text of Luther's paragraph on public rebuke of public sin that has become the focus in recent discussions reads as follows:

All of this refers to secret sins. But where the sin is so public that the judge and everyone else are aware of it, you can without sin shun and avoid those who have brought disgrace upon themselves, and you may also testify publicly against them. For when something is exposed to the light of day, there can be no question of slander or injustice or false witness. For example, we now censure the pope and his teaching, which is publicly set forth in books and shouted throughout the world. Where the sin is public, appropriate public punishment should follow so that everyone may know how to guard against it (284).

A proper understanding of this paragraph and its application requires that it be viewed within the context of Luther's overall discussion of the Eighth Commandment, including especially its immediate context. As we consider the paragraph, we need especially to bear in mind that Luther's explanation of the Commandment in the Large Catechism originated in a series of sermons. We may presume, therefore, that much of his treatment deals with the problem of gossip common to life in a relatively small town like Wittenberg. Luther expands the definition of gossip beyond a false or misleading statement about someone else. And so, he says, even something that is true about a neighbor that is not public knowledge should not be made public by anyone who happens to know it. Presumably, anything that is criminal in nature and that could be proven should be taken to a judge rather than to a neighbor. Anything else should be kept secret or spoken of with the guilty party as in Matthew 18.

Luther begins his explanation with the theological foundation that undergirds the Commandment and therefore informs everything he says in the ensuing discussion: "Besides our own body, our spouse, and our temporal property, we have one more treasure that is indispensable to us, namely, our honor and good reputation...God does not want our neighbors to be deprived of their reputation, honor, and character...." (255-56).

With this principle in mind throughout, Luther divides his exposition of “You shall not bear false witness” into three sections. First, he briefly sets forth the “first and simplest meaning” (*zum ersten ist der gröbste Verstand*), according to which the Commandment forbids false testimony in “public courts of justice” (*auf öffentlich Gericht*) (257) and applies “to all that takes place in court” (261). Second, the application of the Commandment extends “to spiritual jurisdiction or administration.” That is to say, “upright preachers and Christians” and the Word of God itself become the objects of false witness and are maligned (262).

In the twenty paragraphs that follow—which comprise the bulk of his exposition and which were no doubt occasioned by the local situation—Luther turns to “the *third* aspect of this commandment which applies to all of us”: “sins of the tongue by which we may injure or offend our neighbor” (263). The Commandment forbids “the detestable, shameless vice of backbiting or slander” and gossip, the tragedy of which is that “honor and good name are easily taken away but not easily restored” (264; 273). “We are absolutely forbidden to speak evil of our neighbor,” says Luther. Luther specifically exempts “civil magistrates, preachers and fathers and mothers” from that prohibition because their vocation requires their active intervention in the lives of those entrusted to their care (274).⁴ For those who do not have such a relationship of vocation with the wrongdoer, Luther suggests that “the right way to deal with this matter would be to follow the rule laid down by the Gospel, Matthew 18” (276). This “fine, precious precept for governing the tongue” (276) not only avoids the spread of gossip and slander but also provides “the right and proper way of dealing with and improving a wicked person” (280).

Luther’s “public rebuke of public sin” paragraph comes at the very end of the third section noted above and just before a concluding paragraph—which is followed, in turn, by a concluding pastoral word based on 1 Corinthians 12. Within Luther’s overall discussion, therefore, the paragraph is not elevated to function as a new “fourth” application of the Commandment. Rather, it functions as a qualification of the previous application regarding gossip and slander. Luther introduces here the exceptional case of public rebuke of sin that is clearly no longer secret. Given his underlying concern for protecting the good name of our neighbor, Luther certainly did not intend to override his previous concerns that the vocation for judging public sin be honored and that every effort be

⁴As his mention of the judge suggests, Luther maintains a distinction between those who have a vocation to reprove wrong and punish evil and those who do not: “So you see that we are absolutely forbidden to speak evil of our neighbor. Exception is made, however, of civil magistrates, preachers, and fathers and mothers in order that we may interpret this commandment in such a way that evil does not go unpunished... Likewise, although no one personally has the right to judge and condemn anyone, yet if they are commanded to do so and fail to do it, they sin as much as those who take the law into their own hands apart from any office” (274).

made to protect the honor of our neighbor by avoiding all slander and gossip. Nor did Luther lose sight of the larger purpose of admonishing the neighbor who sins, namely, that he “may improve” (276, 278, 280, 281, 285).

B. Summary of the Paragraph

Several points emerge from a close reading of Luther’s “public rebuke” paragraph: 1) the occasion of public rebuke is sin; 2) all, including authorities, are aware of the sin; it is very public (*ganz öffentlich*); 3) given the demonstrably public nature of the sin, there is no question of slander, injustice, or false witness; 4) the result should be public punishment; and 5) the goal of such punishment is the instruction of the community.

The example that Luther cites, which presumably conforms to his criteria, is how the reformers “now censure the pope and his teaching.” A consideration of the conflict between Luther and the papacy, which by the time of the Large Catechism was more than a decade old, will demonstrate the magnitude of the fault that might lead to public rebuke. A review of the historical context will also show that in this situation Luther followed the general principles that he set forth in his explanation of the Eighth Commandment, particularly the role of vocation in dealing with public sin.

