

# Binding and loosing: a 'key' function in hearing and applying Scripture

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## Introduction

Jesus said to Peter, 'I will give you the keys of the kingdom of heaven, and whatever you bind (*dēśēs*) on earth will be bound in heaven, and whatever you loose (*lysēs*) on earth will be loosed in heaven' (Mt 16:19).

There is a long tradition of interpretation in church history (including Luther) that connects the business of 'binding' and 'loosing' to the church's authority to forgive or retain sins,<sup>1</sup> even though the scriptural basis for such an ecclesial authority is more clearly taught in John 20:23, 'If you forgive the sins of any, they are forgiven them; if you retain the sins of any, they are retained'.

Matthew uses the terms 'to bind' and 'to loose' without explanation, suggesting that these commissioning words of Jesus would have been immediately understood by his hearers. However, the meaning of 'binding and loosing' remains a matter of energetic debate in modern biblical scholarship (Derrett 1983; Bassler 1985; Hiers 1985; Marcus 1988; Powell 2003), debate created by questions aimed at discerning the meaning of the phrase in its original socio-religious, philological and literary contexts, and how to resolve a translation difficulty posed by the presence of a rare future-perfect periphrastic construction in the text.<sup>2</sup>

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1 Apol. Augsburg Confession IV,397; XIII,176; Smalcald Articles III,7; Power and Primacy 23,40.

2 A periphrastic construction is a 'round about way of saying something'. Normally, Greek verb forms are made by inflection (the form of the word changing to indicate the person, number, tense, voice, and mood of the verb). However, another way of forming some verb occurrences is by adding a form of a linking verb (usually the verb 'to be') to a nominative form of the verbal participle.

This essay contributes to an ongoing conversation in the Lutheran Church of Australia (LCA) concerning the faithful hearing of Scripture.<sup>3</sup> It presents some of the arguments and insights of recent scholarship that claim the metaphor 'binding and loosing' in Matthew 16:9—in its original context—referred to the rabbinical practice of determining the application of scriptural commandments for contemporary situations, and it raises implications of such an interpretation for a Lutheran approach to hearing and applying Scripture.

### Lost in interpretation

Lutherans in Australia can agree that Holy Scripture is the Word of God in writing, and that this written Word, the Bible, is inseparably bound up with the Word Incarnate and the oral Word. Further, they can subscribe to the verbal and plenary inspiration of the Scriptures, while not supporting theories that attempt to explain the 'how?' of inspiration. Again, they can confess together that the Word of God written by men (sic) is at the same time divine and human—analogous of the divine and human nature of Jesus Christ, the Word incarnate.<sup>4</sup> Indeed, there is broad agreement on the nature of Scripture. However, disagreements have become apparent in the interpretation and application of biblical texts as the Church attempts to address contemporary issues of faith and life.

This essay does not attempt to analyse or explain the differences that exist in the hearing and applying of Scripture in the LCA. However, the approach I adopt to engage the text of Matthew is informed by two helpful insights from the discipline of Interpretative theory (hermeneutics): the nature of the hearer and the nature of words in a written text.

One reason for the different 'hearing' of Scripture is what Hans-Georg Gadamer (1900–2002) referred to as the 'locatedness' of hearers. Hearers are shaped by their environment. Even before approaching any given text, hearers are preconditioned by their context. Hearers hear what they are formed to hear.

Situated within traditions ... history does not belong to us; we belong to it. Long before we understood ourselves through the process of self-examination, we understood ourselves in a self-evident way in the family, society, and state in which we live ... (Gadamer: 278)

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3 A Hermeneutics Symposium was held in Tanunda, South Australia, on 13–15 October 2011. This symposium was convened by LCA President Rev Dr Michael Semmler to address three focus areas: theological hermeneutics, Scripture and context/culture, and the Law Gospel distinction in the interpretation of Scripture. The event was intended to give the LCA 'exposure to theological opinions beyond its own bounds'. Theologians from churches affiliated with the International Lutheran Council and Lutheran World Federation were invited to present and respond to the focus areas. An intended outcome was that the LCA be further enabled 'to deal biblically with its approach to the challenges of a rapidly changing society', and, 'help model a process for partner churches in SE Asia facing issues in their contexts.'

