

True Repentance and President Clinton's Confession?

Dear Thursday Theology folks,

This week I've asked Dr. Robert Schultz to do a piece for us in regard to the latest presidential crisis. Al Jabs, one of our Crossings board members, wrote to some of us asking about the issues of confession and repentance in relation to this current situation and Dr. Schultz graciously accepted my invitation to reply to Al's questions.

Enjoy!

Robin

DOES THE CHURCH'S UNDERSTANDING OF TRUE REPENTANCE EQUIP IT TO ADVISE THE NATION ON RESPONDING TO PRESIDENT CLINTON'S CONFESSION?

PROLOGUE

President Clinton's admission of inappropriate behavior in his relationship with Monica Lewinsky has encouraged efforts to revive what would once have been called the Constantinian alliance between church and state but in a democracy is more properly called an alliance between church and society. Proponents of such a revival rejoice that politicians and those in control of the media actually agree that some legal behavior is morally wrong and to be condemned. Even better, secular

forces are actually calling on the president to engage in a kind of public act of apology, a secular act of public contrition and repentance in the hope of receiving forgiveness from a graciously understanding public. Even the New York Times ponders whether the president has really apologized, demonstrated true repentance of the kind that permits forgiveness. When the chips are down, many "evangelical" theologians conclude that this demonstrates that the USA is more Christian than we thought. Some "evangelical" theologians have rushed to clarify the standards of "true repentance" and to specify what the president still needs to do if he really wants to qualify for forgiveness.

Two weeks after the event, such hopes seem less frequent, but the residue of the discussion of repentance remains and has stimulated many Christians to think about the nature of repentance. Some have proposed marketing golden "A's" to wear as pendants or lapel-pins (there seems to be a large market). Others have shared e-mails proposing that we advise how Christians ought to deal with this. Some like Stephen L. Carter (a law professor at Yale and the author of "Civility: Manners, Morals, and the Etiquette of Democracy") wrote an op-ed piece "A Chance to Reset our Own Moral Course," New York Times, Sunday, August 23, 1998, Section 4, p. 15. Large sections of this piece present assertions about the nature of Christian repentance.

I have no reason to quarrel with Carter's hope that our nation will reset its moral course. I even agree that our society must clarify its moral standards. I too would like to see it begin with our politicians. I personally wish that every ballot choice included the category "none of the above" and that campaign addresses were made under oath. If Carter were describing a definition of a necessary social process, I might even be willing to settle for it as inadequate but as the limit of the politically possible. I refer to Carter only because I question his definition of "true" or "Christian" repentance:

- The President, as an evangelical Christian, surely understands that the premise of forgiveness is true repentance.
- True repentance begins with a forthright and nonaccusatory admission of wrongdoing.
- True repentance requires a determination to turn and walk the path of good.
- Still, the President's predicament might be a godsend....sometimes getting caught is the only way to learn the lesson....He will never have a better opportunity to seek the spiritual solace of true repentance.

The danger in Carter's piece is twofold:

1. Most importantly, by claiming to offer advice to the nation on the basis of Christian repentance as he describes it, he misinforms his reader about Christian repentance.
2. Less importantly, he makes people like me who think we ought to decide what to do about Clinton on the basis of its effect on the next election conclude that we are not Christians. Maybe not, but I think that Republicans have more to gain from forgiving Clinton in order to keep him in office.

As Lutherans, we have confessional precedence for the discussion of repentance:

"Now we must compare the false repentance of the sophists with true repentance so that both may be understood" (Smalcald Articles III, III, 9; BC, ed. Tappert, p. 304).

Carter becomes an ally of the sophists when he offers his definition of repentance as "true repentance." To clarify this assertion and to discourage the imitation of Carter, I offer the

following theses for discussion:

THESES FOR DISCUSSION

1. It is useful to distinguish repentance under the law from repentance under the gospel, repentance in the system LAW from repentance in the system GOSPEL. I find it useful to define each of these systems in terms of INPUT (who should repent) THROUGHPUT (how does repentance happen), and OUTPUT (what do repentant people look like to themselves and to others). This helps me identify the issues in making this distinction. As I pursue this task, I hope that the reader will note a series of corresponding differences in each part of the process and a comparable disparity of emphasis on each part of the process as well as of the whole process. In my opinion, Carter describes repentance under the law. In that sense, it may be called "true repentance." However, Carter does not describe Christian repentance as he seems to claim when he speaks of "true repentance."