C. Historical Issues

1. *Luther’s Conflict with the Popes*

In posting for debate the Ninety-five Theses, Martin Luther began what would become a lifelong conflict with the papacy in a way perfectly consonant with his office and within the bounds of accepted procedure.⁵ As a Doctor of Theology he had every right to debate matters such as the sale of indulgences and also, as he considered it, the duty to warn the faithful. At the same time he posted the theses, Luther sent letters about the matter to Archbishop Albrecht of Mainz, in whose name the indulgences were being proclaimed, and to his diocesan bishop Jerome Schulze of Brandenburg. (These letters did not ask permission to hold the debate but simply informed the recipients that it would be held.) The discussion of indulgences almost immediately widened beyond what Luther intended when printers distributed translated copies of the theses without his authorization. In this atmosphere Luther continued to defend his ideas about indulgences, assuming that the pope would agree with his criticisms.

⁵A much fuller description of the events narrated here can be found in Martin Brecht, *Martin Luther: His Road to Reformation, 1483–1521*, trans. by James L. Schaaf (Philadelphia: Fortress Press, 1985), 239–73, 299–348, 389–476.

Pope Leo X did not, of course, agree with Luther about indulgences. As Luther later reflected in 1545, he had been naïve about this issue that touched the pope's purse. When Luther was denounced to Rome, the papal court began its investigative process. As part of this process, Luther dutifully met with the papal representative Cardinal Cajetan in Augsburg in 1518. In the years following, Luther received the papal emissary Karl von Miltitz in Wittenberg as he attempted to stave off a break between the reformer and the pope. During this time, Luther also filed formal appeals: first to the pope himself to look at the matter more closely and then two separate appeals beyond the pope for a general council.

During the discussion with Cardinal Cajetan, Luther had questioned the authority of the pope, but he did not publicly declare that only Scripture was authoritative until the Leipzig Debate in July 1519. There Johann Eck forced Luther to admit that popes and councils could and had erred and that Scripture alone was authoritative for the Christian. The public announcement was new, but the idea had been there for some time. Luther's frustration in discussions with papal representatives had been that they could not refute his position from Scripture but only from papal authority. The treatises Luther penned in the year following Leipzig show that his first allegiance was to the authority of Scripture and not to papal authority. Nevertheless, he was still concerned for proper authority, which is demonstrated in the fact that Staupitz released him from his monastic vows so that there could be no compulsion from Augustinian superiors to recant.

Pope Leo's excommunication of Luther, which became official in January 1521, came after three years of debate between Luther and his colleagues and representatives of Rome. The debate was carried on in person and in writing. Thus Luther was constantly informed about the papal position on the issues he had raised, and had this position confirmed over and over again. Luther also participated in debate with the conviction that his office compelled him to do so. He often emphasized that it was his duty as a doctor of the church to promote and defend the Gospel, for example in this passage from "Infiltrating and Clandestine Preachers" (1532).

I have often said and still say, I would not exchange my doctor's degree for all the world's gold. For I would surely in the long run lose courage and fall into despair if, as these infiltrators, I had undertaken these great and serious matters without call or commission. But God and the whole world bears [sic] me testimony that I entered into this work publicly and by virtue of my office as teacher and preacher, and have carried it on hitherto by the grace and help of God.⁶

⁶Martin Luther, "Infiltrating and Clandestine Preachers (1532), *LW* 40:387–88.

Moreover, Luther's ultimate concern was not proper authority or abuses in the church, as important as those issues might have been, but the pastoral care and proper teaching of God's people.

2. Luther's Pastoral Concern

Luther's criticism of the papacy was not only, or even primarily, a question of authority. At the heart of his criticism from his earliest years at Wittenberg to his final denunciations against Rome was the conviction that the pope was not fulfilling his pastoral duties. Simply put, the popes not only failed to proclaim the Gospel themselves but also actively prevented others from doing so. As Scott Hendrix has demonstrated, Luther's understanding of his own pastoral duty in light of the pope's failure to do his duty pastorally lends a unity to the reformer's works.

The motivation which inspired Luther's rejection of the papacy from beginning to end was summed up by Philipp Melanchthon in 1521, when he attributed the *Ninety-five Theses* to Luther's intention to "exercise the duty of a good pastor." That duty was to protect the people from the deception fostered by the indulgence practice and, later, by the accumulated traditions of the papacy. The devotion to that duty caused Luther to persist in his rejection of the papacy to the end of his life and accounted for his amazing single-mindedness in other matters as well. What appears as inconsistency or stubbornness often falls into a sensible pattern if one views it from the angle of what Luther regarded as necessary for the people's instruction.⁷

Luther's desire to protect the people was clear in the beginning of the indulgence controversy. It was only after Wittenbergers had heard Johann Tetzel's preaching and purchased indulgences in neighboring territories that Luther spoke out on the matter. As the conflict with the papacy intensified, Luther's concern broadened to embrace the proper teaching of the flock in the basics of the Christian faith.

Luther was convinced that all Christians should be *theodidacti* ("taught of God"). Theology was not a matter only for the learned but a matter of life and death for all God's people.

