

Case Studies on ELCA Social Statements and Social Messages, Part Three

For Personal Reflection and Group Discussion

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The social statements and social messages of the Evangelical Lutheran Church in America (ELCA) are a hidden treasure for education about and study of the great issues of our time. Nevertheless, when surveying students on their familiarity with these documents prior to seminary, relatively few have ever seen them used in congregations. In a time when the need for civic engagement by Christians is urgent, these case studies provide an intriguing method for personal learning and group discussion.

Ethics students at Wartburg Theological Seminary prepared the following nine case studies on two of the ELCA social statements and five social messages in Fall Semester 2021: “Government and Civic Engagement in the United States: Discipleship in a Democracy” (2000), “Human Rights” (2017), “Gender-based Violence” (2015), “The Body of Christ and Mental Illness” (2012), “Our Calling in Education” (2007), “Immigration” (1998), and “The Death Penalty” (1991). The names of the authors of each case are listed at the conclusion of each section. I am grateful to these students for their serious engagement with the study of ethics through these cases written and first led by them with the class.

The Case Study, *Is the Neighbor Being Served? Government and Civic Engagement*, based on the social message, “Government and Civic Engagement in the United States: Discipleship in a Democracy” (2000), explores a congregation’s response to the false accusation and arrest of an African American high school student for a break-in of its church building, detected through an alarm system and security camera.

Two Case Studies are presented in *Pride Event and Anti-Semitic Endangerment: Protecting Human Rights*, based on the social message, “Human Rights” (2017). The first discusses instances of human rights violations against the GLBTIA+ community and its allies in response to organized opposition to a pride event. The second reflects on human rights violations through anti-Semitic propaganda and threats against Jewish members of the local community, including a family whose child attends a congregation’s preschool.

In a time when the need for civic engagement by Christians is urgent, these case studies provide an intriguing method for personal learning and group discussion.

The Case Study, *Made in the Image of God: Gender-Based Violence*, based on the social message, “Gender-based Violence” (2015), involves the struggles of a transgender teenager, her family, congregation, and community. How does the church minister faithfully in the challenging complexities facing this youth?

Two Case Studies are offered in *Bearing One Another’s Burdens: The Cost of Treating Mental Illness*, based on the social message, “The Body of Christ and Mental Illness” (2012). The first develops difficult predicaments related to treating eating disorders. The second deals with the challenges of caring for a loved one, who chooses life on the streets and refuses treatment for a critical illness. Both cases accent the financial burden facing those in need of mental health treatment.

The Case Study, *School Secession? Our Calling in Education*, based on the social statement, “Our Calling in Education” (2007), delves into the phenomenon of groups organizing to secede from a local school district to provide tax revenue and educational opportunities for “their own” children. How should church leaders respond when the local community is divided, including members of their congregation taking sides?

The Case Study, *Immigration: Questions about Sanctuary Church*, is based on the social message, “Immigration” (1998), and involves the challenges facing a local congregation when beloved members are facing immigration challenges and one bread winner deportation. What is the meaning of sanctuary church in response to those in immigration jeopardy?

The Case Study, *Death Penalty: Impending Date of Execution*, is based on the social statement, “The Death Penalty” (1991). A congregation has many members who are either employed by a local prison or related to someone who works at the prison, where an inmate is held and scheduled for execution. How should church leaders respond to a request to hold a rally against the imposition of the death penalty in the congregation’s parking lot?

Each of the case studies includes background information about the social issue and some resources for further study. I encourage those using these cases to discuss them based on the background material provided and the information in the case study itself. All our ethical deliberation takes place without having exhaustive knowledge of the circumstances.

We encourage you to make creative use of these cases based on ELCA social statements and social messages to familiarize congregation members with these documents and learn to engage in moral inquiry together. The social teaching of the church is intended to make us more faithful in our discipleship and wiser in our discernment. I am grateful to the authors for their original work in developing these cases and for granting permission to publish their work.

Is the Neighbor Being Served? Government and Civic Engagement

Social Message on Government and Civic Engagement in the United States: Discipleship in a Democracy (2020):

<https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Government>

Background

Rooted in the Christian ethos of loving God and loving one’s neighbor (Matthew 22:37-39), the Lutheran approach to civic engagement begins with the question: “Is the neighbor being served?” Luther taught that God’s work in the world is experienced in two ways: the right hand (one’s life of faith) and the left hand (the ‘outer social, political, and economic world’).¹ The Evangelical Lutheran Church in America (ELCA) social message “Government and Civic Engagement in the United States: Discipleship in a Democracy” affirms that the “government is indispensable for safeguarding and improving human life and creation,” yet also affirms a “robust civic engagement” to address its “failures and injustices.”² Civic engagement through the Lutheran lens calls for engagement beyond legislation to institutions of public life.

According to a Pew Research study published May 2021, public trust in government has steadily declined since the 1960s.³ Public services, such as law enforcement, rely upon public trust to be successful. Most recently, the police killings of Black citizens Ahmaud Arbery, Breonna Taylor, and George Floyd have sparked public outrage regarding racial profiling, racism, and abuses of police power. These stories have brought national and international awareness to racial and ethnic injustices present in the United States and have generated a call for robust civic engagement regarding policing.

Research reveals racial biases within the U.S. policing system through wrongful convictions, racial profiling, and use of excessive force. Examples are as follows: A report from the National Registry of Exonerations in 2017 shows “African American prisoners convicted of murder are 50% more likely to be innocent than

1. Evangelical Lutheran Church in America, “A Social Message on Government and Civic Engagement in the United States: Discipleship in a Democracy,” 17. <https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Government> Accessed January 5, 2022.

2. ELCA, “A Social Message on Government and Civic Engagement,” 4.

3. Pew Research Center, “Public Trust in Government: 1958-2021,” (May 17, 2021). <https://www.pewresearch.org/politics/2021/05/17/public-trust-in-government-1958-2021/> Accessed January 5, 2022.

other convicted murderers.”⁴ The Stanford Open-Policing Project analyzed 100 million police patrol stops between 2001-2017 in “21 state patrol agencies and 29 municipal police departments,” and found racial bias in “police stops and search decisions.”⁵

In 2015, the Bureau of Justice Statistics reported on police use of force between 2002-2011, indicating that Black people “experienced nonfatal force” by police at a rate “three times higher than White people” and “two times higher than Hispanic people.”⁶ Examples of use of force include “shouting, cursing, threatening, pushing, grabbing, hitting, kicking, use of pepper spray, and pointing a gun.”⁷ To acquire more data, the FBI launched the National Use-of-Force Data Collection, asking law enforcement agencies to participate. In 2019, only 41% of all police in the US participated (the FBI needs 60% participation to publish ratios and percentages).⁸

In addition to the realities of racial biases within law enforcement agencies, racial biases exist broadly in culture. For example, as populations grow and demographics shift, racial bias can be found in neighborhoods that have undergone gentrification. Gentrification is defined as “a process in which a poor area (as of a city) experiences an influx of middle-class or wealthy people who renovate and rebuild homes and businesses, and which often results in an increase in property values and the displacement of earlier, usually poorer residents.”⁹

According to 2020 Census data, “cities and suburbs grew by 21 million people or about 8%.”¹⁰ As cities and suburbs are gentrified, they also begin to see a rise in local 311 calls (non-emergency calls such as noise complaints, suspicious persons, etc.). These 311 calls increase up to 26% in gentrified areas that create racially divided neighborhoods,¹¹ and disproportionately affect people of color

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which can lead to racial profiling.¹¹

This case study reflects an incident at an ELCA congregation in an expanding suburb of a metropolitan area. Many rostered leaders in the ELCA have heard congregants say, “keep politics out of the pulpit,” yet the church is called to engage in civic discourse for the sake of the neighbor. This case invites the readers to ponder the complexities of policing in the United States while leading a congregation through a break-in and a wrongful arrest.

Case Study

Potterville is a small suburban community, located about 40 minutes south of Big Town, Alabama, a center point of diversity and industry. Potterville has seen a large influx in its population over the past five years, mostly from people who travel to the metropolitan area for work. Potterville was established in 1842 and has many historic buildings, however, most are dilapidated and in need of significant repair. The population increase has filled schools to capacity and building projects are constantly being started to create more housing. New businesses and restaurants are opening and there has been a coalition established to revitalize the historic district.