4 Smalcald Articles III,8; Solid Declaration XI,17; Theses of Agreement VIII,2,8,9.

In what ways have Lutherans been preconditioned to the interpretation of a text like Matthew 16:19? Have issues around the status of Peter in the apostolic and post-apostolic period, together with confessional and historical responses to both the Papacy and Catholic magisterium, coloured Lutheran insistence that the keys and binding and loosing refers to an authority given to the church as a whole—that of the forgiveness of sins? Likewise, has the selective use of Matthew 16:17–19 by Roman Catholics at the expense of Matthew 18:17–20 reflected an equally fundamentalist (proof-texting) approach to interpretation—an approach rejected by the Pontifical Biblical Commission's own document on the *Interpretation of the Bible in the Church* (1993)?

Another reason why the translation and interpretation of biblical texts often proves difficult is because of a phenomenon known as polysemy (Nerlich 2003): the many meanings that a single word can take. While contemporary western experience is that language is increasingly viewed as purely instrumental—the only language allowed to be 'meaningful' being literal or scientific language—biblical language includes greater incidence of metaphor, symbol, and the poetic. The French philosophical theorist Paul Ricoeur observes that '... when (we) refuse to take metaphor or poetic language seriously (we) reinforce the prejudice that the only adequate relation between language and reality is the literal ...' (Vanhoozer: 60).

Metaphors vary from culture to culture and are language-specific (Lakoff and Johnson 1980). For example in Dutch it is a common saying to give a proposal 'hands and feet' (*handen en voeten geven*) to express the physical work that is needed to make the proposal concrete. Such expressions are not easily understandable for non-native speakers. The same might be said of the metaphor 'binding and loosing'.

Greek lexicons and theological dictionaries classify the words 'bind' and 'loose' as technical terms in Judaism, giving support for both traditional translations of *deō*: disciplinary action and halakic teaching authority (Büchsel: 60; Str.-Billerbeck IV, 304-21). Yet some research also links the metaphoric use of *dein* (to bind) and *lyein* (to loose) in Matthew with commonplace philosophical debates about the law—as evident in Protagoras, Plato, and Dio Chrysostom—and the observations of some historians.

David Balch (1991) has shown that the verbs 'to bind' and 'to loose' occur in extensive Greek philosophical-political discussions of a state's constitution and laws (e.g., Plato, *Laws*, Books 3–4; Dio Chrysostom, *Discourses* 75, 76, 80). Plato identified how written laws and natural laws/ancestral customs acted as bonds in every constitution (*Laws* 7.793B) binding the State and its peoples together. Early Stoics likewise valued natural law (customs) but interpreted civic laws negatively, as mere human inventions (Erskine: 113, 115). The Stoic preacher Dio Chrysostom—a contemporary of Matthew and Josephus—writes how the philosopher needs to be submissive to the laws of Zeus but is not 'bound' by human laws (*Discourse* 80.7–14). However, a discernable change occurred in Stoic thought, about the middle of the second century BCE, when the concept of justice was interpreted more closely with city laws (Erskine: 152, 153); a philosophical opinion also reflected in Dio:

Those who strictly observe the law have firm hold on safety; while those who transgress it destroy first of all themselves and then their fellows too, providing them with an example and pattern of lawlessness and violence ... A city cannot be saved if the law has been destroyed (*lythentos*). (*Discourse* 75.1, 10)

Arguably of more immediate interest for the interpretation of the terms 'to bind' and 'to loose' in Matthew's gospel are related discussions in the works of two historians: Dionysius of Halicarnassus (60-7 BCE) and Titus Flavius Josephus (37-100 CE). In both historians—one a native of Greece and the other from Palestine, writing in Rome a century apart—there is a philosophical commitment to an unalterable constitution. The founder's laws (whether Romulus or Moses) are not to be abolished, since any change would amount to a lack of reverence and be contrary to the principles of justice.