Besides, if we are all priests, as was said above, and all have one faith, one gospel, one sacrament, why should we not also have the power to test and judge what is right or wrong in matters of faith? What becomes of Paul's words in I Corinthians 2 [:15], "A spiritual man judges all things, yet he is judged by no one"? And II Corin-

⁷ Scott H. Hendrix, *Luther and the Papacy: Stages in a Reformation Conflict* (Philadelphia: Fortress Press, 1981), 156.

thians 4 [:13], “We all have one spirit of faith”? Why, then, should not we perceive what is consistent with faith and what is not, just as well as an unbelieving pope does?⁸

Papal false teaching had to be publicly opposed precisely because it had been “shouted throughout the world” and was widely believed. Many of Luther’s opponents criticized him for making theological matters public and thus opening them to the laity. Erasmus, for example, in a letter addressed to Luther’s colleague Justus Jonas but intended for wider circulation, blamed Luther for “making everything public and giving even cobblers a share in what is normally handled by scholars as mysteries reserved for the initiated.”⁹ Luther may well have had such criticism in mind when he broached the matter of his conflict with the papacy in explaining the Eighth Commandment.

The concern for the Gospel as a motive for criticism of the papacy was clearly shared by other reformers and is reflected in numerous other texts. For example, the issue of papal authority was critical as the Lutheran princes decided how to respond to the pope’s call for a general council in 1536. Luther penned the Smalcald Articles for the occasion of this meeting. There he addressed issues surrounding the papacy at great length and, as usual, tied his criticism to the proclamation of the Gospel.

This business shows overwhelmingly that [the pope] is the true end-times Antichrist, who has raised himself over and set himself against Christ, because the pope will not let Christians be saved without his authority (which amounts to nothing, since it is not ordered or commanded by God). This is precisely what St. Paul calls “setting oneself over God and against God.” Neither the Turks nor the Tartars, despite being great enemies of the Christians, do any such thing. They allow whoever desires it to have faith in Christ The pope, however, will not allow faith, but asserts instead that anyone who is obedient to him will be saved. We are unwilling to do this, even if we have to die in God’s name on account of it (SA II, The Fourth Article, 10–12).¹⁰

Although Luther’s text was not formally adopted at the meeting, similar concerns were addressed in the text commissioned by the princes from his colleague Philip Melancthon, the *Treatise on the Power and Primacy of the Pope*.

⁸ “To the Christian Nobility,” *LW* 44:135.

⁹ “Epistle 1202” in *Collected Works of Erasmus* (Toronto: University of Toronto Press, 1988), 8:203.

¹⁰ *The Book of Concord*, Kolb-Wengert, 309.

Even if the Roman bishop possessed primacy and superiority by divine right, one would still not owe obedience to those pontiffs who defend ungodly forms of worship, idolatry, and teaching inimical to the gospel. On the contrary, one should regard such pontiffs and such rule as anathema (Treatise, 38).¹¹

Later in the same text Melanchthon summed up his accusation against the popes by saying, “Thus they have transferred the benefit of Christ to human traditions and have completely destroyed the doctrine of faith” (Treatise, 48).¹² His concern, too, was for pastoral care. “These errors are not to be taken lightly. Truly they do harm to the glory of Christ and bring souls to ruin” (Treatise, 48).¹³ This was not hyperbole. Melanchthon’s portrayal of papal claims and behavior was in deadly earnest. As such, it bears witness to the scope and magnitude of the sin that provoked Luther’s comment in his explanation of the Eighth Commandment.

¹¹ *Ibid.*, 336.

¹² *Ibid.*, 338.

¹³ *Ibid.*

II. The Scriptures

Both Jesus and His apostles gave instructions to the church for the preservation of its communal life and for the restoration of those who sin against God and their fellow Christians. The New Testament has much to say about how believers should deal with one another generally and about the burden of spiritual care laid upon all Christians for each other—those “for whom Christ died” (Rom. 14:15; 1 Cor. 8:11). Such spiritual care conscientiously undertaken also includes the necessity of public rebuke of public sin in certain circumstances, which is amply illustrated by the examples of Jesus and Paul. While the focus here is on public rebuke of public sin within the Christian community, examples can also be given from the Scriptures to illustrate the general principle that public censure of false teaching that stands in opposition to the Gospel is not only appropriate but necessary.

In addition to brief commentary on Matthew 18, and in keeping with the specific purpose of this document, we include in what follows discussion of texts that illustrate public rebuke of public sin.

A. Matthew 18

In the case of public sin, as Luther observed, a Christian is not obligated to follow the steps outlined in Matthew 18. Referring to these steps in his previous discussion of Matthew 18 in the Large Catechism, Luther is quite clear: “All of this refers to secret sins. But....” (284). Because Matthew 18 has been invoked so often in the life of the church and has been applied to so many different situations, even though the text itself does not support a wide application, Luther’s restrained approach deserves notice, and even emphasis. C. F. W. Walther agreed with Luther’s assessment, though he provided a slightly different rationale. Walther concluded that the steps of Matthew 18 did not apply in the case of a sin that was known to the entire congregation because “in this case the congregation is a single person.” Thus a public rebuke would not violate the first step but would represent the response of that single person, the congregation.¹⁴

In a recent detailed examination of the context and application of Matthew 18, LCMS professors Jeffrey Gibbs and Jeffrey Kloha have cautioned against misuse of this text and have appealed for its contextual

¹⁴C. F. W. Walther, *Americanisch-Lutherische Pastoraltheologie* (St. Louis, Mo.: Druckerei der Synode von Missouri, Ohio u. a. Staaten, 1872), 325.

application. They state: “[T]he situation envisioned in Jesus’ teaching involves a sin directly committed against a fellow Christian. The context in which the sin occurs is that of the ἐκκλησία (*ecclesia*), that is, a local community of the disciples of Jesus.”¹⁵ The point of Jesus’ teaching is to exert every effort to gain an offending fellow believer. The reason for a confrontation is the welfare of the offender rather than the welfare of the one who was offended.¹⁶