Trinity Lutheran Church rests in the center of this town. Its original and well-kept stone walls were laid in 1892. It has been a hallmark stakeholder in the community and an important voice for social justice and civic engagement over the years. The increase in population has swelled its membership to over 2000. Many community support services are located within the church, such as a food pantry, clothing collection center, childcare center, and serving a weekly free meal. The neighborhood surrounding the church is filled with older run-down rental homes and apartments. However, there is a small community center, playground, basketball and tennis courts, and an open grass area adjacent to the church.

Trinity Lutheran has experienced several small vandalism incidents over the past few months, culminating in a break-in. This happened when the building was empty and nothing of significant value was taken. However, many were surprised and concerned. An inexpensive security system alerted the police that a break-in had occurred.

Emmett Martin, an 18-year-old African American high school student, was cutting through the church’s parking lot on his way to

4. Samuel R. Gross, Maurice Possley, and Klara Stephens, “Race and Wrongful Convictions in the United States,” *The National Registry of Exonerations* (March 7, 2017), p. 4

5. E. Pierson, C. Simoiu, J. Overgoor, S. Corbett-Davies, D. Jenson, A. Shoemaker, V. Ramachandran, P. Barghouty, C. Phillips, R. Shroff, and S. Goel. “A Large-Scale Analysis of Racial Disparities in Police Stops across the United States,” *Nature Human Behavior* 4 (2020). <https://openpolicing.stanford.edu/findings/> Accessed January 5, 2022.

6. Shelly S. Hyland, Lynn Langton, and Elizabeth Davis, “Police Use of Nonfatal Force, 2002-11,” (November 2015). <https://bjs.ojp.gov/library/publications/police-use-nonfatal-force-2002-11> Accessed January 5, 2022.

7. Hyland, Langton, and Davis, “Police Use of Nonfatal Force, 2002-11.”

8. FBI National Press Office, “Participation Data for National Use of Force Data Collection” (July 27, 2020). <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2019-participation-data-for-the-national-use-of-force-data-collection> Accessed January 5, 2022.

9. Merriam-Webster Dictionary (Sept 24, 2021). Gentrification. <https://www.merriam-webster.com/dictionary/gentrification> Accessed January 5, 2022.

10. Tim Henderson, “Shrinking Rural America Faces State Power Struggle,” Pew Research Center (August 10, 2021). <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2021/08/10/shrinking-rural-america-faces-state-power-struggle> Accessed January 5, 2022.

11. Joseph Legewie and Merlin Schaeffer, “Contested Boundaries.” *American Journal of Sociology*, 12 (July 2016). <https://jlegewie.com/files/Legewie-Schaeffer-2016-ContestedBoundaries.pdf> Accessed January 5, 2022.

meet friends and was mistaken for the vandal. The police forcibly made him get on the ground. Weapons were drawn and Emmett's wrist was broken in the process. The church security camera caught the image of the new adult being forced into the back of a police car against his will. Emmett was held and charged with the crime. Police processing photos showed Emmett with cuts and bruises on his face, including a busted lip.

Deacon Mary and Pastor Julia from Trinity reviewed the camera footage the next morning and saw that the person who had broken in did not match Emmett's description. In fact, the actual vandal appeared to be a White, older male. They immediately released this information to the authorities. Emmett was released. The police claimed it was just a mistake and no public apology was made to Emmett or his family.

Many emotions have arisen in reaction to this situation. Letters to the editor have been pouring in. The City Council has been bombarded with questions. Trinity's Congregation Council has been having special meetings. Black Lives Matter signs have been popping up all over town. Emmett's family is threatening to sue the police department. To top it all off, the Pottsville Police Department was recently told they would be receiving a \$500,000 grant from the state to improve and upgrade their public safety capabilities.

Some members of the community believe that the increased funds could make their community safer. Others believe the police department will use the funds to justify the status quo, in the wake of Emmett's arrest. Members of Trinity Lutheran Church are on both sides of this issue as well. Two law enforcement officers are members of the congregation. Emmett has become the symbol of police maltreatment in the papers. The actual criminal has not been apprehended.

Discussion Questions

1. What is the congregation's role in this public discussion? Should the congregation and its leaders (Deacon Mary, Pastor Julia, or the Congregation Council) make a public statement? If so, what should be said?
2. Who is the neighbor to be served in this situation? How does the congregation enter into "robust civic duty"?
3. How does the church help people feel heard and respected when engaging in a discussion about how to improve and upgrade public safety? How should it minister both those who think the police acted within their legal jurisdiction and those who disagree?
4. How is God calling this congregation to accompany this community and walk alongside them in this time of brokenness?

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Pride Event and Anti-Semitic Endangerment: Protecting Human Rights

Social Message: Human Rights (2017):

<https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Human-Rights>

Background

After World War II ended and the League of Nations disbanded, the United Nations (UN) was formed. The international community "vowed to never again allow atrocities like those of WWII to happen again."¹² In addition to the charter, the UN decided to compose a "road map" document to guarantee the rights of humankind of all nations. This document, later called the Universal Declaration of Human Rights (UDHR), was composed in less than two years. The drafting committee included Eleanor Roosevelt of the United States as chair, René Cassin of France, Charles Malik of Lebanon, Vice-Chairman Peng Chung Chang of China, and John Humphrey of Canada. All played significant roles in the creation of the UDHR, but Mrs. Roosevelt was recognized as the driving force for the Declaration's adoption.¹³

"The Universal Declaration of Human Rights is generally agreed to be the foundation of international human rights law."¹⁴ The UDHR recognizes the inherent dignity and equal and inalienable rights of all members of the human family. This recognition serves as the foundation of freedom, justice, and peace in the world.¹⁵

Human Rights cover a broad range of issues. Although much work has been done to promote the inherent dignity and rights of all, the work continues as human rights abuses continue to occur all over the globe. The world is filled with deep hurt due to poverty, political oppression, conflicts, genocide, health issues, racism, sexism, bigotry, and more. Often people in power rule more with force than with compassion. Although many strides have been taken to uphold human rights globally, it remains a constant challenge to hold ourselves and others accountable to the human rights standards as stated in the UDHR. The United States itself has a long way to go in upholding the principles of the UDHR.

The United States (US) government has significant influence

12. The United Nations, "History of the Declaration." <https://www.un.org/en/about-us/udhr/history-of-the-declaration> Accessed January 3, 2022.

13. The United Nations, "History of the Declaration."

14. The United Nations, "The Foundation of International Human Rights Law." <https://www.un.org/en/about-us/udhr/history-of-the-declaration> Accessed January 3, 2022.

15. The United Nations, "Universal Declaration of Human Rights." <https://www.un.org/en/about-us/universal-declaration-of-human-rights> Accessed January 3, 2022.

in policies and practices adopted by countries all over the world. As Christians living in the U.S., we are called to be “active in the public square,”¹⁶ and be advocates for the vulnerable (Isa 1:17, Matt 25:40). This call includes not only involvement in local, state, and federal government but also international relations, especially when injustices occur. Therefore, the members of the ELCA called for and adopted a Social Message on Human Rights in 2017.

The social message states: “The God-given purpose for humankind (the *imago Dei*) imbues each human being with a shared dignity.”¹⁷ Although abuses of human rights are prevalent due to the sinfulness of humanity, we still believe that God is at work in the world. We are then called to recognize when the rights of any of our neighbors are not upheld and to act on behalf of them. The ELCA’s Social Message on Human Rights “recommits the church to the cause of human rights” and voices its “support for domestic and international human rights institutions, fosters deliberations, and engages in sustained action that seeks rights for any neighbors who are not being treated with the dignity that is God’s gift.”¹⁸

Case Study 1: Pride Event

This case takes place in a small community of approximately 4000 people. The town is home to a small, liberal arts college of the Reformed Church in America. The community has a strong history and heritage linking them to the conservative Reformed Tradition in the Netherlands.

