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Concordia University Law School Summit

“A Law School in Boise – Why Concordia?”

February 5, 2008 -Arid Club, Boise, Idaho

Assignment: Has the Lutheran Church historically<sup>1</sup> brought a clear witness to the tension<sup>2</sup> and the theological dialect between faith and reason<sup>3</sup>, Church<sup>4</sup> & State<sup>5</sup>? Does the unique Lutheran theological view<sup>6</sup> of “law”<sup>7</sup> and Gospel in the Biblical sense, gives us an opportunity to see the providential care of God for His whole creation<sup>8</sup> in the order of things as a First Article of the Apostles’ Creed enterprise.?

Response: With Martin Luther, LCMS Lutherans believe that the ability to reason is a gift from the Creator God, the special gift, in fact, which distinguishes humankind from the rest of the animal kingdom. At the same time, Lutherans recognize that in the realm of faith, reason is incapable of obtaining on its own the true knowledge of God as He has revealed Himself in the person of Jesus Christ and as is given witness to in the Holy Bible. The Lutheran Confessions recognize the importance of clearly preserving the tension which the proper distinction between faith and reason introduces in distinguishing but not separating Church and State. On this basis, Lutherans are uniquely positioned to navigate between the two extremes<sup>9</sup> of imposing the Church upon the State or dismissing the Church entirely from the public forum. The sponsoring of a school of law by Concordia University in Portland presents an excellent opportunity for Lutherans to contribute to society’s better understanding of the relationship between faith and reason in the United States of American and in the world.

Footnotes:

1. 1529 - Luther & Zwingli Marburg Debate, see Abiding Word, Civil Government, P.FI Siegel, page 508, Church & Government, Theo Hoyer II, p. 562.
2. Romans 13.
3. Apostles' Creed, 3rd Article "I cannot by my own reason or strength...".
4. Augsburg Confession, Article XIV.
5. Mark 12, "Give to Caesar the things that are Caesar's...".
6. Luther's understanding of the two kingdoms.
7. Small Catechism explanation of the curb, mirror, and rule.
8. Apostles' Creed, 1st Article "He has given me my body and soul, eyes, ears, and all my members, my reason and all my senses..."
9. Lutherans are uniquely positioned “to navigate between the two extremes of the culture war: ‘the re-imposers’ (who merely want to re-impose traditional Evangelical, Protestant hegemony) and the ‘removers’ (who simply want to cleanse Christian faith completely from American public life.” (Render unto Caesar . . . and unto God, A Report of the CTCR, 1995, p.4 quoting James Davidson Hunting’s Culture Wars: The Struggle to Define America).

## A Summary of Rev. Dr. Samuel Nafzger's Reflections on the Question of a Law School in Boise, Idaho, Feb. 4, 2008

For Luther, reason exercised in its proper sphere—the earthly Kingdom—is “God’s most precious gift” to us human beings. Therefore Luther, in his explanation to the 1st Article of the Apostles Creed, can say that God “has given me my reason and all my senses” (emphasis added), for which it is my duty “to thank and praise, serve and obey Him” (Small Catechism, p. 105). But in the Heavenly Kingdom, reason is nothing but darkness. The words of Christ can never be understood or gained by reason, apart from the work of the Holy Spirit. Therefore, Luther says in his explanation to the 3rd Article of the Apostles Creed: “I believe that I cannot by my own reason or strength believe in Jesus Christ, my Lord, or come to Him; but the Holy Spirit has called me by the Gospel....” (Emphasis added).

As the heirs of Luther, Lutherans do not attack or reject reason in and of itself. We only reject its misuse. Lutherans are in no way anti-intellectual. The Reformation began in the University. Luther was a doctor of theology, and he was proud of that fact. What B. A. Gerrish said about Luther in his 1962 book *Grace and Reason—A Study in the Theology of Luther* is also true about Lutherans: “Reason is indicted only when caught trespassing” (p. 84).

According to Luther and the Lutheran Confessions, Christians live at one and the same time in “two Kingdoms” or under “two governments.” They live at one and the same time in both the Church and in the State. God remains the Lord in both realms, but He rules by different means in each. Regarding the kingdom of the left hand, the CTCR has written, “Luther began by noting that secular authority is grounded in its creation by God. Civil government was established to enhance our life in a fallen world. This, for Lutherans, is not a negative function but a very positive one, for it reflects God’s gracious concern for His creation.”