That there may be cases where the procedure outlined in Matthew 18 does not directly apply and public rebuke is deemed necessary does not mean that concern for the spiritual welfare of the offender can be set aside. Following Walther, J. H. C. Fritz, for example, wrote in his *Pastoral Theology* under the heading “Procedure if Public Offense has been Given”:

The highest law, however, is under all circumstances the law of Christian charity (love). If Christian charity therefore demands that a public offender be spoken to privately, it would be unjust to proceed at once against him publicly; for the purpose of church discipline is to bring a sinner to a knowledge of his sins and to true repentance.¹⁷

Thus, while there is no requirement to follow the steps outlined in Matthew 18 in cases where the text does not apply, this does not mean that steps outlined by Jesus in this text are *prohibited* in any case. Following the steps of Matthew 18 in cases beyond their direct application may in fact be beneficial to the church and its administrative structures and therefore advisable in the given case. But the church should neither assume nor insist that *Scripture requires* the procedure in every instance of public sin.

B. Matthew 23

The most sustained public rebuke of religious teachers and their erroneous doctrines contained in the Gospels appears in Matthew 23. In this chapter Jesus directs “seven woes” against the scribes and Pharisees. While the chapter begins with Jesus speaking to the crowds and His disciples

¹⁵ Jeffery A. Gibbs and Jeffrey J. Kloha, “‘Following’ Matthew 18: Interpreting Matthew 18:15–20 in Its Context,” *Concordia Journal* 29 (January 2003): 15. See also David Scaer’s section on “Warning, Discipline, and Restoration” in *Discourses in Matthew: Jesus Teaches the Church* (St. Louis: Concordia Publishing House, 2004), 329–38.

¹⁶ Gibbs and Kloha make the added point that Matt. 18:15–18 “does not apply equally to every situation that needs to be corrected in the church.” In the case of one who has publicly taught false doctrine, “unless the false teaching is of such a nature that one fears that the person teaching it might be lost and in need of being gained, it is hard to see how ‘Matthew 18’ can be used as a sort of legal requirement for dealing with situations of that sort.” *Ibid.*, 19.

¹⁷ John H. C. Fritz, *Pastoral Theology: A Handbook of Scriptural Principles Written Especially for Pastors of the Lutheran Church* (St. Louis: Concordia Publishing House, 1932; 1977 reprint edition), 232.

(23:1), His direct second-person address to the Jewish leaders in 23:13–36 indicates that they are the primary audience, whether actually present in the crowds or not. Prior to this public indictment, the chief priests and the Pharisees had begun to plot against Jesus because they knew His parables had been spoken against them (Matt. 21:45–46). The intensity of their opposition mounted so that we find Pharisees and Sadducees in the previous chapter attempting to humiliate Jesus publicly by confronting Him with difficult questions (Matt. 22:23–40).

Jesus introduces each of His denunciations with the formula “Woe to you....” The Pharisees stand under judgment because in their scrupulous adherence to man-made laws, they neglected what was truly important. They followed the letter of their own law but not the spirit of God’s Law. Not only had they done this themselves, but they taught others to do the same. Jesus’ first indictment of them is perhaps the most severe: “You shut the kingdom of heaven in people’s faces. For you neither enter yourselves nor allow those who would enter to go in” (Matt. 23:13). Nothing less than the kingdom of heaven is at stake in this rebuke. Remarkably, Jesus prefaced His rebuke by saying, “The scribes and the Pharisees sit on Moses’ seat, so practice and observe whatever they tell you—but not what they do. For they preach, but do not practice” (Matt. 23:2–3). Thus, Jesus was not questioning the Pharisees’ authority to teach God’s Word but how they exercised that authority. His rebuke—as devastating as it might have been to their standing with the crowds—was clearly not aimed at questioning their right to teach but rather *what* they taught.¹⁸

We learn from Jesus’ closing lament over Jerusalem, which follows the seven “woes” and concludes chapter 23, that He took no pleasure in announcing the fate of those who stubbornly resisted God’s gracious invitation. Rather, deep remorse characterizes His final words spoken to the crowds in the Gospel of Matthew: “How often would I have gathered your children together as a hen gathers her brood under her wings, and you would not!” (Matt. 23:37) As Martin Franzmann has noted, the cry “Woe!” (ὠαί) “is not merely a cry of wrath but the cry of wrath mingled with grief.”¹⁹

¹⁸Of course, Jesus’ words cannot be understood to mean that He is giving a blanket approval to everything that the scribes taught (see Matt. 15:1–9). See Martin Franzmann, *Follow Me: Discipleship According to Saint Matthew* (St. Louis: Concordia Publishing House, 1961; 1982 reprint edition), 170.

¹⁹*Ibid.*, 171. I. H. Marshall says that the word “introduces an expression of pity for those who stand under divine judgment.” (*The Gospel of Luke* [Grand Rapids: William B. Eerdmans Publishing Company, 1992 reprint edition], 255.)

C. Galatians 2

Another oft-cited case of public rebuke of public sin in the New Testament is Paul's account in Galatians 2 of his confrontation with Peter. "But when Cephas came to Antioch," Paul reports, "I opposed him to his face because he stood condemned" (2:11). Paul publicly censures Peter's behavior because—as in the case of Jesus' denunciation of the Pharisees—the truth of the Gospel itself was at stake. Paul wrote, "But when I saw that their conduct was not in step with the truth of the gospel, I said to Cephas before them all, 'If you, though a Jew, live like a Gentile and not like a Jew, how can you force the Gentiles to live like Jews?'" (2:14).