REPENTANCE UNDER THE LAW

2. Carter describes repentance as a social act. Society uses repentance under the law in order to manage the behavior of its members, including the setting and enforcing of social moral standards, confession of violations, and varying forms of punitive responses intended to change future behavior. In this system, the shaming process of public confession and forgiveness is an alternative to other forms of punishment. Different societies have tested various responses to misbehavior. At different times and places, wide varieties of behaviors have been rewarded with death, mutilation, imprisonment, public disgrace, and/or forgiveness. Sometimes society has simply ignored the misbehavior. Various inappropriate behaviors require

different levels of confession, apology, and humiliation.

3. The purpose social repentance is always to prevent future misbehavior on the part of the violator and discouragement of similar misbehavior by others who have not committed or not yet been found out in similar transgressions.

INPUT

4. One enters the system of repentance under the law as the subject of repentance only by violating a social standard and by becoming known either through “being caught” and convicted (in a court of law or of public opinion) or being compelled to confess on his/her own initiative as a result of internalizing the social system.
5. As President Carter learned, when he confessed to adultery in his heart, it is not possible to enter the system of repentance under the law and to become the subject of confession in repentance under the law by simply thinking about or even desiring an immoral action. That is one of the many trivia that the law is not concerned about. The primary function of deterrence is to make potential violators afraid of being caught up in the system of punishment.
6. Society is concerned only about actual violations of previously defined standards or standards defined in response to actions which it has not previously condemned but has now determined to prevent in the future (for example, the Nuerenberg trials and the redefinition of “crimes against humanity” during the current trials of war criminals at The Hague).
7. In any nation, there are not only national standards of behavior but many standards of behavior set and enforced by a variety of subgroups. The church as a social institution is one of these social subgroups and itself includes a variety of its own subgroups.

8. Society encourages the variety of moral standards and uses it to permit behaviors by some subgroups which would become intolerable if accepted in and practiced by the whole society by forbidding them to the members of other subgroups. Consider, for example, the different values placed on citizens' lying to the government and police and the government and police lying to citizens, on the church's need for financial sacrifice by pastors and the concurrent emphasis on the financial need of the church's executives. It is not only the political community that needs to reconsider its moral course. I remember a discussion with more than one bishop present in which it was suggested that a moral level of financial compensation for a pastor was the average income of the congregation. The discussion of this standard was ended abruptly when someone suggested that the bishop's salary should be the average salary of the pastors' salaries. All societies allow moral perquisites to those who are in power. Only the rich raise their children to behave according to the moral standards of the rich, only the powerful to behave as powerful people. Sometimes one member of a group is expected to incorporate a group's public standard in order to detract attention from the behavior of other members of the group.
9. The standards governing the admission of various subgroups to the system of repentance and/or forgiveness under the law, the conditions under which behavior is forgiven or punished, and the varying levels of punishment are determined by economic and political factors. The setting of standards of behavior by society is a serious matter and properly takes political and economic realities, including mass disobedience and revolution, into account. For example, legislation determining taxes is only fair, just, or consistent by accident.

THROUGHPUT

10. Anything that works or is merely claimed to work has been tried. The shaming and humiliation of public exposure and confession; forgiveness; being shunned socially and excommunicated ecclesiastically, fear of hell, hope of heaven, mutilation, castration, sterilization, tarring-and-feathering, removing the roof the offender's house, exile, fine, imprisonment, torture, execution; brainwashing, moral reeducation, etc. Society's reluctance to define its moral standards is paralleled by uncertainty about the relative value of retribution and rehabilitation, about the balance of fitting the punishment to the crime and to the criminal. Since nothing works very well, there is hardly any limit to creative imagination.
11. What Stephen J. Carter calls "true repentance" describes society's freedom to ignore behavior or to choose to forgive it if the miscreant meets a standard of contrition. As Carter says: "True repentance requires a determination to turn and walk the path of good." If society determines that the necessary level of determination is not present or strong enough, it will probably attempt to stimulate it by punishment or social sanctions. The church as a social institution often demands a higher level both of shame over the past and determination to improve in the future than secular society does.
12. However, if society finds the penitent to have exhibited the appropriate level of shame and humiliation and if the inappropriate behavior is common enough so that many fear that it could happen to them, society will probably choose to forgive without any transformation process. This is not the forgiveness of the gospel. This social forgiveness consists of the decision not to punish on condition that

the behavior not be repeated, at the very least, that it not again become public but remain private. It is expected that one not violate the social standard by revealing one's own behavior or exposing the behavior of someone else. No one wants Ken Starr spending forty million dollars on their biography; no one wants the president to defend himself by exposing behaviors of members of Congress. For many, the crime is either not confessing what could no longer be concealed or publicizing what should remain private.