The question, “A Law School in Boise – Why Concordia?” is a question that will have to be answered primarily on the basis of human reason, “the queen of the earth” as Luther refers to it, and not on the basis of Holy Scripture, the Lutheran Confessions, or the two kingdoms doctrine, but by those who have been entrusted with making such decisions by Concordia University and The Lutheran Church—Missouri Synod. This question ought not to be answered positively simply because we Lutherans want to introduce into our society a “Christian” Law School or a “Lutheran” Law School as if we have some unique insights into the nature of law not known in the world by non-Christians. At the same time, however, a decision not to sponsor a law school ought not be based on the fear or conviction that a Lutheran University should have nothing to do with such earthly matters as establishing a law school in Boise, that a Lutheran University should only be involved “in winning lost souls for Christ.”

Human reason tells us, it seems to me, that the opportunity to sponsor a Law School in Boise, based on positive responses to a whole host of other questions for which the church as God’s kingdom has no special insights, offers, nevertheless, a marvelous opportunity for the LCMS to model the Lutheran understanding of the relationship which exists between church and state....

We Lutherans, it seems to me, with our clear understanding of the dialectical tension between faith and reason, are uniquely positioned “to navigate between the two extremes of the culture war: ‘the re-imposers’ (who merely want to re-impose traditional Evangelical Protestant hegemony) and the ‘removers’ (who simply want to cleanse Christian faith completely from American public life.”

And dare I say it, if I were giving advice to those making the decision to whom the opportunity to sponsor a Law School in Boise should be given, it would seem to me that, once again, assuming positive responses to a whole host of other questions were present, it would certainly make sense to give this opportunity to an institution which has such a clear understanding of the limits and boundaries between church and state as do Lutherans.

## “A LAW SCHOOL IN BOISE – WHY CONCORDIA?”

### Introduction

Martin Marty wrote an article in 1975 titled, “Civil Religion and the Churches Behaving Civilly” (Theology Today, July 1975). He begins this article by making a confession. He writes:

The late General Lewis B. Hershey is remembered for his honesty: “If you don’t know what I’m talking about, I share your lack of knowledge. I don’t know what I’m talking about either.” Whoever writes on civil religion has something of the same kind of confession to make.

I have not been asked to talk about civil religion today. But if I understand my assignment rightly, I think I have been asked to address the question, “A Law School in Boise – Why Concordia?”

Several weeks ago, while we were attending a meeting together in St. Louis having to do with the implementation of the “Specific Ministry Pastor Program” adopted by the LCMS at its national convention last summer (2007 Res. 5-01B, “To Establish Specific Ministry Pastor Program”), Northwest District President Warren Schumacher informed me about the exciting possibility of a Concordia University in Portland sponsored Law School here in Boise. He then proceeded to ask me if I would be willing to participate in a February 4 or 5 “round table ‘White Paper’” conversation, defining “White Paper” as a document which “argues a specific position or solution to a problem.”

Before I could respond to this invitation, he quickly reminded me that, if he remembered correctly, my son and his wife were both prosecuting attorneys here in Boise, and that if I would agree to participate in these talks, it would afford me and my wife an opportunity to see our two little grandsons again. He, of course, was remembering correctly, knowing full well how difficult it would be for a proud Grandpa like me to turn down an offer like that.

But of course, this hardly qualifies me to make a meaningful contribution to the topic of our conversation here today about “A Law School in Boise – Why Concordia?” President Schumacher was also aware that in 1995, the Commission on Theology and Church Relations, of which I am the Executive Director, had issued a report titled, “Render Unto Caesar...and Unto God,” which examines the topic of “how Lutherans have interpreted the relationship between church and state” (p. 31), and perhaps he was also aware of the fact that in 2005 the Commission on Theology had issued a report titled, “Christian Faith and Human Beginnings,” which focuses “on Christian participation in public debate concerning the use of embryos for medical research and therapy” (see fn. 1, p. 4).