Dionysius claims that he provides a record of 'time-honoured customs, laws, and institutions which they [Romans] preserve down to my time just as they received them from their ancestors' (*Rom. Antiquities* 7.70.2). Further, concerning rituals for worship, he comments how 'both the Greeks and barbarian world have preserved [these] for the greatest length of time and have never thought fit to make any innovation in them, being restrained from doing so by their fear of the divine anger' (*Rom. Antiquities* 7.70.3).

Josephus uses similar language when writing about the Maccabean queen Alexandra, who allowed the Pharisees too much influence, so that they 'became the real administrators of the state—at liberty to banish and recall, to loose and to bind (*lyein te kai desmein*) whom they would. In short, the enjoyments of royal authority were (incorrectly) theirs ...' (*War* 1.111). Josephus also narrates how Moses delivers the law to Israel to be their legal constitution in times of peace as well as times of crisis and war. Moses decrees, 'May there never come a time for amending aught therein and establishing the contrary in its place' (*Antiquities* 4.292). Again, 'May neither foreigner invade it [this land] ... whereby ye shall be led to actions contrary to those of your own fathers and destroy the institutions which they established: and may you continue to observe the laws which God has approved as good and now delivers to you' (4.294). Finally Moses calls a general assembly, including women and children and slaves, making them swear to observe/keep all these laws (4.309), and if any of their blood relatives should try to confuse or abolish (*katalyein*) the constitution and laws, individuals and the entire nation should rise up to their defense (4.310).

Yet both Josephus and Dionysius deal with historical reality in their narratives, telling how fundamental change did occur in the histories of Rome and the Jewish people.

Although Josephus records Moses' demand that the laws of God not be abolished, he narrates how the Israelites departed 'from the ordered course of their constitution' and 'became filled with the vices current among the Canaanites' (*War* 5.179,180), even demanding that Moses appoint for them a king. Samuel accuses the people of irreverence, of being traitors to the worship of God and the practice of their religion (*War* 6.88, 90), yet Josephus does not conclude that the law/constitution of Moses had

been abolished—even though it had been clearly changed. Instead, he reports how the Israelites repented and prayed that God might forgive them (6.92,93).

Again, in 1 Maccabees the narrator recounts how those who followed Matthias into the wilderness were attacked on the Sabbath by the forces of Antiochus Epiphanes, and that they died, with their wives and children and livestock (2:29–38). However, the people subsequently made a decision, saying, ‘Let us fight against anyone who comes to attack us on the Sabbath day; let us not all die as our kindred died in their hiding places’ (2:41). No information is given on who was involved and how the decision was made, but practice was changed in their observance of the Sabbath. Nonetheless, even though they fought on the Sabbath Day it is claimed that they offered themselves willingly ‘for the Law’ (2:42); they are zealous for the law and accepted the invitation to ‘give your lives for the covenant of our ancestors’ (2:50). To use words from the broader and commonplace philosophic discussion on loyalty to the laws and covenant: they did not abolish the law of Moses regarding the Sabbath, but they changed their interpretation and application of the law.

Dionysius narrates the overthrow of the ancestral king Lucius Tarquinus, and the abolition of the Roman monarchy in favour of a dual consulship (*Antiquities* 4.41–85). Even though this reform seems to depart from the laws and customs espoused by Romulus, the revolution leader, Lucius Junius Brutus, is eulogized for ‘guarding’ the constitution of Rome. As Dionysius explains, the monarchy had become corrupt and what appeared to be a departure or change in form of government was in fact a return to Romulus’s original constitution.

Given the polysemic nature of language—the many meanings that a single word can take—and the language-specific nature of metaphors, I suggest that the words of Jesus recorded in Matthew 5 and 16—concerning not abolishing the law, and binding and loosing—need to be approached and interpreted within the broader, contemporary discussion in the ancient Mediterranean world concerning loyalty to laws and customs. Indeed, the entire New Testament reflects a spectrum of ordinary first-century opinion about how strictly the law is to be observed. As for Matthew’s Gospel, Saldarini (1994) provides sound argument that the text reflects a fundamental reorientation of the tradition, reinterpretation in a way that opens the way for change (the ‘loosing’ of some laws) in the Matthean community, including the incorporation of gentile converts.