A group of residents, all graduates of the college in the community, formed a Pride organization in 2015. They have held Pride festival weekends for four years. This year will be their fifth Pride event. Events have been held in the city-owned event center and are scheduled to occur in the same space again this year. This space is normally utilized for events such as weddings and family reunions. The Pride events in the past have been met with significant community resistance, including people standing outside the space praying and making verbal threats of violence against members of the LGBTQIA+ community. Last year, a local pastor streamed and recorded himself burning LGBTQIA+ themed children’s books from the library in town on the event center property during the Pride events. He also called on members of the community to use violence to oppose those in the event center and against city employees who allow the Pride event to happen in “their city.”

This year, a week before the event, the City Council received a petition signed by fifty community members demanding that the city revoke the contract with the Pride group to use city-owned

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property. Members of the community have already launched political campaigns for City Council seats and a prominent local doctor has filed to run for mayor, all stating the city is permitting ungodliness to infest the city and doing nothing to stop it. The candidate for mayor is campaigning exclusively on the slogan to “get the gay out.”

The City Council called an unscheduled and unadvertised meeting in which they received the petition from community members, without informing or inviting the public or members of the Pride committee. In a closed-door meeting, immediately following the receipt of the petition, the Council drafted and approved an ordinance setting out a code of conduct for community use of city-owned property. Less than forty-eight hours before the scheduled Pride event, the City Council walked into the business of a member of the Pride committee and handed him a copy of the city ordinance, informing him that representatives of the city would be present and filming the event to ensure compliance.

The code of conduct is to apply to *all* events and individuals on city-owned property. Five items are covered under the code of conduct:

1. No nudity or sexually suggestive clothing.
2. No lewd or sexually suggestive gestures, body movements, or discussions are permitted.
3. No alcohol can be served when minors are present.
4. No physical contact between non-related individuals is permitted.
5. Minors cannot be present after 8 pm.

The next morning, an emergency injunction against the city was filed by the Pride committee. The magistrate, who heard and determined whether the injunction would be issued, is a member of the City Council and a signer of the petition. No injunction against the enforcement was issued, even though the Council meeting violated state open meeting laws and the ordinance was not read in an open meeting at two regular meetings of the Council.

16. Evangelical Lutheran Church in America, Social Message on “Government and Civic Engagement in the United States: Discipleship in a Democracy.” <https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Government> Accessed January 3, 2022.

17. Evangelical Lutheran Church in America, Social Message on “Human Rights,” 3. <https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Human-Rights> Accessed January 3, 2022.

18. ELCA, Social Message on “Human Rights, 14.

You know that some of the members of your congregation signed the petition to ban the Pride group from utilizing the space. Other members of the congregation are part of the LGBTQIA+ community. Several youth members have confided in you that they are members of this community but have not come out to their family or the congregation. You also are aware that several members of the congregation participate in the annual event and volunteer as allies. Additionally, you and others question whether the city will enforce these standards and ensure compliance to the same degree for other events, particularly weddings.

Case Study 2: Anti-Semitic Endangerment

This case takes place in a small metropolitan area with a diverse population of approximately 400,000 people. St. Paul Lutheran Church is located on City Park Square. It has been announced that the new Beit Shalom Jewish Community Center, meaning “house of peace,” will be constructed on a vacant lot across from the Park Square. The building will combine both the Reformed and Orthodox Jewish communities of the area, who have been experiencing declining membership.

St. Paul Lutheran Church has a long-standing outreach program, the Golden Rule Preschool, from which many families in the area have benefitted. One of those families is a Reformed Jewish family. The Cohens have sent their four oldest children through the program and their youngest is currently attending.

Over the past year, the community has seen an uptick of anti-Semitic social media posts. The Orthodox community especially has been targeted because of their distinctive clothing. However, Mrs. Cohen has expressed that the Reformed Jewish community also has been on edge. On three separate occasions anti-Semitic flyers have been popping up in mailboxes and on windshields over the area. Recently, St. Paul parishioners found flyers on their windshields after Sunday worship with anti-Semitic statements which included a quote from Martin Luther. Last week, a hate group organized a march in the park following the announcement of the new building. People were spotted carrying “Camp Auschwitz” signs and signs with Nazi imagery. Last night, on the first night of Hanukkah, vandals spray painted the words “John 8:44” over the sign that announced the future home of Beit Shalom.

There is growing tension in the community and fear within the congregation that the church building, people, or children will be harmed. The St. Paul Congregation Council met twice to discuss these events. During the second meeting, Gary Carlson, a congregation member and local police officer, was brought into the Council meeting to discuss legal matters. According to Officer Carlson, there is no ordinance prohibiting the dissemination of flyers, so long as the person(s) depositing the materials have legal standing to be where the materials are deposited (that is, no trespassing). Officer Carlson also made it clear that as citizens of the United States, the right to freely express one’s opinion in the form of “peaceful and lawful assembly” is granted under the First Amendment of the U.S. Constitution. The only crime(s) that

could be enforced at the time of this meeting was for vandalism to the sign, so long as the suspect(s) could be identified, and probable cause determined.

Mr. and Mrs. Cohen have found a typed note in their youngest child’s backpack after picking him up from the Golden Rule Preschool. The message of the note was that the family consider leaving the school.

Discussion Questions

1. What should the role of the church be in each of these cases? As a faith leader in this congregation, how would you approach each case?
2. How do we respond in a way that respects the human rights and dignity both of those who are doing the harm and those being harmed?
3. How can we, as ministry leaders, create space for people to wrestle with the issues related to their religious beliefs and the commitments of The Universal Declaration of Human Rights?

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Made in the Image of God: Gender-Based Violence

Social Message: Gender-based Violence (2015)

<https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Gender-Violence>

Background

The Lord is gracious and merciful, slow to anger and abounding in steadfast love. The Lord is good to all, and his compassion is over all that he has made.

The Bible is filled with stories of gender-based violence. Phyllis Trible recounts the horrific biblical stories of Hagar, Tamar, and an unnamed concubine and the daughter of Jephthah.¹⁹ Despite our violence-saturated world, we clearly see God’s involvement with humanity. We grapple with the reality of violence that results from human hubris to alienate us from Jesus Christ as the Prince of Peace. Human violence involves the abuse of power at its core, resulting in gender inequalities that are entrenched in our society.

Gender-based violence is defined by the Evangelical Lutheran Church in America (ELCA) as:

19. Phyllis Trible, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress Press, 1984), 13.

physical, sexual, psychological, emotional or other personal harm inflicted on someone for gender-based reasons...Gender-based violence is not only domestic violence or violence among family members. Gender-based violence includes physical, sexual, psychological, emotional, or other personal harm inflicted on someone for gender-based reasons. It may include sexual and other physical assault, including murder; rape; sexual harassment (sometimes called bullying); sexual, physical and verbal abuse, including coercion; stalking; intimate relationship violence that includes employment, housing or educational intimidation and obstruction; elder abuse or child abuse; sex-specific torture; reproductive coercion; female genital mutilation; early and forced marriage; honor crimes; “mail-order” brides; dowry violence; practices used to decrease the number of girl babies, such as prenatal sex selection, infanticide or child neglect; sex tourism; forced prostitution; human trafficking for sex; pornography; and violence during armed conflict, including rape, enslavement, torture and murder.²⁰

Gender-based violence occurs in the church, workplaces, the educational system, city streets, war, the military, and the health care system. It can be perpetrated by acquaintances, friends, strangers, caregivers, teachers, clergy, coaches, and work supervisors. Today, 1 in 3 women and 1 in 4 men have experienced some form of physical violence by an intimate partner. On average, 20 people per minute are physically abused by an intimate partner in the United States. This equates to more than 10 million women and men per year.²¹

Bullying is a more subtle, but no less damaging form of gender-based violence. In the United States, about 20% of students ages 12-18 experienced bullying nationwide.²² Bullying can be physical or psychological, in-person or online. Social media has been associated with an increase in cyberbullying.²³ The psychological effects of bullying can persist into adulthood.