A couple of weeks later, Dr. Schlimpert, President of Concordia University, Portland, was kind enough to send me the Agenda for this “Concordia University Law School Summit,” which indicates that I have been given 30 minutes to say a few words about the topic, “Theological, Spiritual, Ethical Underpinnings.” I am especially grateful for the inclusion of the following paragraph in which he has provided some much appreciated direction for what I want to say this afternoon. He writes:

Theologically, what can the Lutheran Church bring to the public square as we sponsor a Law School in Boise, Idaho. The Lutheran Church has historically brought a clear witness to the tension and the theological dialectic between faith and reason, church and state. The unique Lutheran theological view of “law” and “Gospel in the Biblical sense, gives us an opportunity to see the providential care of God for His whole creation in this order of things as a First Article of the Apostles’ Creed enterprise.

On the basis of these words of guidance regarding what is expected from me as we prepare a “White Paper” in response to the question, “A Law School in Boise – Why Concordia?” I want first to discuss the “Theological, Scriptural, Ethical Underpinnings” which Lutherans traditionally bring to the understanding of the tension filled dialectic between faith and reason. And secondly, I intend to say a few words about the implications which this

understanding of the relationship between faith and reason has for the Lutheran understanding between church and state. I shall conclude with two observations about what this can contribute to our response to the question, “A Law School in Boise – Why Concordia?”

## I. Martin Luther on Faith and Reason

In 1962, B. A. Gerrish published a book titled, *Grace and Reason—A Study in the Theology of Luther*. In the introduction to this seminal study, Gerrish tells why he has given this work the title “Grace and Reason” rather than “Faith and Reason.” He explains:

...recent Luther-research has stressed the manner in which the entire structure of the Reformer’s theology is determined by the doctrines of the ‘two kingdoms’ and of the forgiveness of sins. It is these two fundamental conceptions which give Luther’s thinking such inner harmony as it has, and it is the same two conceptions that bring order into his apparently incompatible utterances on reason...the doctrine of the two kingdoms provides the framework for Luther’s observations on reason...it is further shown how close the assault on reason stands to the cardinal doctrine of forgiveness. It is in order to stress this remarkable association of ‘reason’ and ‘forgiveness’ that our essay bears the title ‘Grace and Reason’ rather than ‘Faith and Reason.’ For the problem of human reason, according to Luther, is that it cannot comprehend the Gospel’s message of free forgiveness by grace alone (pp. 8-9).

### A. Luther’s Understanding of Reason.

First of all, I want to say something about Luther’s understanding of human reason, for Luther’s complex understanding of reason continues to influence the Lutheran understanding of the relationship between faith and reason to this day.

#### 1. Reason—An Enemy of God.

Luther’s fierce attacks against the capacities of human reason, says Gerrish, “are well known.” He points out that the last sermon preached by Luther in Wittenberg before his death in 1546 “has acquired the status of locus classicus for his invective on reason.” He continues:

Here (by no means for the first time in Luther’s utterances) reason appears personified as ‘the Devil’s Whore,’ and Luther’s animosity toward it is expressed in violent, indeed coarse and vulgar, abuse, which many of his critics are too genteel to reproduce or, at least, to translate (p. 1).

According to Luther, reason is a “beast,” an “enemy of God,” a “source of mischief.” It is “carnal” and “stupid.”

To the “direct tirades against reason,” says Gerrish, “we must add Luther’s assaults on Aristotle, whose name was, for Luther, almost synonymous with philosophy (one of the most obvious activities in which human reason is characteristically expressed). According to Luther, Aristotle is the “destroyer of pious doctrine,” a “mere Sophist and quibbler,” an “inventor of fables,” an “ungodly public enemy of the truth.” Luther describes Aristotle as “the stinking philosopher,” the “Clown of the High Schools,” a “trickster,” a “rascal,” a “liar and knave,” “the pagan beast,” a “blind pagan,” a “triple-headed Cerberus” (a dog with three heads which was thought by the Greeks to guard the entrance to hell), a “triple-bodied Geryon” (a monster king of Cadiz, whose cattle Hercules had carried off), a “lazy-ass,” a “billy-goat,” and many other such epithets.

#### 2. Reason—God’s Most Precious Gift.

Luther’s strong denunciation of reason has led many down through the centuries to regard him as an “anti-intellectualist,” or “the first great Romantic,” as an “enemy of philosophy.” But if one examines all that Luther has to say about reason, it soon becomes evident that Luther’s understanding of reason is much more complex. As

Gerrish points out, Luther's statements about reason reveal not only a hostility towards reason, but his writings also show that he can heap "extravagant praise and unqualified opprobrium" (p. 4) on human wisdom.