### **Found in context**

The author and audience of Matthew’s Gospel are widely understood to share close connections with the milieu of Second Temple and post-Temple Judaism (Davies 1964; Meier 1983; Stanton 1993; Saldarini 1994; Overmann 1996), the text reflecting some tensions and issues that existed in first century CE Palestine—including the famous arguments between the schools of Hillel and Shammai, who debated matters of ritual practice, ethics, and theology. Between Hillel and Shammai themselves three disputes are mentioned in the Talmud (*Shab.* 15a; *Hag.* ii. 2; *Eduy.* i. 2, 3; *Niddah* i. 1); but with the

increase of their disciples controversies increased to such an extent as to give rise to the saying, 'The one Law has become two laws' (*Tosef.*, *Hag.* ii. 9; *Sanh.* 88b; *Sotah* 47b). The prevailing characteristic of the Shammaites was that they considered it impossible to be sufficiently stringent in religious prohibitions, whereas the Hillelites were known to be moderates who made accommodation for circumstances and times in their application of the law.

It was expected practice that every scribe was to discern and apply the teachings of the law. In *b.Sanh.* 99, a rabbi says, 'Whosoever studies the Torah and does not revise it is likened unto one who sows without reaping' (Epstein: 1961); *b.Eruv.* 21b reflects on the meaning of 'new' and 'old.' It concludes that the 'old' are the commandments received from the Torah, while the 'new' are the words of the scribes (cf Matt 13:51,52). However, it would be wrong to conclude from this practice of receiving and interpreting tradition that for the rabbis (and for Matthew) loosing, or changing, how the law was to be applied meant dismissing scripture or countering its authority. 'The law was never wrong when it was rightly interpreted. The issue, rather, was discernment of the law's intent and the sphere of its application' (Powell: 439).

The Gospel of Matthew reflects the polarity in first-century Judaism regarding the preservation and reinterpretation of the law. This is evident, for example, in tensions between the uses of *lyein* (to loose) in 5:19 and 16:19. If interpreters approach the Gospel of Matthew observing the principle of reading individual words and sentences within the narrative flow of the text, then Matthew 16:19 must be read in connection with the programmatic statement of Jesus concerning the law in the Sermon on the Mount:

Do not think that I have come to abolish (*katalysai*) the law or the prophets; I have come not to abolish but to fulfill. For truly I tell you, until heaven and earth pass away, not one letter, not one stroke of a letter, will pass from the law until all is accomplished. Therefore, whoever breaks (*lyse*) one of the least of these commandments, and teaches others to do the same, will be called least in the kingdom of heaven; but whoever does them and teaches them will be called great in the kingdom of heaven. For I tell you, unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven. (Matt 5:17–20)

Luz (409) argues that the verbs *katalyō* (I abolish) in 5:17 and *lyō* (I loose) in 5:19 are synonyms, but Matthew appears to be making some distinction between them. In the first instance, Jesus denies that he has come to abolish the 'law or the prophets', the entire Mosaic Torah, but in 5:19 the reference is to anyone who repeals 'one of the least of these commandments'. There is a contrast between abolishing the whole (5:17) and the 'loosing' of a single commandment (5:19). Turning to 16:19, then, tension arises between a previous negative judgement on anyone rescinding a single command and Jesus giving the authority to Peter and the church to 'bind' and to 'loose' whatever (*ho ean*) matter/commandment without any mention of divine anger or the need to seek forgiveness.

The same polarity is evident in the ministry of Jesus who, following his programmatic statement about the law in 5:17–20, looses certain prohibitions in the law. In a series of antitheses Jesus highlights ‘you have heard that it was said ... but I say to you’ (5:21,27,33,38,43). Jesus binds certain commands, including the law against adultery, but then looses his own prohibition of divorce and remarriage for those cases involving an unfaithful spouse (cf. other examples of ‘loosing’ in 12:1–14; 15:1,2,10–20,21–28; 22:15–22).<sup>5</sup> The Torah that Jesus fulfills is one in which the letter of the law has been removed (Meier 1976: 140–61).