Transgendered youth are especially at risk for gender-based violence. A recent survey found that transgendered adolescents

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experienced higher rates of psychological, physical, and sexual abuse, compared with their cisgender peers, with identical results after controlling for covariates.²⁴ According to data from the 2015 national Youth Risk Behavior Survey (YRBS), of surveyed LGB students: 10% were threatened or injured with a weapon on school property, 34% were bullied on school property and 28% were bullied electronically. Half (46%) of respondents were verbally harassed and one in ten (9%) of respondents were physically attacked in the past year because of being transgender. More than half (54%) experienced some form of intimate partner violence, including acts involving coercive control and physical harm.²⁵

The ELCA recognizes the church’s role in halting the continuation of violence: “Each one of us has the responsibility through Christ to intervene in appropriate ways, to work toward healing, and to prevent gender-based violence.”²⁶ The reality is that many religious teachings promote the inequality of power in relationships. Through this inequality, someone creates or maintains power and control over someone else. God calls us to love. Gender-based violence is not love.

As individuals who are committed to the restorative work of the cross, we need to understand key human behavioral responses to violence. In 1970, psychologists Latané and Darley identified three different psychological processes that might prevent a bystander from helping a person in distress: diffusion of responsibility (dividing the personal responsibility to help by the number of bystanders present); evaluation apprehension (fear of being publicly judged); and pluralistic ignorance (the tendency to rely on the overt reactions of others when defining an ambiguous situation).²⁷

By recognizing our natural psychological resistance to interfere when confronted with gender-based violence, we can claim personal responsibility and transform the way we respond to violent acts out of love for one’s neighbor. Personal responsibility is central to dealing with the sin of violence. We can stand against

20. Evangelical Lutheran Church in America, “Social Message on Gender-based Violence,” 2. https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Gender-Violencehttps://download.elca.org/ELCA%20Resource%20Repository/Gender_Based_Violence_SM.pdf?_ga=2.196649711.274346102.1641335422-780922107.1641158928 Accessed January 4, 2022.

21. “NCADV | National Coalition Against Domestic Violence.” <https://ncadv.org/STATISTICS> Accessed January 4, 2022.

22. Assistant Secretary for Public Affairs (ASPA), “Facts About Bullying.” <https://www.stopbullying.gov/resources/facts> Accessed January 4, 2022.

23. Atte Oksanen, Reetta Oksa, Nina Savela, Markus Kaakinen, and Noora Ellonen, “Cyberbullying Victimization at Work: Social Media Identity Bubble Approach,” *Computers in Human Behavior*, 109 (Aug 2020), 106363. <https://www.sciencedirect.com/science/article/pii/S0747563220301163?via%3Dihub> Accessed January 9, 2022.

24. Oksanen, Oksa, Savela, Kaakinen, and Ellonen, “Cyberbullying Victimization at Work.”

25. Oksanen, Oksa, Savela, Kaakinen, and Ellonen, “Cyberbullying Victimization at Work.”

26. Evangelical Lutheran Church in America, Social Message on Gender-based Violence, 5.

27. Cees Hoefnagels and Machteld Zwikker. *The Bystander Dilemma and Child Abuse: Extending the Latane and Darley Model to Domestic Violence*, *Journal of Applied Social Psychology* 31, No. 6 (July 31, 2006), 1158.

the injustice of gender-based violence, which does not discriminate against race, age, ethnicity, religion, gender, or socioeconomic status.

It is essential to recognize that Jesus' teachings on enemy love and nonretaliation possess an interpretive ambiguity that can render them an unstable foundation on which to base absolutizing pronouncements. Victims of violence who do not retaliate often end up in cycles of violence from their abusers, and biblically based nonretaliation and enemy love can be weaponized to encourage the continuation of abuse.

The following case study examines the causes and effects of bullying from multiple perspectives. Because our church includes survivors, perpetrators, and bystanders, we challenge you to approach this case study from these different perspectives. We invite you to evaluate your presuppositional framework on gender-based violence from your perspective. "Words and acts of healing and reconciliation will be different for different people and circumstances. What is not different is each person's need for God's grace. Through words of pastoral care, this church, made of those who, at the same time, are both saints and sinners, can speak by the power of the Holy Spirit."²⁸ We hope that your conversation opens opportunities for education, advocacy, and allyship.

Case Study

Maple Grove is a small suburb of a large Midwestern city with a majority population of northern European white people. The town is home to one public school system, several mainline Protestant churches, and one Roman Catholic parish.

Veronica Jones is a 16-year-old transgender female, who recently transitioned from her male gender assigned at birth to female. She is on the honor roll at school, was on the all-state soccer team, and has always been quite active at her church, Our Savior's Lutheran.

Veronica's parents are trying to be supportive but personally feel like their child is participating in "a fad." Veronica's younger brother, Chris, is a cis-gendered 12-year-old boy who goes to the same middle school where Veronica attended and is also quite good at soccer. Chris wants to stand by his sister but does not understand what has happened. He also faces a lot of questions from his friends. Chris gets bullied both at school and at his Wednesday evening confirmation classes.

At Maple Grove High School, parents of other girls on the soccer team have voiced concern that Veronica is "taking" valuable playing time from their daughters. They are particularly upset that she uses the same locker room as their daughters. Some have threatened the coaches to "do something about that boy" in the locker room. A handful of the parents went to a recent school board meeting and complained during the public comment section that their children were not safe around Veronica. Some of the daughters of those parents have been verbally abusive to Veronica

By recognizing our natural psychological resistance to interfere when confronted with gender-based violence, we can claim personal responsibility and transform the way we respond to violent acts out of love for one's neighbor.

in the locker room and hallways of the school, while also being physically abusive during practices. The coach has turned a blind eye, dismissing it as just "rough-housing."

Veronica is having anxiety and depression since her transition. Her parents are not willing to pay for counseling services. She keeps telling her parents that she wants to start taking hormone therapy. Her mom took her to a consultation with a hormone therapy specialist but grew uncomfortable during the meeting and refused to continue the process of seeking the treatments. Because Veronica is a minor, she is still on her parents' health insurance and cannot get to medical providers on her own.

Veronica's depression has continued to worsen to the point that her church youth director, Hayden, is very worried about her emotional, psychological, and physical safety. Veronica feels safe around her church friends and Hayden, but not with a lot of other members at the church. Hayden is aware of most of the things that are going on in her personal life. Hayden is committed to being a good ally and wants to take some form of action to help affirm her gender identity at church and in her daily life.

Discussion Questions

Please discuss this case study from three perspectives: Veronica, Chris (brother of Veronica), and Veronica's parents.

1. What is the church's role in creating a welcoming space for LGBTQIA+ people?
2. What are the scriptural and ethical bases for the church's interaction with Veronica?
3. If you were Hayden, how would you respond to Veronica? Her parents?
4. If you were Hayden, how would you respond to Chris? The school?

Authors: *Hannah Bockbrader, Dave Eakin, Anne McCall, Leah Holloway-Nilsen, Stephen Nilsen, Hannah Purkey, and Haley Schepers*

28. Evangelical Lutheran Church in America, "Social Message on Gender-based Violence," 3.

Bearing One Another's Burdens: The Cost of Treating Mental Illness

Social Message on The Body of Christ and Mental Illness (2012)

<https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Mental-Illness>

Background

Paying for health care is expensive. However, when care moves from physical needs to mental health, the costs can be especially devastating. In 2019, 20.6% of adults (1 in every 5 adults or 51.5 million) in the United States (US) experienced mental illness.²⁹ 5.2% of adults (1 in 20 adults or 13.1 million) experienced serious mental illness.³⁰ Of those experiencing mental illness, 44.8% received treatment and 65.5% of cases with serious mental illness received treatment.³ The Evangelical Lutheran Church in America (ELCA) "Social Message, The Body of Christ and Mental Illness," affirms the need for those dealing with mental illness to receive treatment. It also calls for the church to support both those struggling with mental illness and their care givers: "When someone suffering from mental illness seeks treatment, our church hopes to ensure that he or she has accompaniment in that endeavor" and furthermore, "The ELCA commits as a church to accompanying you in your valley of the shadow, to advocating for your just and dignified treatment, and to praying for your healing and restoration."³¹

To what extent should this accompaniment and advocacy extend? This question is especially pertinent in situations where involuntary committal for mental illness is being sought. There are real costs that are carried by those seeking treatment for a mental illness and their families. A study of "Examination of Costs, Charges, and Payments for Inpatient Psychiatric Treatment in Community Hospitals" in 2012, the same year the Social Message was adopted, found:

29. Substance Abuse and Mental Health Services Administration., *Key Substance Use and Mental Health Indicators in the United States: Results from the 2019 National Survey on Drug Use and Health* (HHS Publication No. PEP20-07-01-001, NSDUH Series H-55). (Rockville, Maryland: Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration, 2020) <https://www.samhsa.gov/data/> Accessed January 9, 2022.