When someone objected to his rejection of human reason on the basis of Christ's commendation of the wisdom of the man who built His house upon rock, Luther replied:

That is true; but you must here distinguish God and men, things eternal and things temporal.

Luther explains his meaning as follows: In temporal affairs and those that have to do with men, the rational man is self-sufficient (*da ist der mensch vornunfftig genug*): here he needs no other light than reasons. Therefore, God does not teach us in the Scriptures how to build houses, make clothing, marry, wage war, navigate, and the like. For here the light of nature is sufficient. But in godly affairs, that is, in those which have to do with God, where man must do what is acceptable to God and be saved thereby—here, however, nature is absolutely stone-blind, so that it cannot even catch a glimpse...of what those things are. It is presumptuous enough to bluster and plunge into them, like a blind horse, but all of its conclusions are utterly false, as surely as God lives (quoted in Gerrish, p. 12).

Gerrish points out that underlying this positive understanding of reason, as opposed to his rejection of it, is "Luther's fundamental dualism of an Earthly and a Heavenly Kingdom" (p. 13).

Gerrish's comments regarding the tension which characterizes Luther's understanding of reason is helpful.

He writes: Reason's sphere of competence, the area within which it may legitimately be exercised, is the "Kingdom of Earth" (*das irdische Reich*). Now and again, Luther offers lists of the kinds of activities which reason supervises within this specified area, and the lists do not greatly vary. Reason is able to do many things: it can judge in human and worldly matters, it can build cities and houses, it can govern well. The world knows how to build, how to keep house, how to manage estates and servants, how to be outwardly pious and to lead a decent, honest life. In the main, Luther seems to be thinking precisely of those human activities which we, too, would describe as 'mundane,' that is, such activities as we need to perform in order to exist at all. But he does extend the list far enough to include 'government' (in the political sense). Reason is able to found kingdoms and commonwealths, to fence them in and make them firm with useful laws, to direct and govern them with good counsel and sound precepts, to prescribe many things indispensable for the preservation of commonwealths and of human society (*societatis humanae*—virtually, 'civilization'). Reason, in fact, is the 'soul of law and mistress of all laws.' The philosophy of government rests upon the principle that reason (in a sufficiently liberal amount) is the possession of the few, whilst laws prescribed by reason must serve for the many (p. 13).

So long as reason stays within its sphere of competence, Luther has nothing but praise for it. Gerrish summarizes Luther's praise of reason as follows: It (reason) is the best thing in this life—indeed, it is something divine. Reason is personified as the 'inventress and mistress of all the arts, of medicine and law, of whatever wisdom, power, virtue and glory men possess in this life.' Reason is what marks off mankind from the brute beasts, and the Holy Scriptures themselves have appointed her queen of the earth (*Genesis i.28*). Nor has her rule been taken from her by the Fall: she remains a kind of 'divine sun' (*sol et numen*), in whose light the affairs of this life are to be administered. Reason is the greatest, the inestimable, gift of God (pp. 16-17).

For Luther, reason exercised in its proper sphere—the earthly Kingdom—is "God's most precious gift" to us human beings. Therefore Luther, in his explanation to the 1st Article of the Apostles Creed, can say that God "has given me my reason and all my senses" (emphasis added), for which it is my duty "to thank and praise, serve and obey Him" (*Small Catechism*, p. 105). But in the Heavenly Kingdom, "reason is nothing but darkness" as Gerrish puts it. The words of Christ can never be understood or gained by reason, apart from the work of the Holy Spirit. Therefore, Luther says in his explanation to the 3rd Article of the Apostles Creed: "I believe that I cannot by my own reason or strength believe in Jesus Christ, my Lord, or come to Him; but the Holy Spirit has called me by the Gospel...." (Emphasis added).

Gerrish summarizes Luther's attitude toward reason by making the following important distinctions:

If, then, we are to do justice to the complexity of Luther's thought, we must carefully distinguish: (1) natural reason, ruling within its proper domain (the Earthly Kingdom); (2) arrogant reason, trespassing upon the domain of faith (the Heavenly Kingdom); (3) regenerate reason, serving humbly in the household of faith, but always subject to the Word of God. Within the first context, reason is an excellent gift of God; within the second, it is Frau Hulda, the Devil's Whore; within the third, it is the handmaiden of faith (p. 26).