In rabbinical debate, the phrase ‘binding and loosing’ almost always applies to authoritative halakic decisions concerning what is prohibited and what is permitted (Büchsel: 60,61). There is strong support for interpreting ‘binding and loosing’ in Matthew 16:19 as the power to make authoritative interpretation of laws and customs; first, based on its use in Greek and Jewish literature, and secondly by its connections to the narrative flow and programmatic statements in the Gospel itself.

Recent commentaries (Davies and Allison 1988; Fiedler 2006; Turner 2008; Talbert 2010) reflect a broad agreement that Matthew’s Gospel is organized into five discourses (4:18 – 8:1; 9:35 – 11:1; 13:1–53; 17:24 – 19:2; 24:3 – 26:1a), each preceded by a narrative section linked to the subsequent sayings. Our verse under consideration (Matt 16:9) occurs in the fourth narrative (13:54 – 17:23). This narrative appears in two parts: 13:54 – 16:20 and 16:21 – 17:23. A helpful observation made by Léon-Dufour (231–54) notes that the first part (including 16:9) falls neatly into three divisions, each beginning with provocation that serves as a catalyst for Jesus’ withdrawal: (1) 14:1–36; (2) 15:1–39; (3) 16:1–20. After each provocation Jesus withdraws, but then continues to pursue his mission of mercy.

In Chapter 14:1–12 controversy arises from King Herod’s arrest of John the Baptist on account of his opposition to Herod claiming Herodias, the wife of his brother Philip. Chapter 15:1–9 opens with the issue of the relationship of Scripture and tradition. Chapter 16:1–4a notes that the Pharisees and Sadducees ask Jesus to authenticate who he is by showing them a sign from heaven. Hence the issue at stake in the immediate context of 16:19, and the broader context of Matthew’s fourth narrative, is authoritative interpretation of the law/Scripture.

Jesus says to Peter, ‘I will give you the keys of the kingdom of heaven...’. The keys of the kingdom are usually associated with a person who has authority for managing the king’s house; for example, the keys of the house of David (see: Isa 22:22; Lk 11:52; Rev 1:18; 3:7; 2 Bar 10:18; 3 Bar 11:2; 4 Bar 4:4; 9:5; 3 Enoch 18:18). In Jewish interpretation, however, the key of David was also used in reference to the teachers of the Law (exiled in Babylon). In Matthew 23:13 the ‘keys of the kingdom of heaven’ are said to be in the

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5 There is no mention of Mosaic Law in the question of paying taxes to Caesar, but the issue involved an interpretation of the commandment against idolatry. Again, the story of the Canaanite woman involves no question of Law, but a curious ‘loosing’ of a command given by Jesus himself: ‘Go nowhere among the Gentiles but only to the lost sheep of the house of Israel’ (10:5,6).

hands of the teachers of the Law. A contrast is drawn, therefore, between those teachers and the authority Jesus gives to Peter in 16:19. In the end, the question in Matthew is not simply 'on what grounds' can a law or command be bound or loosed, but, 'who' has the authority (cf 7:29) to do this? God has given all authority to Jesus (11:27; 28:18; cf 4:8), who gives it in turn to Peter and the church.

The phrase 'kingdom of heaven' in 16:19 is not a geographical or spatial reference. Rather, in the Old Testament, Jewish literature, and the teaching of Jesus, the phrase 'kingdom of heaven' almost always means God's sovereign power and authority, rather than realm. Peter is not so much the gatekeeper of heaven, but the steward of the kingdom of heaven on earth. Jesus himself opens the 'gates' of heaven (Rev 3:7,8). They always stand open (Rev. 21:25). To Peter Jesus grants part and share in this authority, as he does to all the church. The keys function in the hands of Peter not so much as to let someone in, but rather that something goes out: the Word, the Gospel of acceptance, forgiveness, and reconciliation in Jesus Christ.<sup>6</sup>

This emphasis on the direction of God's gracious action finds contextual support in the narrative flow already evident in 16:13–17. The Father in heaven has revealed the truth about Jesus to Peter, who is on earth. Then follows the saying: 'Whatever you bind on earth *estai dedemenon* (will have been bound) in heaven, and whatever you loose on earth *estai lelymenon* (will have been loosed) in heaven' (16:19).