30. Substance Abuse and Mental Health Services Administration., *Key Substance Use and Mental Health Indicators*.

31. Evangelical Lutheran Church in America, "Social message on The Body of Christ and Mental Illness" (Chicago: ELCA, 2012), 18-19. https://download.elca.org/ELCA%20Resource%20Repository/Mental_IllnessSM.pdf?_ga=2.208532178.1712828820.1641752061-780922107.1641158928 Accessed January 9, 2022.

When making the decision to involuntarily commit a loved one for treatment of mental illness, the burden of cost may not be considered. Often that burden falls on the person receiving treatment, laying financial burden upon them in addition to any continuing struggles with mental health.

Charges were 2.5 times higher than the hospitals' reported costs to deliver care. Reimbursed amounts indicated by MarketScan were similar to the reported costs to deliver care. The average cost to deliver care was highest for Medicare and lowest for the uninsured: schizophrenia treatment, \$8,509 for 11.1 days and \$5,707 for 7.4 days, respectively; bipolar disorder treatment, \$7,593 for 9.4 days and \$4,356 for 5.5 days; depression treatment, \$6,990 for 8.4 days and \$3,616 for 4.4 days; drug use disorder treatment, \$4,591 for 5.2 days and \$3,422 for 3.7 days; and alcohol use disorder treatment, \$5,908 for 6.2 days and \$4,147 for 3.8 days.³²

Since that time costs have only increased, while state and federal funding has decreased. Medicare Part A pays \$0 coinsurance per day of each benefit period; for the first 60 days of care (after a deductible) \$1,484 is paid for each benefit period. There is a 190-day lifetime limit for care provided specifically at a psychiatric hospital. Medicare also does not cover "Private duty nursing, a phone or television in your room, personal items: like toothpaste, socks, or razors, or a private room, unless medically necessary."³³

These costs should be held in tension with the fact that an estimated \$193.2 billion is lost in earnings in the US each year because of mental illness.³⁴ This compounds the lack of available

32. Michael Stensland, Peter R. Watson, and Kyle L. Grazier, "An Examination of Costs, Charges, and Payments for Inpatient Psychiatric Treatment in Community Hospitals," *Psychiatric Services* 63, no. 7 (July 1, 2012): 666-71, <https://doi.org/10.1176/appi.ps.201100402> Accessed January 9, 2022.

33. Medicare.gov, "Mental Health Care (Inpatient)," <https://www.medicare.gov/coverage/mental-health-care-inpatient> Accessed January 9, 2022.

34. Kessler, Ronald C et al. "Individual and Societal Effects of Mental Disorders on Earnings in the United States: Results from the National Comorbidity Survey Replication," *American Journal of Psychiatry* 165,6 (2008): 703-11. <https://pubmed.ncbi.nlm.nih.gov/18463104/> Accessed January 9, 2022.

⁸ See Luxury Rehab Centers <https://luxuryrehab.com/>

resources to cover the cost of treatment. For those with resources, there is the opportunity for choice, amenities, and location to treat mental illness for a price point in the thousands of dollars.⁸

The following case studies invite us to consider the complexity of accompanying those with mental illness, including voluntary or involuntary commitment. When making the decision to involuntarily commit a loved one for treatment of mental illness, the burden of cost may not be considered. Often that burden falls on the person receiving treatment, laying financial burden upon them in addition to any continuing struggles with mental health.

There are also costs related to respecting a person's dignity and allowing them to make their own choices. Both these decisions can result in grief and regret. Accompanying those struggling with mental illness, bearing their burdens, and being present with them can be a complex calling. It can be further complicated by the financial costs incurred in seeking out treatments that might provide hope and a better future for this member of the body of Christ.

Case Study 1: Eating Disorder

Susana is a 34-year-old, white, Hispanic woman who currently lives in a major metropolitan area in the US. She is married, has two daughters, and works at a state university as a professor.

Susana excelled in school from a young age, rarely causing any trouble. When she was 12, her science teacher called her parents to inform them that Susana had stopped eating and was showing signs of an eating disorder. Her parents took her to a therapist who diagnosed her with anorexia nervosa.

Susana was instructed by her parents not to tell anyone about her illness for fear of embarrassing the family. Susana was hospitalized at inpatient treatment centers at ages 13, 15, and 17. In between treatment stays, she would stabilize medically but was never able to fully restore her weight to an ideal range before the next relapse. She engaged in her eating disorder throughout high school; her parents often reminded her of how much money they had spent on her treatment costs.

At age 18, Susana went to college in a neighboring state and played on the college's tennis team. A year later, Susana took a leave of absence at school to be hospitalized again for a relapse in her eating disorder. Upon discharge, she was medically stable but remained slightly underweight for years.

After finishing her undergraduate education, Susana moved to another university to complete a doctoral degree. As a teaching assistant, she was on the graduate student-issued health insurance plan. Four years into her doctoral program, she began to struggle again with maintaining her weight. Susana severely restricted her calories, exercised excessively, and began engaging in purging behaviors. Her weight plummeted to below 70 pounds, her resting heart rate was in the upper 40s, her lab work was at critical values, and her energy levels were at an all-time low.

Students in the classes Susana taught began reporting their

concerns to the chair of her academic department. Susana was ordered by both the Department Chair and the Dean of the College of Arts and Sciences to make an appointment with the campus health center for an assessment and to comply with their recommendations. After the physical and psychological exams, Susana was instructed to admit herself to an eating disorder treatment center immediately. Fearful of falling behind in her doctoral program, Susana ignored their recommendation.

Alarmed at her physical condition and fearful of her imminent death, a university general practitioner and a psychiatrist filed paperwork to commit Susana to a treatment center against her will, stating that she was unable to make the decision for herself and that she would be in imminent danger should she not seek immediate intervention. Susana pleaded with the doctors that they simply let her die. However, Susana was physically restrained and airlifted to an inpatient treatment program for patients too critically ill to enter traditional inpatient programs. This center was not in-network with Susana's insurance company.

Susana completed her treatment stays at two locations and emerged with over \$175,000 in medical debt. Seven years later, Susana continues to struggle to varying degrees with anorexia nervosa. Despite her ongoing struggles, Susana is thankful to be alive. However, she is doubtful regarding the possibility of a full recovery from her eating disorder. Additionally, she often experiences vivid flashbacks of being physically restrained and force-fed. Moreover, she is overwhelmed by the amount of medical debt she incurred against her will.

Case Study 2: Loved One on the Streets

Jeffery was born in 1945 as the first child to his parents, Karen and Warren. Jeffery had a normal childhood with football games, two younger sisters, above average intelligence (as noted by teachers), and probably attention deficit disorder (also noted by teachers and parents but un-diagnosed). Jeffery graduated from college, married, started his own family (son and daughter), and worked his way up the ranks at a small but growing IT company. Jeffery and his wife owned a home and several vehicles. His wife did not need to work, and his children had all the best toys. Jeffery was functioning well and was successful.

When Jeffery was 40 years old, family observers noted that things began to deteriorate. Jeffery divorced his wife, and his once nice home became unkempt and began to empty of furniture. In the span of five years, Jeffery went from successful computer programmer to fry cook at a local chicken restaurant. Jeffery sold his house, car, and belongings, moving into an efficiency apartment. Jeffery's family noted how his ability to carry on a conversation deteriorated and he appeared more and more to be living in his own world. Jeffery was never a drinker, nor did he use drugs.

