

Eric Crump analyzes Melanchthon's hermeneutic in the Apology

"In the realm of theology, shallowness is treason." With this quote from Abraham Joshua Heschel as a jumping off point, Eric Crump takes a deep dive into the *Apology* and comes up with insights that endure.

His lecture, "[Sexuality and Law in the Lutheran Confessions: The Problem of Homosexuality](#)," was delivered at Gettysburg Seminary's Spring 2003 Convocation, *In Search of a Lutheran Lens*. Crump, then an Associate Professor of Systematic Theology at Gettysburg (1991-2009), holds a PhD from the Divinity School of the University of Chicago and BA from St. Olaf College (1975).

Crump's closing paragraph summarizes his thesis:

"The recognition of the problematic character of **the lens** that informs the construal and normative evaluation of the phenomenon of human sexuality in Art. XXIII of the *Apology* in light of our examination and explication of the meaning of **right reason** has one definite result. It has been demonstrated that **Melanchthon's** first argument, which contains probably the most important text of all of the Confessions for deliberations concerning human sexuality, **cannot be construed as a purely biblical argument, but rather must be seen as an argument already informed by and configured with particular systematic theological and philosophical construals. Hermeneutically there is most likely no such thing as a purely biblical argument.** This suggests that systematic theology will possibly also be the determining locus for the possible resolution of the aporias concerning what should be the theological construal of human sexuality and, hence, that concerning homosexuality. And, even if it does not have the final say, **it is most certainly true that systematic theology and the rigors of its questioning cannot be avoided, for the avoidance of systematics is shallowness, i.e., treason.**"¹

Crump's essay is a magisterial analysis of Melanchthon's hermeneutic that defies quick summary. Nevertheless, a few key points:

1. Crump shows that Melanchthon reads scripture through "through the lens of a natural law position."² in *Apology* XXIII Melanchthon opposes celibacy because it conflicts "with divine law and natural law."³ By researching the term "right reason" (*recta ratione*) in the Western natural law tradition as represented by Cicero, Augustine, and Aquinas, and as evident in Melanchthon in the *Apology*, Crump shows: "For both Thomas Aquinas and Melanchthon, the presentation of natural law theory within the context of a salvation-history framework provides the basis for **the full import** of the notion of **right reason** for the understanding of human sexuality and the normative valuation of homosexuality."⁴

In this salvation-history schema, homosexuality is condemned as "intrinsically sinful by being contrary to **right reason.**"⁵ This judgment, based on the immutability of eternal law, rests on the

¹ Eric H. Crump, "Sexuality and Law in the *Lutheran Confessions*," *Seminary Ridge Review* 6 (2003) 48-72; here 72. Bolding added here and below for emphasis.

² Crump, 55.

³ *Apology* XXIII:6; *Book of Concord* (Tappert 240; Kolb/Wengert 248). See also *Ap* XXIII:11-12, 60; *Ap* XXVII:51.

⁴ Crump, 69.

⁵ Crump, 70.

presupposition of *monogenism*, the doctrine that Adam and Eve were real historical beings.⁶ As Crump notes:

“This stipulation of the historicity concerning the **prelapsarian state** has been **shattered in light of modern biblical studies**. The quite problematic status of the operative presupposition of the ‘Augustinian’ salvation-historical framework of natural law positions, such as presented by Augustine, Thomas Aquinas, and Melanchthon, in turn raises the fundamental questions concerning the purported validity of claims based on such a presupposition. The calling into question of the operative presuppositions of traditional theological positions, such as that concerning homosexuality, does not automatically invalidate those claims as such, but **it does render them problematic.**”⁷

2. Crump’s research into Melanchthon’s philosophical theology shows **the problem of relying on Melanchthon as an interpreter of Luther’s two kingdom theology**. As Forde writes on the long-standing trouble over the law in the dogmatic tradition:

“The outcome of such confusion [over law in the New Testament] was, in general, that natural law became the arbiter. Natural law decides what is moral and what is not. But therewith the fate of the church’s understanding of law was sealed, as well as of its eschatological outlook. **Natural law became the structural backbone of the theological system, displacing eschatology.**

“Where the gospel of justification by faith is not comprehended in its **full eschatological sense**, as bringing end and new beginning, death and new life, there will be trouble with the law. **Where the gospel is not grasped, the law will not be grasped either.**