OUTPUT

13. The quality of output is measured by recidivism. Are those who have passed through the system caught committing new crimes and once again qualified as input to the system (required to reenter the system)? In this system, repentance and forgiveness is most effective when there is never again behavior to repent of.
14. From this perspective, the death penalty when actually administered is the most effective throughput. It may, however, be the least valuable in terms of deterrence.
15. When I was young, I worked the night shift in a very stressful environment. My sole companion was a man recently released after spending thirty years in a military prison because he had killed his sergeant in World War I. Since he was in charge, I was safe for many reasons.

REPENTANCE UNDER THE GOSPEL

16. Repentance under the gospel is quite different from repentance under the law. The purpose is not to create more right behavior (although that is sometimes a byproduct) by changing people who do what is wrong into people who do what is right, but by changing people who do

not fear, love, and trust in God into people of faith. The quality required of input is quite different, as are the transformation process, and the desired changes in the output.

INPUT

17. Everyone, even the most righteous person, qualifies as input for this system. The question as to whether one has done what is right or wrong is irrelevant. We are all qualified by reason of what the Book of Concord calls "original sin," that is, we do not fear, love, and trust in God (Smalcald Articles, III, III, 10; Tappert, Book of Concord, p. 305). Actual sins, transgressions of the law, identify us as good quality input; so do good works. No investigative work is necessary. It is enough to be a sinner. It is a good sign when someone no longer keeps score by classifying some works as good, others as bad.
18. Nor is any specific level or kind of sorrow or apology necessary. Fearing, loving, trusting something else more than God qualifies us all. If we are concerned about our misdeeds, it does not matter if that concern is motivated by love of the good or fear of punishment. If we are not concerned about our misdeeds and relatively confident in our own righteousness, we are especially in need of repentance. The quality of input is measured in terms of relationship to God rather than of behavior. The Book of Concord emphasizes this difference over against the penitential practice of those it calls "sophists." These sophists were concerned about the quality of contrition. Later Lutheran pietists would make the same shift and require "true" contrition or "true" sorrow for sin, an emotional qualification like that required of the real sorrow and shame required by society for a real apology.

THROUGHPUT

19. Throughput aims at changing the person rather than the behavior. Original sin – not fearing, loving, and trusting in God – is replaced not by a comprehensive pattern of righteous behavior (or good works) but by faith. This faith is trust in God. The process is not time-limited but on-going. The whole life of the Christian is to be a life of repentance. The work of the Spirit is apparent only in the conflict between original sin and faith and this conflict ends only in death. The process is always life-long. Death is not the end but only the transition to a new (as yet unknown) stage of the process.
20. Society's forgiveness responds to the sensed level of intensity of shame and of the intention to amend. Many found Clinton's admission of guilt an inadequate foundation for forgiveness. A greater depth of personal shame, of personal abasement, and of certainty that he would not only not do it again, but was so changed that he would never have done it (for some, "it" would be a sexual involvement, for others, "it" would be denying having done it). Forgiveness depends on differentiation. In contrast, God's forgiveness rests on God's identification with us as sinners. on God's concern for our need, and on God's concern to change us in ways that we probably wouldn't agree to if we were asked to sign a statement of informed consent. I can function as a minister of forgiveness only as I know myself to be capable of whatever actual or original sin is forgiven.

OUTPUT

21. Output under the gospel is not measured by the absence of original sin. On the contrary, the Christian remains totally a sinner; original sin does not diminish but is rather now accompanied by faith. The presence of the

transformation process is measured by the simultaneous total presence of both, by the inner conflict in which the Christian is totally involved on both sides (*simul totus iustus et peccator*). This means that faith is not identified by the absence of original sin, but rather by life in conflict with it. All that we can hope to identify is the presence of the conflict. Terrors of conscience and anxiety as well as spiritual indifference, agnosticism, certainty are all disturbing symptoms in pastoral care and need to be more carefully evaluated than overt misbehavior.