Contemporary applications of a biblical narrative such as this are understandably difficult, especially also because we do not know what preceded and what followed the event related here. We do not know, for instance, what if anything Paul said to Peter prior to this public rebuke, nor do we know how Peter responded or how the matter was actually resolved in Antioch. Yet, it is possible to say some things for certain on the basis of this narrative. First, Peter had changed his public behavior by separating himself from Gentiles when previously he had been accustomed to eating with them. Although some commentators have taken pains to explain away this contradiction, Paul attributes it unequivocally to Peter's concern for his reputation among the Judaizers.²⁰ Second, Peter's example moved other Christian Jews, including *even* (καί) Paul's trusted colleague Barnabas, to become involved in this act of hypocrisy. Paul's public rebuke, therefore, was prompted not merely by Peter's duplicitous behavior, but by its scandalous effect on others ("When I saw that *their* conduct was not in step [ὀρθοδοδοῦσιν] with the truth of the gospel...."; 2:14). Third, Paul's rebuke was addressed to Peter in front of this group with the goal of correcting their behavior. Fourth, Paul did not engage Peter in debate on this topic. As Paul explains it, the church had already spoken on this issue when the leaders in Jerusalem declined to force Titus to be circumcised (2:3). Fifth, Paul made the matter public again when he wrote to the Galatians with the hope of correcting their behavior in what he saw to be an analogous situation. The implication is that even Peter had needed correction on a similar point.

²⁰ Luther pointed out in his lectures on Galatians that Jerome (and following him, Erasmus) had considered this rebuke a pretense. Luther argued that this was a genuine rebuke and quoted Augustine in support. *LW* 26:107–108.

D. 1 Timothy 5:19–20

While St. Paul did not concern himself with the specifics of congregational polity or organizational structure in the congregations that he founded, he did give general instructions regarding the public rebuke of office-holders (elders) accused of public sin. In his first epistle to Timothy Paul wrote:

Do not admit a charge against an elder except on the evidence of two or three witnesses. As for those who persist in sin, rebuke [ἐλεγε] them in the presence of all, so that the rest may stand in fear (5:19–20).

In this brief text Paul sets forth two guidelines, together with the purpose of public rebuke. First, drawing upon standard Jewish legal procedure (Deut. 19:15–21²¹), Paul says that no unsubstantiated charges are to be brought against an elder (5:19).²² “Paul’s point,” writes J. N. D. Kelly, “is that church leaders should not be at the mercy of frivolous or ill-natured complaints, but should enjoy at least the protection which any ordinary Jew could claim under the law.”²³ Second, those engaged in a pattern of sinful behavior²⁴ must be rebuked “in the presence of all,” that is, publicly (20). It is difficult to be precise about who the “all” or “the rest” in verse 20 may be, whether this is a reference to fellow-elders or to the Christian community more broadly speaking. That there is some kind of public rebuke is not in doubt, and, finally, it is intended to be salutary in its effect: “...so that the rest may stand in fear” (20). That is to say, the public rebuke is not to be vindictive or advance a vendetta of some kind, but is to engender a holy reverence before God.

²¹This text reads: “A single witness shall not suffice against a person for any crime or for any wrong in connection with any offense that he has committed. Only on the evidence of two witnesses or of three witnesses shall a charge be established. If a malicious witness arises to accuse a person of wrongdoing, then both parties to the dispute shall appear before the Lord, before the priests and the judges who are in office in those days. The judges shall inquire diligently, and if the witness is a false witness and has accused his brother falsely, then you shall do to him as he had meant to do to his brother. So you shall purge the evil from your midst. And the rest shall hear and fear, and shall never again commit any such evil among you. Your eye shall not pity. It shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.”

²²Some scholars hold that the process outlined in 1 Tim. 5:19–20 requiring others to agree to the evidence against the accused is not only dependent on Deut. 19:15 but also reflects the teaching of Jesus in Matt. 18:16. See, e.g., George W. Knight III, *The Pastoral Epistles* (Grand Rapids: Wm. B. Eerdmans Publishing Company, 1992), 235.

²³J. N. D. Kelly, *A Commentary on the Pastoral Epistles* (Grand Rapids: Baker Book House, 1963), 126–27.

²⁴The participle here is in the present tense, signifying continuous action and suggesting that the reference is not a one-time offense (τοὺς ἀμαρτάνοντας).

III. The Lutheran Confessions

The Book of Concord contains no specific references to the issue of public rebuke of public sin as such outside the Large Catechism. Implicitly, documents such as the Augsburg Confession and the Formula of Concord, for the most part, model condemnation of doctrinal positions rather than of the individuals who originated or publicized them.

In the Apology of the Augsburg Confession, Melanchthon directly addressed the papal legate, Lorenzo Campeggio, rebuking him for failing in his duty seriously to consider and to address the concerns raised in the Augsburg Confession.

You do not sufficiently consider how important a matter religion is, if you think that whenever people of good will come to doubt some dogma, it is merely frivolous anxiety. In fact, this doubt can produce nothing but the most bitter hatred against those who ought to heal consciences but who refuse to offer the slightest explanation (Ap XII, 128).²⁵

In this case, Melanchthon extends Luther's criticism of the pope for failing in his pastoral duty to the Roman hierarchy generally and to Campeggio in particular. In the final article of the Apology, Melanchthon addressed a more general rebuke to "the opponents" in the context of their criticism of the evangelicals for causing "scandals of public commotions."