By 50 years old, Jeffery was homeless. He did not want to keep a job, was out of touch with reality, and talked about the power of crystals and a jumble of Christian theology mixed with his own imaginings. Jeffery's family tried for years to house him,

Accessed January 9, 2022.

first with family and later in long stay hotels. The attempts always began with a long overdue bath, shave, and haircut (as he never did those while on the streets), and several new sweat suits to wear.

Each time Jeffery eventually became combative, angry, and delusional about those with whom he stayed wanting to hurt him. He ended up back on the streets. Jeffery's family eventually heeded his wishes and saw him only when he reached out for money or a warm place for a few nights. They knew where he frequented and drove by regularly to make sure he was alright. He ignored them or fought with them, convinced they intended to harm him or take away his things. Jeffery lived this way for eighteen years.

When Jeffery hit 65, he received an inheritance after his parents' deaths and was eligible for Medicare. His sisters and adult children tried to influence him to find a more stable living environment, but he declined. In the winter when he was 67, Jeffery's son noticed a small growth on his father's cheek and asked him to have it evaluated. Jeffery refused, returning to the streets.

Jeffery's son did not see him for nine months. The next time his father contacted him, the small growth on Jeffery's cheek had grown to the size of his hand, obviously skin cancer. Jeffery agreed to see a doctor, who confirmed it was skin cancer and needed to be surgically removed. Jeffery declined, saying he would be fine. The doctor told Jeffery's adult children and sisters that soon the tumor would be inoperable and would kill him.

They worked with the doctor to have Jeffery evaluated for involuntary committal to the hospital for surgery, but the court system found Jeffery competent to make his own decisions. Over the last four months of his life, the tumor grew into Jeffery's esophagus and mouth, making eating impossible. He was admitted to a state hospice unit for the last two weeks of his life, because, in his own words he was "tired." He died of starvation at age 68. His loved ones continue to grieve his death and question whether they should have done more to save him.

Discussion Questions

Is it ethical to force someone to receive treatment for mental illness if they do not wish to receive help? What factors need to be considered in determining the ethical efficacy of imposing help on someone?

1. How much responsibility does a parent/child have, if their child/parent refuses to accept help?
2. If you were a deacon or pastor to the people in these case studies, what would be your responsibility for ministering to these individuals and families dealing with mental health issues? What would be the responsibility of the church as the body of Christ?
3. When a person is involuntarily committed to receive medical treatment for mental illness, who is ethically responsible for funding that treatment?

Authors: Myron Crawford, Katie Evans, Cheryl Herreid, Sue Hoff, Jonathan Lys, Marie Martinez, and Sean McConathy

School Secession? Our Calling in Education

Social Statement: Our Calling in Education (2007)

<https://www.elca.org/Faith/Faith-and-Society/Social-Statements/Education>

Background

The Evangelical Lutheran Church in America (ELCA) recognizes the essential role education plays in fostering lifelong faith formation and cultivating a society where all are equipped to use their gifts for the betterment of society. As baptized believers liberated by Christ's life, death, and resurrection, Lutherans believe we are free to serve our neighbor. This freedom includes the freedom to live out our baptismal calling through our vocation. Lutherans believe that all people—not just those who work for the church—receive a calling from God. As Luther affirms:

The works of monks and priests...do not differ one whit in the sight of God from the works of the rustic laborer in the field or the woman going about her household tasks, but all works are measured before God by faith alone" (*Babylonian Captivity of the Church*).

We are each empowered to live out our baptismal calling. Moreover, Lutherans are called to educate others, so that all people—no matter their race, socioeconomic status, or zip code—have access to a high-quality, equitable education.

Unfortunately, the American school system has never been equitable. Today's education landscape is clouded by the era of Jim Crow where court cases, like *Plessy v. Ferguson* (1896), declared that state-sanctioned segregation did not violate the rights of black Americans. School systems, and other civic institutions, could continue to operate separate facilities if they were "equal." In practice, this court case allowed states to operate underfunded black schools, which paled in comparison to their white counterparts. The doctrine of "separate but equal" remained intact until 1954, when *Brown v. Board of Education* declared the doctrine to be inherently unequal.

However, sixty-seven years later, American public schools remain segregated and unequal. The National Assessment of Education Progress (NAEP) found that 12.9% of white students attend a school that is majority black, Hispanic, Asian, or American Indian, whereas nearly 70% of black students attend schools that are a majority people of color.³⁵ Class also intersects with race in determining one's access to a high-quality education.

35. Emma Garcia, "Schools Are Still Segregated, and Black Children Are Paying a Price," Economic Policy Institute (Feb 12, 2020), <https://www.epi.org/publication/schools-are-still-segregated-and-black-children-are-paying-a-price/> Accessed January 2, 2022.

Only 8.4% of white students attend a school that is high poverty and mostly white, whereas 60% of black students attend a high poverty school with mostly students of color.³⁶

This stark difference in school composition plays a significant role in determining student achievement. For example, according to EdGap (a website that highlights the correlation between median household income and student achievement on college entrance exams) the average ACT score in Memphis' poorest communities is between 14 and 16.³⁷ All of these "low-performing schools" are majority students of color. Memphis' highest-performing schools, often those located in census tracts with higher median incomes, average between 23 and 26.³⁸ The ACT College Readiness benchmarks are 18 for English, 22 for Mathematics, 22 for Reading, and 23 for Science.³⁹ There are no traditional public high schools in Memphis' poorest neighborhoods that meet these benchmarks. In other words, there are no traditional public high schools serving primarily students of color that adequately prepare their students for college and career readiness.

These trends are not limited to Memphis. Significant disparities based on race and class exist in almost all major metropolitan areas. Nationally, when black students are given the opportunity to attend the same schools as their white peers, they perform better on standardized testing. However, in our current system where families are priced out of neighborhoods with more desirable schools, one must be lucky enough to receive a scholarship from a private school or, in urban centers, test into a magnet school to attend a "high-performing" institution.

A growing school secession movement often perpetuates these disparities. School "secession" refers to a process where "smaller, new school systems are broken off from larger school districts."⁴⁰ Since 2000, 128 communities have attempted to secede from larger districts; 73 seceded as of 2019.⁴¹ Proponents of school secession desire increased local control over school funding. However, these splinter districts are often composed of affluent, white residents with the political power and social capital to initiate a secession campaign. When these residents form their own district, they generally leave low-income, nonwhite students behind.⁴²

The effects of school secession are disastrous for the larger district. The larger district is forced to slash its budget, close

Nationally, when black students are given the opportunity to attend the same schools as their white peers, they perform better on standardized testing.

neighborhood schools due to declining enrollment, and lay off hundreds of teachers.⁴³ School secession in the South played a significant role in increasing school segregation from 57.7% in 2000 to 63.8% in 2015.⁴⁴

Faced with these daunting realities, the ELCA continues to hope against hope that equity is possible. The denomination stands against systems and structures which perpetuate inequality. We affirm that all children can achieve at high levels and deserve access to a high-quality education. Thus, the ELCA is committed to working with community stakeholders to boldly and consistently advocate that all students have access to a high-quality, equitable education.

Case Study

The Valentine School district is in an inner suburb of Cincinnati, Ohio. In the 1960s, wealthy, white families fled increasingly crowded and diverse neighborhoods from urban Cincinnati to live in Valentine. While new schools have been established in the suburbs, they remain in the same Hamilton County school district and share property tax revenue. In the last decades, Valentine has become an increasingly wealthy suburb, while the adjacent Cincinnati neighborhoods have become increasingly poor through employers moving to the suburbs. However, Valentine remains predominantly white and has become an upper-middle-class suburb, while the Cincinnati neighborhood remains racially diverse and increasingly economically disadvantaged.

In the past year, conversations have begun in Valentine to secede from the Hamilton County School District and begin their own school district. A successful secession of Valentine schools would mean property tax revenue from Valentine would be used for Valentine schools only and not be joined with Cincinnati property taxes for both sets of schools. According to the parent group, "Local Parents for Local Students," this would allow for local property taxes to be used for the education of Valentine students. An opposing parent group, "Parents for Hamilton," has been formed in opposition to Valentine schools seceding from the Hamilton County School District. These two parent groups have

36. Emma Garcia, "Schools Are Still Segregated..."

37. The Memphis Teacher Residency, "EdGap: A Geographical Perspective on Educational Opportunity," <https://memphistr.org/about/equal-education-matters/> Accessed January 2, 2022.