SUMMARY: COMPARE AND CONTRAST

22. Little more needs to be said. Having compared the two systems and their corresponding processes, significant differences in in-, through-, and out-put have appeared.

PASTORAL REFLECTION

23. It is a common pastoral difficulty that we would like to see more convincing results than the conflict between original sin and faith. Many of the pastors with whom I speak tell me that they wish they could identify even one person or one social system in which they have generated measurable irreversible change. Society's system of repentance under the law becomes an attractive greener pasture in which to minister.
24. I must confess that I too fall victim to that desire. In one form or another it appears to be the metabolic state of Lutheran theology. Pietism is theoretically so attractive; its promise of something more than the conflict between original sin and faith, some transcendent emotional, doctrinal, moral, or rational position. I have found no antidote except for active participation as a subject of pastoral care and not merely a minister. We are

fortunate to live in a church in which pastors love to share the holy communion of the bread and wine with one another. We are less blessed to live in a church in which pastors do not seek pastoral care, do not trust one another to provide this care, and are pastored by bishops who are sometimes too busy to exercise their pastoral office. Undoubtedly, such pastoral care, the mutual conversation of the brethren, would sometimes be inept, sometimes destructive, sometimes liberating. It has often been the Holy Spirit's school of experience in which pastors can learn what pastoral ministry is all about and not about. As our people know, the art of distinguishing law and gospel is always a process of pastoral ministry, of always trying and never fully succeeding, a never-ending lesson taught by the Holy Spirit in the school of experience. The pastor best experiences the conflict between original sin and faith in ministry in the difficulty of distinguishing law and gospel in the constantly changing, never repeated context of pastoral encounter both as subject of ministry and as minister.

25. The theologians gathered at Smalcald in February, 1537 to review and edit Luther's preparatory draft of the Smalcald articles seem to have already experienced the same kind of difficulty as do pastors today. Perhaps they needed to generate measurable changes in people's behavior that would convince their princes they were being effective. In any case, apparently with Luther's active participation, they made a significant addition to the draft:

It is therefore necessary to know and to teach that when holy people, aside from the fact they still possess and feel original sin and daily repent and strive against it, fall into open sin (as David fell into adultery, murder, and blasphemy), faith and the Spirit have departed from them. This is so because the Holy Spirit does not permit

sin to rule and gain the upper hand is such a way that sin is committed, but the Holy Spirit represses and restrains it so that it does not do what it wishes. If sin does what it wishes, the Holy Spirit and faith are not present, for St. John [1 John 3:9 and 5:18] says, "No one born of God commits sin; he cannot sin." Yet it is also true, as the same St. John [1 John 1:8] writes, "If we say we have no sin, we deceive ourselves, and the truth is not in us." (Smalcald Articles, III, III, 43-45).

The authors of the Smalcald Articles asserted that they had a way to conclusively prove that some people who had once been involved in repentance were no longer repenting. These were people who committed "public" sins. In these people, the conflict had ended prematurely and the Holy Spirit had left. Some sins were compatible with the ongoing conflict between the flesh and the spirit (Smalcald Articles, III, III, 42) but "public" sins, such as those committed by David, murder, adultery, and blasphemy are incompatible with repentance and demonstrate that the Holy Spirit has left (III, III, 43-45). This brief catalog of sins describes most of the sins that can be "public" in a agrarian society and would require substantial additions in a capitalist context. I think that the addition of this paragraph is an unfortunate attempt to make a decision in theory that can be made – whether rightly or wrongly – only in the pastoral administration of the office of the keys. As a result, the discussion of repentance concludes with unresolved dithering around the question of whether and how people who true-ly repent can be described as sinners.

26. Before the confessors at Smalcald attempted the preceding

theoretical decision in which I think they transgressed the boundary between theological theory and pastoral care, they affirmed what was once the last sentence of the draft. It remains as a warning to all of us who think we understand more than we really do, including present company:

This is something about which the pope, the theologians, the jurists, and all people understand nothing. It is a teaching from heaven, revealed in the gospel, and yet it is called a heresy by godless saints. (Smalcald Articles, III, III, 41).