As the heirs of Luther, Lutherans do not attack or reject reason in and of itself. We only reject its misuse. Lutherans are in no way anti-intellectual. The Reformation began in the University. Luther was a doctor of theology, and he was proud of that fact. What Gerrish says about Luther is also true about Lutherans: "Reason is indicted only when caught trespassing" (p. 84).

## II. "Render Unto Caesar...and Unto God"

In 1995, the LCMS' Commission on Theology and Church Relations issued its report, "Render Unto Caesar...and Unto God—A Lutheran View of Church and State." After reviewing what it calls "the long tortuous history of Christians and government, the Commission presents what it refers to as "A Lutheran Two-Kingdom Perspective."

It first presents a brief description of H. Richard Niebuhr's five interpretive models which Christians have typically given to the enduring problem of Christ and culture:

Christ Against Culture

The Christ of Culture

Christ Above Culture

Christ and Culture in Paradox

Christ the Transformer of Culture

The first model is an uncompromising defense of Christ's authority of the Christian. Its most vociferous advocate was Tertullian, who urged Christians to shun political life altogether. His modern heirs are some of the Amish and Mennonite groups. This approach overemphasizes the purity of the Christian community and underemphasizes the honorable God-designed functions of civil government. Tertullian would have never called this summit discussion, but would have called for the circling of the wagons against the civil state.

Niebuhr's second model, the Christ of Culture, presents Jesus as the fulfillment of the hopes and dreams of society. Gone is the tension between Christ and Culture. In its place is a Christianized process of civilization itself. The final result is the loss altogether of the distinction between church and society. In this model, there would be no need for Concordia University to sponsor a law school at all.

The third model, Christ Above Culture, regards Christ as the "fulfillment of cultural aspirations." This view is best illustrated in the medieval church. Its weakness is the extent to which the unity of church and culture must be imposed forcefully, with the Gospel of Christ as its prime casualty. We would have a Christian law school, and use the inquisition to get it, if necessary.

Niebuhr's fifth model, Christ the Transformer of Culture, emphasizes the redeeming Lordship of Christ and the sanctifying Spirit it has for overcoming and overturning the consequences of the fall into sin. This model shows up in work of St. Augustine and John Calvin, who sought to establish the city of God on earth. The strength of this model is the unity of God's purpose. Its weakness is that this unity must often be imposed by force. Pat Robertson would feel quite at home with this model, as well as Orval Roberts. Yes, a Christian law school by all means. And it should teach what the Bible says about Israel, about what is moral and what is sinful, etc.

Nibuhr's fourth model, Christ and Culture in Paradox, says Niebuhr, is the one that best preserves and safeguards the tension which, according to the Bible, characterizes the way human beings encounter God. God as He reveals Himself in Scripture is at one and the same time a God of grace and mercy and also a God of judgment and wrath. This understanding of the relationship between Christ and Culture, says Niebuhr, is best illustrated in the thinking of St. Paul and of Martin Luther.

According to Luther and the Lutheran Confessions, Christians live at one and the same time in "two Kingdoms" or under "two governments." They live at one and the same time in both the Church and in the State. God remains the Lord in both realms, but He rules by different means in each. Writes the Commission:

Luther began by noting that secular authority is grounded in its creation by God. Civil government was established to enhance our life in a fallen world. This, for Lutherans, is not a negative function but a very positive one, for it reflects God's gracious concern for His creation. Thus Luther argued that God remained the Lord of both secular and spiritual authorities, although ruling by different means in each (Law and Gospel). Luther also taught that all Christians live in both kingdoms simultaneously, so that both kingdoms must be clearly distinguished without being separated (p. 34).

Concludes the Commission:

For Luther, the normative principles of the church are faith and love, while the normative principles of the civil order are reason and justice. With regard to spiritual righteousness, Luther had a well known contempt for human reason. When it came to civil righteousness, 'Luther was quite confident that human rationality could and often would find a good set of positive laws and upright customs to serve a society—no matter how many or few Christians lived in it.' Luther was confident that natural law would provide human reason all that it required for social justice. Social justice, therefore, must be grounded in the Law and human reason rather than in the Gospel and faith (pp. 35-36).

Luther was not altogether consistent in living out the implications of this view. As the CTCR points out, he permitted the ruling princes to assume control over the church in Germany. One can understand why C.F.W. Walther regarded Luther's two Kingdom theology of the relationship between church and state as being most fruitful in America's climate of religious freedom, and its understanding of the "separation" of church and state.