38. The Memphis Teacher Residency, "Ed Gap..."

39. Jeff Allen and Justine Radunzel, "What Are the ACT College Readiness Benchmarks," *ACT* (Oct 2017), <https://www.act.org/content/dam/act/unsecured/documents/pdfs/R1670-college-readiness-benchmarks-2017-11.pdf> Accessed January 2, 2022.

40. P.R. Lockheart, "Smaller Communities Are 'Seceding' from Larger School Districts. It's Accelerating School Segregation," *Vox* (Sept 6, 2019), <https://www.vox.com/2019/9/6/20853091/school-secession-racial-segregation-louisiana-alabama> Accessed January 2, 2022.

41. Lockheart, "Smaller Communities..."

42. Lockheart, "Smaller Communities..."

43. Caroline Bauman, "Memphis-Shelby County Spotlights in National Report on School District Secession," *Chalkbeat Tennessee* (June 21, 2017), <https://tn.chalkbeat.org/2017/6/21/21102787/memphis-shelby-county-spotlighted-in-national-report-on-school-district-secession> Accessed January 2, 2022.

44. Lockheart, "Smaller Communities..."

been present in local school board meetings and have had a public voice in local news coverage.

Emmanuel Lutheran Church is situated in Valentine adjacent to Cincinnati. An ELCA congregation with a weekly worship attendance of 225, Emmanuel Lutheran was founded after families moved into the suburbs in 1972. Over the years, Emmanuel Lutheran has focused on its commitment to welcome folks from neighboring Cincinnati. Today Emmanuel Lutheran has members from both Valentine and Cincinnati, along with other neighboring suburbs.

The school board has developed a proposition with a vote taking place in two months. This proposition would move the Valentine schools (2 elementary schools, 1 middle school, and 1 high school) to secede from the Hamilton Country School District. As the vote on the secession of Valentine schools from the Hamilton County School District draws closer, members at Emmanuel Lutheran are becoming more vocal about their opinions. One member of the school board is a member of the congregation. Leaders in both parent groups worship at the church every Sunday; students from all schools are represented in the children and youth ministry programs. A social hour between church services last Sunday morning devolved into a heated argument between members of opposing parent groups.

Emmanuel Lutheran called Deacon Julie four years ago to serve as a deacon in the community. Her call to the community by the church has placed her in the public sphere. She is well connected through ministry partners and community partners. She works in the congregation building up a public ministry presence in the community and in the community connecting people with the ministry of Emmanuel Lutheran. She is frequently invited to speak about the church and to pray at various community functions.

Deacon Julie is also the parent of two children in the Cincinnati neighborhood schools. She supports the “Parents for Hamilton” parent group against the secession of Valentine schools. In her role as deacon, Julie has been asked by a member of the congregation to pray at the next “Local Parents for Local Students” meeting.

Discussion Questions

1. What should Deacon Julie say in the conversation with the person who asked her to pray?
2. How could Deacon Julie’s response affect conversations and relationships with congregation members who are a part of “Parents for Hamilton”?
3. Will school district secession improve educational quality for students? What factors need to be considered?
4. If you are a parent of a child living in this school district, what would your concerns be for and against the proposition?
5. How can the church educate about and engage this issue?

Authors: *Rebecca Baird, Lillian Brondyke, Jacob Krueger, Katlin Leslie, Natascha Schostek, and Michael Schulte*

Immigration: Questions about Sanctuary Church

Social Message: Immigration (1998)

<https://www.elca.org/Faith/Faith-and-Society/Social-Messages/Immigration>

Background

The Evangelical Lutheran Church in America (ELCA) recognizes that as a church we are called to welcome the stranger. As a part of our ongoing participation in God’s work in the world, the ELCA adopted a social message in 1998 to guide the church and direct our efforts regarding the pressing concerns surrounding immigration. Guided by Scripture and considering our experiences as a church built by immigrants, we continue our discernment on how to compassionately welcome newcomers and to advocate for justice. Drawing from Matthew 25:35, we affirm our belief as a church that Jesus calls us to care for the vulnerable. Jesus said, “... for I was hungry, and you gave me food, I was thirsty, and you gave me something to drink, I was a stranger and you welcomed me” (Matt 25:35). Throughout the Bible there are over ninety-two passages that call on Christians to welcome the stranger who comes to our land as a refugee or an immigrant.

From the earliest texts written in the Bible, we hear stories of people who immigrate to different lands. The reasons can be very diverse. Some people leave their homes seeking resources to sustain life for themselves and their families, while others are forced to flee their homes due to violence. Regardless of the cause, immigration has been a part of human history from the beginning. Immigration

The history of the United States (US) has been built on the gifts that each group of immigrants have brought to advance God’s kingdom breaking into the world today. In recognizing the history of the US and the role of immigrants in the development of this country, the church affirms our role in the advocacy for compassion and justice for all people through the reformation of immigration policies.

offers not only new opportunities for those whose survival is in jeopardy, but also brings their diverse gifts to new homes.

The ELCA recognizes the humanity and the contributions of all people who immigrate from one place to another as a reflection of the beautiful diversity of God's creation being drawn together. The history of the United States (US) has been built on the gifts that each group of immigrants have brought to advance God's kingdom breaking into the world today. In recognizing the history of the US and the role of immigrants in the development of this country, the church affirms our role in the advocacy for compassion and justice for all people through the reformation of immigration policies. The ELCA has taken an active role in the work of advocacy through social statements and social messages.

As part of the ongoing work of the ELCA, we prayerfully continue to invite the guidance of the Holy Spirit in how we are called to walk with newcomers to the US. In 2009 the ELCA Church Council adopted a social policy resolution titled, "Toward Compassionate, Just, And Wise Immigration Reform." Social and historical global events continue to serve as a catalyst for immigration. Those who are forced to flee are vulnerable to unjust policies and conditions that contribute to the trauma of their flight.

The challenges, trauma, and fears of immigrants continue to escalate as policy makers respond to the growing number of people seeking refuge. Efforts to deter immigrants from coming to the US do not reflect the severity of the threat that immigrants face. The level of violence and threat to life in their country of origin do not leave people many options. Those who flee their homes fall under the definition of refugees and many come seeking asylum. Asylum seekers and refugees are aware of the tremendous risks they face in their flight, however, the conditions in their home countries are such that the chances of survival are very low. They undertake the risks of the journey as their only hope for the future. Most of these immigrants are not seeking to violate the law; they are just desperately seeking the chance to live without the constant threat of victimization and violence. Currently Central America has the highest death rate in the world. The number of murders continues to climb in most countries and the hope for this condition to change soon is non-existent.

Following the rules and laws of immigration is a complex process. The application for asylum requires that applicants be present on US soil. If they are not allowed to enter the country, they are prevented from legally presenting their case. The current immigration and asylum process falls under the Executive Branch of the US government. There is currently no requirement that representation be provided for those making their cases. The complexity and the length of the process makes it impossible for them effectively to present their case.

As the government seeks to manage the current immigration crisis, new strategies are being employed to discourage people from coming to the US. Applications for asylum should fall under the Executive Branch of government, however, new strategies have been developed to move these claims to criminal courts where the

The challenges, trauma, and fears of immigrants continue to escalate as policy makers respond to the growing number of people seeking refuge. Efforts to deter immigrants from coming to the US do not reflect the severity of the threat that immigrants face.

applicants are expelled from the US and barred from re-entry for at least ten years. Policies are also used that are designed to paint a terrifying picture of what will happen to those who try to come to the US. As part of this policy, children have been separated from their parents and parents have been deported without their children.

The challenges and systemic abuses that exist in the current immigration system cry out for compassionate reform that offers hope for the future. In response to the current humanitarian crisis, the ELCA has developed a strategy of accompaniment called AMMPARO. AMMPARO is a ministry of accompaniment that focuses on Accompanying Migrant Minors with Protection, Advocacy, Representation, and Opportunities. It is our prayer that together with other partners within our communities and across the US that we can work for justice. In a country that has been built by immigrants, we need to recognize the gifts and rights of each individual and create a system that welcomes the stranger and offers the hope of new life.