“This is demonstrated by the antinomian controversies following the Reformation. Once justification had again been reasserted in radical fashion, it was natural that heavy pressure would be brought to bear on **the received understanding of law**. John Agricola rightly sensed that justification by faith could not simply be combined with **the older idea of law as an eternal order, still evident in some of Philip Melanchthon’s theological constructions.**”⁸

In contrast, for Luther the gospel itself reveals that law is always natural, not supernatural or eternal, always human and fallible. Forde:

“Law belongs to earth not to heaven. It is **natural**, not **supernatural**. It is a servant, not a master. That is why **Luther did not speak of law as something static and unchangeable**. Laws will and must change in their form as the times demand. **Luther, for instance, refused to grant eternal status even to the laws of Moses**. They are strictly ‘natural,’ he said, not unlike the common law of any nation. **Men on this earth simply don’t have access to eternal laws**. But men do have the gift of reason and the accumulated wisdom of the ages as well as the Bible. Here is the task for man’s reason and created gifts. Once cured of religious and mythological ambitions, they can be put to work as they ought: taking care of men. For in the final analysis, all man’s vocations are to be enlisted in the battle against the devil.”⁹

⁶ Crump, 70.

⁷ Crump, 70.

⁸ Forde, “Justification and This World,” *Christian Dogmatics*. Eds. Carl E. Braaten and Robert W. Jenson (Philadelphia: Fortress Press, 1984) 2:447-48.

⁹ Forde, *Where God Meets Man* (Minneapolis: Augsburg Publishing, 1972) 110-11.

To be sure, Forde argued against homosexual marriage not on the basis of God's eternal law in the Bible, but as a dispute over the civil use of law, using common reason, analysis, and arguments about the harmful consequences of gay marriage to the social order:

"Some in the church like to argue that since **the church has changed its mind** on matters like **divorce** or **ordination of women** it seems consequent that it could change its stance on sexual behavior as well. But in questions of **the civil use of law** it is not legitimate to argue that one example of change justifies another. **Each case has to be argued individually.**

"The second thing that needs to be said is that the fundamental concern of **the civil use of the law is for the care of the social order.** The purpose of laws regulating sexual behavior is to foster healthy, joyous, and socially fruitful relationships and to guard against the social destruction that results from aberrant sexual behavior. The struggle to establish an order within which sexual behavior can be beneficial to society has been a long and arduous one....When there are no controls on or boundaries to sexual activity, **sex dominates both religion and social life.** Sex is then a means of exercising power and establishing dominance. Advocates for relaxing the traditional Judeo-Christian stand against homosexual behavior often like to argue that such behavior was common and accepted in ancient societies. But a moment's reflection ought to be sufficient to reveal that such arguments can hardly be advantageous to their cause. Ancients, it seems, were simply not concerned about gender. Boys, women, slaves, could all equally be objects of desire. What was important was to dominate, to penetrate rather than be penetrated. Such considerations ought in any case to be sufficient to waken us to the realization that **the civil order itself hangs in the balance in this discussion.** It is really not sufficient just to lay claim to a little compassion or to muse a bit about 'what harm does it do?' What is **being harmed is the very social order itself.** And that is the concern of **the civil use of the law.**

"If genital sexual relations between people of the same gender are to be approved and/or blessed, the only way that could be done would be to bring them within something akin (at least) to the estate of marriage. **Can this be done in terms consonant with our understanding of the uses of the law? The thesis of this paper is that it cannot.**"¹⁰

By taking a deep dive into Melanchthon's theology, Crump's research uncovers evidence of how different Melanchthon's eternal law theology is from Luther's two kingdom theology. Despite their close collaboration, the lens through which Melanchthon viewed scripture and natural law prevented him from understanding the gospel in its full eschatological sense.

3. Crump's research demonstrates that *The Book of Concord* is a time-conditioned book. His discovery of how the full import of the term "right reason" is obscured in English translations of the *Apology* demonstrates the wisdom of the Heschel quote with which he began: "In the realm of theology, shallowness is treason."

In the spirit of Heschel and Crump, we commend [*The Book of Concord's Key to Itself*](#), an exercise in showing how and why **justification by faith alone** is key to the proper use of the Confessions.

¹⁰ Forde, "Law and Sexual Behavior," *Lutheran Quarterly* 9 (1995) 8-9, 12; *The Essential Forde. Gerhard O. Forde. Distinguishing Law and Gospel.* Eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress Press, 2019) 155-56, 159.