...nevertheless, because the opponents burden us with such a charge, their own vices must not be kept secret. How much evil is there among the opponents in the sacrilegious profanation of Masses! How much disgrace is connected with their celibacy! The worship of the saints among them is clearly and completely idolatrous (Ap XXVIII, 24).²⁶

Here we observe that Melanchthon used payment for Masses and celibacy as an offense worthy of rebuke. Such practices were present throughout the western church. They are not isolated or local examples of false teaching and immorality.

Apart from the instance of Campeggio cited above, proper names or titles are used in the Lutheran Confessions only when they stand for a group of people who hold a particular belief and who are most readily iden-

²⁵ *The Book of Concord*, Kolb-Wengert, 208–209.

²⁶ *Ibid.*, 293.

tified in this way. The Confessions abound, for example, with mentions of the pope and his teaching. Such reference is meant to be generic, unlike similar references in some of the polemical writings of Luther and others, and identifies a public teaching or office. For example, FC SD XII condemns the position of the Schwenkfelders but makes no mention of Schwenkfeld himself—which poses a contrast to Luther’s writings against Schwenkfeld. The Confessions are concerned to refute and condemn error publicly, and they certainly do not mean to absolve false teachers of their false teaching. The Lutheran fathers, however, realized that each generation would have its share of errorists, but they found it more necessary and helpful to condemn what was being taught, and might well be taught again, rather than individual teachers (See, for example, references to the “new Arians” and “new Antitrinitarians” in FC SD XII).

IV. Application in the Present Context

Application of what the Scriptures and the Lutheran Confessions say concerning public rebuke of public sin is no easy task, especially when we take into account the complexity of establishing workable definitions and understandings of such terms as “public,” “rebuke,” and “sin” in the contemporary context. While we are able to say some things with certainty at the level of principle, great care should be exercised in the church’s approach to this issue today.

A. Public

1. Sixteenth Century Context

In his commentary on the Eighth Commandment in the Large Catechism Luther spoke within the context of a relatively small community where people lived in close proximity to each other and routinely knew each other’s business. And in most cases, the community was identical to the local congregation.²⁷ As often as such local familiarity might have led to more upright moral behavior, it also led people to endure their neighbors’ moral failings rather than risk division in the community. Luther suggested as much in his explanation to the Commandment: “Rather, we should use our tongue to speak only the best about all people, to cover the sins and infirmities of our neighbors, to justify their actions, and to cloak and veil them with our own honor” (LC I, 285; cf. Ap IV, 232).²⁸

When Luther speaks about *public* sins, we might better translate “public” as *notorious* or *scandalous*. In other words, it is not simply a matter of a sinful action that is known to some other person or a few other people. All of sixteenth century life was public in that sense. The situation Luther envisioned was a sin so widely known that it could no longer be covered without scandalizing the community. But the publicity would also end with that community. Congregations were parochial in their concern and it was only for the Elector himself to take an interest in what happened in every

²⁷ People in the sixteenth century believed that “loneliness was the worst form of poverty” and all but the most ascetic shunned solitude (Philippe Ariès, “Introduction” in *A History of Private Life. III: Passions of the Renaissance* [Cambridge, MA: Belknap Press, 1989], 5.). Privacy, at least as we understand it today, is the creation of modernity. (For example, at the time of the Reformation only the very wealthy had private bedrooms, and kings routinely granted audiences while they were being dressed for the day.)

²⁸ *The Book of Concord*, Kolb-Wengert, 424.

town and parish in Saxony. Luther suggests that the papal teaching was a rare exception in that it had been “shouted throughout the world.”

2. Contemporary Context

The situation of the twenty-first century is very different. People in western societies in our day jealously guard their private lives. Much less of life is public now than it was in the sixteenth century, and most often members of a community know very little about each other. Therefore, any rebuke for sin, public or private, tends to be seen as an invasion of a person’s privacy. Even in LCMS congregations, we may hear that sin is a matter between God and the sinner only. Accordingly, the idea that an individual’s sin affects others in the community seems to have become increasingly foreign to many. The general failure to consider rebuke for any specific sin has led to the near obliteration of the distinction between public and private sin. In fact, we rarely need to consider this distinction because we seldom rebuke sin either publicly or privately. The end result is that most personal conduct tends to be regarded today as somehow private, a matter of concern only to the individual and to be judged only by God and his or her own conscience. The paradox of modernity is that the realm of the private has encroached even upon what is clearly public.

Modern communications media have also compounded the problem of what is public. Although we have enlarged the circle of what is considered private, we also have the ability instantly to make public whatever we wish through print, and especially through electronic media. E-mail lists, Internet chat rooms, and Web sites create possibilities for spreading reports that could not have been fathomed by Luther.

As we reflect on the meaning of the term “public” in this present context in which we in the LCMS find ourselves, we would do well to keep in mind the situation in the earlier years of our Synod. We may note, for example, that the polity of the LCMS makes all of its members—pastors and congregations—accountable to each other for their lives and teaching. When that polity was adopted in the nineteenth century, communication was such that pastors and congregations that were not in close geographic proximity would know very little about each other. Only the most serious cases would be found worthy of being reported to synodical leadership, and only a very few would ever have been considered by the Synod as a whole. Today that is simply not the case. No deliberation at the local level is needed, when anyone can send an e-mail or post a rebuke on their Web site in response to a real or perceived sin. This situation creates some profound difficulties—not the least of which is that there is nothing in Scripture or the Confessions that justifies a public rebuke made unilaterally in the absence of conversation with others who are aware of the public sin (cf. Acts 18:24–26). In the case of Paul rebuking Peter, Paul was in conver-

sation with the church in Antioch. Luther, too, could and did enlist the help and support of others who recognized that the message of the Gospel had been obscured by the papacy.