Most interpreters wrestle to find a grammatical solution to the rare future-perfect construction in this verse. C F D Moule claims that the 'natural sense' of 16:19 favours the translation 'shall be bound' rather than 'shall have been bound' (Moule: 18), even though the translation 'will have been bound ... and will have been loosed' is to be preferred on strictly grammatical grounds. Nonetheless, this language curiosity continues to resist solely grammatical approaches to finding a solution. Here is another example of where meaning is most clearly provided in context.

John Meier (1976: 57–65) suggests an attractive contextual resolution to this verbal paradox. He identifies the death-and-resurrection of Jesus in Matthew as the eschatological event transforming the law Jesus came to fulfill. During the time of his ministry on earth, Jesus cannot pass on to Peter and the church the authority to interpret the law. The reason for the use of the future tense in 16:19 thus becomes clear. Until after the resurrection the scribes and Pharisees sit on Moses' seat (23:2,3), interpreting and applying the Law. But with the resurrection all authority in heaven and on earth is given to Jesus (28:18), and he gives his disciples authority to use the keys of the kingdom. The translation 'will have been bound ... and will have been loosed' is not intended to mean that heaven simply ratifies Peter's interpretation, but that Peter's interpretation reflects what God has already determined. Like their master Jesus (9:6), Peter (16:9) and the church (18:18) reflect the insight that God has given to them (13:11,12).

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6 Joel Marcus provides the helpful insight that 'they (the gates of the kingdom of heaven) would thus be similar to the gate of heaven in Gen 28:17, which opens, not so much that Jacob may enter heaven, but so that the angels may descend, and God may speak, from heaven' (1988: 447, n.22).

(Matthew 16:9) speaks of the revelation to Peter in the earthly sphere of the interpretation of the law that has been decided in heaven. He is given total power on earth to distinguish valid from invalid prohibitions, 'binding' upon human beings the observance of certain of them—even some not explicit in the Mosaic torah—and 'loosing' them from the observance of others of them—even some enjoined by Moses. (Marcus: 452)

### **Implications for hearing and applying Scripture.**

The task of interpreting and applying Scripture has never been without challenge or controversy. Certainly, in the LCA there are people of common faith and goodwill who hold different opinions about a number of challenging issues—including the environment, human sexuality, and the office of the ministry. Yet a common concern being voiced is that the Scriptures need to be properly heard and applied (bound and loosed) if God's will is to be understood and obeyed.

Inherent to the commission of proclaiming the Gospel in our own generation is finding ways of speaking in a world of which the evangelists and apostles knew nothing. After the death-resurrection-ascension of Jesus, the apostles and the early Christian community understood the law to be christologically redefined. They claimed divine authority to bind and loose the law, even making changes to great commands (Acts 10:9-48; Gal 3:28; 5:6). But, we don't have the same authority—or do we?

A Lutheran hearing and applying of Scripture can make quite surprising claims in this regard. The Reformation in Western Catholicism began with an exegetical discovery of Martin Luther centred on the meaning of the biblical term 'the righteousness of God'. For Luther 'the righteousness of God', 'Jesus Christ' and 'justification by grace through faith' are all synonyms. They all refer to the heart of the entire matter of Christianity. Thus the Lutheran confessors did not say: Here is one element in the total package of Christian theology—just one article among several important articles. No, they called the article concerning justification of the sinner *propter Christum per fidem* (AC IV) the heart, measure and touchstone of our faith: the article by which the church stands or falls (*articulus stantis et cadentis ecclesiae*).

If the heart of the Word of God is this one message, then the Gospel of the graciousness of God provides the scriptural key for Lutheran hermeneutics. In the Apology, Melancthon coins what he calls 'a rule ... (that) interprets all the passages ... on law and works'. The rule is: To the statements about the Law and works 'we must *add* that the 'law cannot be kept without Christ' and that 'faith is necessary'.<sup>7</sup> This is the audacity of Lutheran hermeneutics: in any exegetical situation which, without reference to faith in Christ, calls for people to do good works and to please God, faith in the righteousness of Christ *must be added* to the text because the word of God itself demands it.

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7 Apol. Augsburg Confession IV,184,185,188,257,260,281.