This Lutheran understanding of the priority of the Gospel and its radical distinction from the Law is very different from the Puritan-Reformed model of Christ transforming culture. For Lutherans, it is God to whom Christians respond in both Kingdoms, yet in different ways. Writes the Commission:

...there are profound limits, for Luther, to what Christian good works can accomplish, and the church must not become preoccupied with transforming the civil order. In Luther's way of thinking, Christians are called to operate within different expressions of the emergency orders, which vary in their cultural and social particularities. Christian faith can illumine reason. Love can temper justice. But these transforming virtues cannot create a Christian politics or Christian economics... (p. 39).

And we might say, in light of this summit discussion here today, the Gospel cannot establish a Christian or Lutheran law school in Boise. But Christians also serve God by exercising His gift of reason in the earthly realm.

We conclude this brief review of the "Lutheran Two Kingdom Perspective" on the relationship between Church and State with the following quotation from the Augsburg Confession, Article XVI, titled "Civil Government":

It is taught among us that all government in the world and all established rule and laws were instituted and ordained by God for the sake of good order, and that Christians may without sin occupy civil offices or serve as princes and judges, render decisions and pass sentence according to imperial and other existing laws, punish evil doers with the sword, engage in just wars, serve as soldiers, buy and sell, take required oaths, possess property, be married, etc.

Condemned here are the Anabaptists who teach that none of the things indicated above is Christian.

Also condemned are those who teach that Christian perfection requires the forsaking of house and home, wife and cattle, and the renunciation of such activities as are mentioned above. Actually, true perfection consists alone of proper fear of God and real faith in God, for the Gospel does not teach an outward and temporal but an inward and eternal mode of existence and righteousness of the heart. The Gospel does not overthrow civil authority, the state, and marriage but requires that all these be kept as true orders of God and that everyone, each according to his own calling, manifest Christian love and genuine good works in his station of life. Accordingly, Christians are obliged to be subject to civil authority and obey its commands and laws in all that can be done without sin. But when commands of the civil authority cannot be obeyed without sin, we must obey God rather than men (Acts 5:29). (AC XVI, 1-7).

### Conclusion

Having now presented the rather complex relationship which exists according to our Lutheran understanding between faith and reason, and the implications this has for the relationship which exists between church and state, what can we say in response to the question, “A Law School in Boise – Why Concordia?” I would leave you with two rather modest conclusions:

The question, “A Law School in Boise – Why Concordia?” is a question that will have to be answered primarily on the basis of human reason, “the queen of the earth” as Luther refers to it, and not on the basis of Holy Scripture, the Lutheran Confessions, or the two kingdoms doctrine, but by those who have been entrusted with making such decisions by Concordia University and The Lutheran Church—Missouri Synod. This question ought not to be answered positively simply because we Lutherans want to introduce into our society a “Christian” Law School or a “Lutheran” Law School as if we have some unique insights into the nature of law not known in the world by non-Christians. At the same time, however, a decision not to sponsor a law school ought not be based on the fear or conviction that a Lutheran University should have nothing to do with such earthly matters as establishing a law school in Boise, that a Lutheran University should only be involved “in winning lost souls for Christ.”

Human reason tells us, it seems to me, that the opportunity to sponsor a Law School in Boise, based on positive responses to a whole host of other questions for which the church as God’s kingdom has no special insights, offers, nevertheless, a marvelous opportunity for the LCMS to model the Lutheran understanding of the relationship which exists between church and state in a concrete, positive way in the midst of what James Davison Hunter refers to as the contemporary Culture Wars: *The Struggle to Define America* in a book published in 1991 by that name.

We Lutherans, it seems to me, with our clear understanding of the dialectical tension between faith and reason, are uniquely positioned “to navigate between the two extremes of the culture war: ‘the re-imposers’ (who merely want to re-impose traditional Evangelical Protestant hegemony) and the ‘removers’ (who simply want to cleanse Christian faith completely from American public life.” (Render unto Caesar, p. 4)

And dare I say it, if I were giving advice to those making the decision to whom the opportunity to sponsor a Law School in Boise should be given, it would seem to me that, once again, assuming positive responses to a whole host of other questions were present, it would certainly make sense to give this opportunity to an institution which has such a clear understanding of the limits and boundaries between church and state as do Lutherans.

Samuel H. Nafzger

February 4, 2008