Even if consultation should take place, however, modern methods of communication have added another layer of complexity to the problem. Not only is it possible, but it is likely that a public rebuke will receive a wider audience than the public sin that elicited it. In other words, the rebuke has the side effect of publicizing the sin more widely, of making it known to an audience that had no prior knowledge of it. We must recognize that the number of people directly affected by a public sin might be limited. Although all members of the Synod are accountable to each other, in most cases it will only be necessary to deal with public sin at the local level. Publicity beyond that level may serve to scandalize more than to instruct. This observation should lead to a careful consideration of the audience for a public rebuke. It is neither necessary nor beneficial to involve all members of the Synod in every case of public sin. Those who would undertake a rebuke should take great care, therefore, in choosing their medium of communication and in determining their audience.

B. Rebuke

In his “public rebuke” paragraph in the Large Catechism, Luther used the verb *strafen* and the corresponding noun *Strafe* to describe his opposition to the pope: “We now censure [*strafen*] the pope and his teaching....Where the sin is public, appropriate public punishment [*Strafe*] should follow....” (284). In English translations of the Large Catechism, the verb (which can be translated as either rebuke or punish) is rendered as “censure” (Tappert, Kolb/Wengert) or “reprove” (Triglot). In Galatians 2 Paul used a word that means “set oneself against, oppose” (ἀντέστην)²⁹ when describing his public confrontation with Peter. As New Testament scholar Ben Witherington III has noted, the word was used “broadly of any deliberative situation where opposition to actions or beliefs was involved.”³⁰

As we review the usage of the term “rebuke” up to this point in the document, three important considerations need to be taken into account for the contemporary application of Luther’s provision in the Large Catechism.

First, rebuke has the force of a corrective admonition. It is not merely an accusation that would then lead to investigating the facts of a case fol-

²⁹The same word is used of Elymas the Sorcerer’s opposition to Paul and Barnabas (Acts 13:8) and of the opposition of Jannes and Jambres to Moses (2 Tim. 3:8).

³⁰Ben Witherington III, *Grace in Galatia: A Commentary on Paul’s Letter to the Galatians* (Grand Rapids: Eerdmans, 1998), 151.

lowed by determination of guilt or innocence. True rebuke requires that the facts of the case and the guilt of the one being rebuked be known beforehand. A positive response to a public rebuke would include admission of guilt, repentance, and absolution.

Second, we should be careful to distinguish between rebuke and other activities that might result from a public sin. The initial response to a public sin might well be debate that engages the whole church rather than rebuke. We may legitimately assume that Paul would likely have responded differently to Peter if the church had not already debated and decided the issues surrounding fellowship with Gentile believers. With reference to our present situation today, the decision to debate rather than rebuke could result from the recognition that some, perhaps even most, members of the Synod need to be convinced that a particular public statement or action is in fact sinful. Moreover, rebuke should be distinguished from an activity such as removal from the clergy roster of the LCMS. Such action is governed by the policies established by the Synod by common agreement, for the sake of good order and for ecclesiastical supervision. But these procedures belong in the category of *adiaphora*, not biblical command.

Finally, a rebuke has no specific consequences attached. The one offering a rebuke has only the moral force of bearing witness to the church concerning the truths of Scripture. Again, rebuke must be distinguished from other proceedings and consequences that might arise as a result of the sin that has been committed and subsequent censure by appropriate authorities.

C. Sin

As we consider how Luther's comments in the Large Catechism might be put into practice in the current context, we must address the *sin* in "public sin." A fundamental problem connected with the issue of public rebuke is disagreement concerning what might qualify as sin, at least sin that would require public censure.

We recognize from Luther's writings that by "sin"—whether secret or known to all, and therefore "public"—he meant offenses that are clearly contrary to the will of God as revealed in His Word, and not human traditions or matters that lie in the area of Christian freedom (though, of course, this freedom can be compromised and offense caused). While certainly there may be disagreements on whether a given action is in fact a matter of Christian liberty, the principle must be upheld that the clear teaching of Scripture, not human opinion or judgment, determines right doctrine and practice. This principle requires that restraint be exercised by all, especially when it comes to ecclesiastical policies, decisions, and positions. The conduct of an individual must not be elevated to the level of "sin" without

clear biblical warrant. Moreover, while a given action may be a violation of our synodical covenant and of the principle of Christian love, this does not automatically mean that such action falls into the category of public sin requiring public rebuke.

In the matter of “public sin” it is also important to recognize that traditionally theologians have distinguished between sins committed willfully and those committed out of ignorance. This distinction is maintained, for example, in the Preface to *The Book of Concord*.