Even more shocking are some claims of Luther in his *Theses Concerning Faith and Law* (1535).<sup>8</sup> Luther insists the one thing that matters is Christ and the gospel, not a wooden reading of Scripture.

49. Therefore, if the adversaries press the Scriptures against Christ, we urge Christ against the Scriptures.
52. For if we have Christ, we can easily establish new laws and we shall judge all things rightly.
53. Indeed, we would make new decalogues, as Paul does in all his epistles, and Peter, but above all Christ in the Gospel.
54. And these decalogues are clearer than the decalogues of Moses, just as the countenance of Christ is brighter than the countenance of Moses (2 Cor 3:7–11).

Yet, Luther remains realistic in his estimation of human nature, the dangers of sin and enthusiasm. So, while he writes about the possibility of speaking an entirely new word (adding to Scripture and even against Scripture) in the spirit of Christ, the possibility existed through such an exercise of authority that the church might be destroyed by division. Therefore Luther concluded that any claim to make a 'new Decalogue' would require the authority of the 'universal church'.

58. Nevertheless, since in the meantime we are inconsistent in spirit, and the flesh wars with the spirit, it is necessary, also on account of inconstant souls, to adhere to certain commands and writings of the apostles, lest the church be torn to pieces.
59. For we are not all apostles, who by a sure decree of God were sent to us as infallible teachers.
60. For that reason, it is not they, but we, since we are without such a decree, who are able to err and waver in faith.
61. Hence, after the apostles no one should claim this reputation that he cannot err in the faith, except only the universal church.

Although some may consider claims in this essay about 'binding and loosing' as new and controversial—that in its original context Matthew 16:19 referred to determining the application of Scripture for contemporary situations—in reality binding and loosing has been the practice of the church catholic from the earliest Christian centuries until now.

In the Gospel of Matthew there are good and bad examples of binding and loosing. Jesus is presented consistently as someone who models the right way to bind and loose the Scriptures, while the Scribes and Pharisees are negative examples of hearing and applying. Jesus is the one who offers an 'easy yoke' and a 'light burden' to those who

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8 *Luther's Works*, 1960. Vol 34, ed. Lewis W. Spitz, Muhlenberg, Philadelphia, 109–132. In 1535 and 1536 five disputations were held in Wittenberg on Romans 3:28. In these doctrinal and exegetical discussions every expression of this passage was thoroughly examined. These theses claim that since Scripture was written to testify of Christ, its teachings must be related to him and his work of redemption.

come to him (11:28–30), whereas the Scribes and Pharisees are guilty of binding when they should have loosed, and loosing when they should have bound; with the result that God's will is neither understood nor obeyed.

'Binding and loosing' function as keys—*executores*, executives and administrators—in the hearing and applying of Scripture, proclaiming repentance and the forgiveness of sins.<sup>9</sup> These keys are not simply or narrowly defined as the act of repentance and gift of absolution, for the proclamation of the gospel necessarily involves a community of people who speak to and hear each other. The Gospel comes to people with its counsel and help in more than one way, 'for God is surpassingly rich in his grace': through the preached word, the word and sacraments, the power of the keys, and the mutual consolation of brothers and sisters.<sup>10</sup>

History will comment on how we have used the keys of law and gospel: if we bound the Scriptures when they should have been loosed, or loosed them when they should have been bound, with the result that God's will was not understood or obeyed. Yet, we ought not to be timid in our hearing and applying, since we have the commission of our Lord and the promised gift of the Holy Spirit always with and in the Word. Perhaps there are exegetical approaches in our time that are not identical to those that the Reformers utilised. Yet, there are no *a priori* reasons why the tools of modern biblical scholarship should not be employed by us, as if they would prevent us from interpreting the Scriptures in keeping with Lutheran hermeneutical principles. However, whether 'critical' or 'orthodox', any hermeneutic must be rejected if it hides Christ. What cannot and must not change is the heart and centre of our theology, as enunciated in the Augsburg Confession's article on Justification. This continues to guide us in determining what is to be 'bound or loosed', confessed 'with great consent', as well as what is to be acknowledged as good theology but not necessarily binding for the whole church, and that which is mere human opinion.

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