In regard to the condemnations, criticisms, and rejections of false, impure teaching (particularly in the article concerning the Lord’s Supper), which had to be expressly and distinctly set forth in this explanation and thorough settlement of the disputed articles so that all would be able to protect themselves from them, and which can in no way be avoided for many other reasons: it is likewise not our will or intention thereby to mean persons who err naively and do not blaspheme the truth of the divine Word, much less whole churches, inside the Holy Empire of the German nation or out. Instead, it is our will and intention thereby to condemn only the false and seductive teachings and the stiff-necked teachers and blasphemers of the same.... (20).³¹

The confessors’ approach here would seem to imply that not every expression of false belief is automatically a candidate for public rebuke. Repeated expressions of false belief would certainly qualify as sin that would warrant public rebuke. But in cases of human weakness and ignorance, Christian charity would require private and personal discussion rather than public rebuke. The same point could be made concerning sins of personal conduct, errors in pastoral judgment, and whatever else might broadly be considered sin. Public rebuke should never be the first response in a situation where the one rebuked has no history of erroneous belief or behavior, and has not persisted in the sin. When sin has been committed there is the need for confession and repentance, and the pronouncement of absolution.

³¹ *The Book of Concord*, Kolb-Wengert, 12–13.

V. Conclusion

As we in the LCMS have sought to be faithful to the apostle's admonition, two errors seem to have beset us with regard to the understanding of public rebuke of public sin. The first, and perhaps the most obvious, is the proliferation of public rebuke. In print, e-mail, and chat rooms, many LCMS clergy do not hesitate to name names and make public what they deem to be the sins of fellow pastors and congregations. The second error, however, is that of refusing on principle to consider or sanction public rebuke of public sin in any case. While this position may cite the procedure outlined in Matthew 18 as its justification, such a view owes far more to modern America's therapeutic culture in which there is no sin, only personal conflict.³² To treat every instance of disagreement among members of the Synod as a clash of personalities is, ultimately, to downplay what the Scriptures teach concerning Law and Gospel and unity in doctrine that has been the foundation of the LCMS. Properly understood, public rebuke of public sin must have a place in a church that values the clear teachings of Scripture. At the same time such rebuke ought to maintain its evangelical purpose, namely, the restoration of the sinner through confession and absolution.

Public rebuke of public sin must be carefully considered and properly applied so that it conforms to the principles articulated in Scripture that have guided the practice of the church. On the basis of the foregoing discussion in this document, we offer the following statements as guidance and counsel:³³

1. Public rebuke should not be the first response to a first offense. A rapid rush to judgment should be avoided.³⁴ The response to a first offense should certainly be one of pastoral concern for the erring brother or

³²In the course of the twentieth century, many historians would argue, the dominant culture in America has shifted from a Protestant to a therapeutic worldview. Much of American culture has traded sin and salvation for self-realization. See T. J. Jackson Lears, *No Place of Grace: Antimodernism and the Transformation of American Culture 1880–1920* (New York: Pantheon Books, 1981).

³³The list that follows presumes that a sin (which may or may not be public) has been committed. There are instances where public rebuke is undertaken when, in fact, no sin or offense has occurred, when the sin is not public, or when a public rebuke is not otherwise appropriate. It may well be, therefore, that the one intending to make a public rebuke is in fact the one in error.

³⁴Kloha and Gibbs rightly caution in this regard, "...one would hope that in cases where one Christian (lay or clergy) believes that another has taught something that contradicts sound Biblical teaching, the concerned Christian would have the common sense and the Christian decency not to rush to judgment but to make every effort to speak directly, patiently, and lovingly to the other party in question" (19).

sister (cf. Gal. 6:1–3). “Public sin” suggests a pattern of behavior or lack of appropriate recognition of sin and repentance when correction takes place.

2. Public rebuke should be pursued first by those who have the office of correction in the church in their assigned areas of responsibility. In the case of public sin, those affected should consult with each other and with those having responsibility for ecclesiastical supervision (cf. 1 Pet. 5:2).
3. If those charged with ecclesiastical supervision fail to carry out their duties and responsibilities, public rebuke may be pursued by any Christian.
4. Matthew 18 does not speak specifically to cases of public sin, as Luther declares in his explanation of the Eighth Commandment. The steps outlined in Matthew 18, therefore, are not to be considered absolute requirements mandated by Scripture or the Confessions in cases of public sin. These steps may, however, be part of synodical processes that would lead to specific consequences of public sin (e.g., removal from the clergy roster of the Synod). Public rebuke is not the same as the filing of formal charges.
5. One who decides to offer a public rebuke should be certain that he himself properly understands the nature of the sin so that the rebuke offered may have the appropriate effect.
6. Public rebuke should not be undertaken lightly but only after much prayer, deliberation, and consultation with others who know of the sin.
7. In cases where sin is not apparent to all (and perhaps, for that reason, not truly public), a call for discussion rather than a rebuke might best serve the needs of the church. Debate (in forums that may be provided for this purpose), rather than rebuke, may well be a more appropriate initial response in some cases.
8. Public rebuke, if it is to be effective, should be rare and used primarily in cases of notorious or scandalous teaching or conduct in which the Gospel is at stake.
9. The purposes of public rebuke are both to warn and instruct the church, and to offer spiritual care to the offender. Public rebuke is intended to enlist the aid of fellow Christians in correcting the offender and to help them avoid the same offense. By God’s grace, the Holy Spirit will lead the offender to repentance, whereupon he or she should receive God’s absolving and restorative grace in Word and sacraments.

The Commission offers this brief report with the earnest prayer that it will be a blessing to the church as we live and work together in the spirit of St. Paul's charge that we be "eager to maintain the unity of the Spirit in the bond of peace" (Eph. 4:3).



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