Case Study

St. Mark's Lutheran Church is a mid-sized congregation in a town located near a US immigration detention center. Over the years, St. Mark's has dipped its toes in many social justice issues. The members do a significant amount of service projects in the community, host a community meal twice a week, and think of themselves as progressive. Being in a town that has a detention center, they have also provided adult education hours around immigration. The congregation recently participated in an information session hosted by AMMPARO that introduced them to the process of becoming a "Welcoming Congregation." At this point, however, they have not moved forward with starting that process.

About six years ago, St. Mark's contracted a company to expand their fellowship hall. Anthony was on the construction team for the project. While working at the church, he became friends with one of the church members, Joan, who invited Anthony and his family to come to worship. They have been attending St. Mark's ever since. When they officially became members, Anthony and

his wife, Gabriela, told Pastor Pam and Deacon Dan that they are undocumented, asking that the information stay between them. This request was respected by Pastor Pam and Deacon Dan, who welcomed the new family with open arms. Gabriela, Anthony, and their children have been involved in the congregation and are well loved. Gabriela teaches third grade Sunday school; the children are involved in youth and family programming, Anthony attends a weekly men's Bible study, and the whole family helps by cooking one of the community suppers each month as a way of sharing their culture with the community.

Anthony, Gabriela, and their two-year-old, Oscar, came to the US from Venezuela in 2013 seeking political asylum. Three years after arriving in the US, they gave birth to their second child, Gloria. Anthony, Gabriela, and Oscar all remain undocumented, but they have been working on their asylum status since arriving. The family came to this town because they had extended family living here and are currently living with Anthony's aunt and niece. They have been following diligently all the legal requests made of them in the immigration process and have a compelling case.

Due to financial reasons, they are unable to afford a lawyer who specializes in immigration law. Instead, they are working with a lawyer who has no immigration experience. This lawyer did not prepare Anthony well for his specific court date and failed to notify them when it was. Due to the mistake of the lawyer and missing his court appearance, Anthony received an "order of removal" letter from Immigration Court, by which he could now be deported at any time. Although it is possible for Anthony to claim he had ineffective legal counsel and possibly appeal to reopen his case, he still would need to find a new attorney and have the financial means to pay for one. Anthony needs both time and money to keep him from deportation.

Upon hearing of his upcoming deportation, Anthony went to Pastor Pam and Deacon Dan asking for support. He remembered hearing that some years ago the ELCA declared itself a Sanctuary Denomination. He did not know exactly what that involved but wanted to know if he could seek sanctuary within the church building while he figured out how to make progress with his immigration status. He was desperate, fearing both separation from his family and being sent back to a home that is not safe. Pastor Pam and Deacon Dan explained that being a Sanctuary Denomination is essentially defined as publicly declaring that walking alongside immigrants and refugees is a matter of faith. However, in practice that can take on many different forms. The ELCA has left it up to congregations to decide what that means for each of them, and St. Mark's had not yet clarified what that looks like for them. Pastor Pam and Deacon Dan were grieved by Anthony's situation and said they would talk it over.

Pastor Pam and Deacon Dan wanted to offer support but did not know what support they could offer on behalf of the congregation. They felt like offering resources and support was something they should do, but they also knew that the decision was not entirely up to them. Pastor Pam and Deacon Dan knew

that Anthony and his family were well loved by the congregation and were confident that many would want to support them. Due to time pressures, they decided to call an emergency council meeting to explain the situation and decide how the church would respond.

In the council meeting there were many complicated factors discussed, including that there are some members of the congregation who work for Immigration and Customs Enforcement and others who work for Lutheran Immigration and Refugee Service. The council anticipates mixed reactions from the congregation at large but ultimately wants to care for this family, which plays an integral role in their community. They are left not knowing how to proceed or how to best offer support at this time.

Discussion Questions

1. Is a church ethically required to provide aid to an immigrant or refugee either with or without legal status? If so, what aid? If not, is the church ethically obligated to provide information where such aid might be available?
2. Who is responsible for establishing a congregation's policy regarding issues related to immigration (pastor/deacon, congregation council, congregation, etc.)? Should all congregations have a policy in place in the event an immigrant without documentation seeks asylum and/or aid?
3. How can the church best support and/or assist families of people who have been deported or are pursuing legal status?
4. The notion of "sanctuary churches" has become increasingly partisan and politicized, despite thorough explanations that to be a sanctuary church does not encourage any actions that are illegal. How can congregations better understand the theological and ethical responsibility to welcome strangers and provide sanctuary? What might that look like?

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Death Penalty: Impending Date of Execution

Social Statement: The Death Penalty (1991)

<https://www.elca.org/Faith/Faith-and-Society/Social-Statements/Death-Penalty>

Background

The Evangelical Lutheran Church in America (ELCA) is opposed to the death penalty because of our shared ministry with people affected by violent crime. Executing a person who has committed a violent crime does not heal the wounds of the people impacted by the violent crime. Treating someone who has acted violently with the violence of the death penalty is an act of vengeance. We recognize that there is a need to prevent a person who has committed a violent crime from being able to continue that harm, but the church declares that repaying death with death is not the answer.

The ELCA is opposed to the death penalty because of our commitment to justice. The death penalty treats an individual as solely responsible for the violence committed and ignores the complicity of systems of injustice in our society that are contributing factors to violent crime. “Executions harm society by mirroring and reinforcing existing injustice. It deforms our response to the violence at the individual, familial, institutional, and systemic levels.”⁴⁵

The ELCA is opposed to the death penalty because it ends the life of a human. There are biases and prejudices present in our society that impact the sentencing that people receive. Not all people charged with crimes actually have committed them. Whether or not a person is guilty of the crime, sentencing someone to death is not faithful.

Theological and Scriptural Reasoning. The death penalty continues to be a contentious issue in the United States. As we consider the question of biblical authority, many of the cited texts are in the Old Testament. As referenced in Exodus 21:12: “Whoever strikes a person mortally shall be put to death.” There are over thirty-five references to the use of the death penalty in the Old Testament, which appear to demonstrate that this is how we are to live a God-pleasing life.

The life, death, and resurrection of Jesus allow for a new life and hope for the renewal of human faults. When asked about “an eye for an eye, a tooth for a tooth,” Jesus guides us to turn the other cheek (Matt 5:38-39). Jesus gives a road map to steer away from retribution and toward love for others. These words provide direction for this difficult deliberation: “Let anyone among you

45. Evangelical Lutheran Church in America. “Social Statement on The Death Penalty,” 3, https://download.elca.org/ELCA%20Resource%20Repository/Death_PenaltySS.pdf Accessed January 2, 2022.

The ELCA is opposed to the death penalty because of our commitment to justice. The death penalty treats an individual as solely responsible for the violence committed and ignores the complicity of systems of injustice in our society that are contributing factors to violent crime.

who is without sin be the first to throw a stone” (John 8:7). By acknowledging the love of God for each of us and our relatedness to each other through God, we diminish the hurt and hatred that can be found in our prison systems.

Data on the Death Penalty. In 1972, the US Supreme Court ruled in *Furman v. Georgia* that the death penalty was unconstitutional “when applied in an arbitrary or discriminatory manner.”⁴⁶ The use of the death penalty was suspended, while states revised statutes to accommodate the court’s judgement. The death penalty was reinstated in 1976 after the case of *Greg v. Georgia*.⁴⁷

The third reason for the ELCA’s opposition to the death penalty is its concern regarding the unfair use of capital punishment. Since 1976 when the death penalty was reinstated, the data clearly demonstrates continued discriminatory application.

- Since 1976 there have been twenty-one executions of white defendants who murdered black victims. Over the same period, there have been 299 executions of black defendants who murdered white victims.⁴⁸
- In Louisiana, the odds of a death sentence were 97% higher for those whose victim was white than for those whose victim was black.⁴⁹
- Jurors in Washington State are three times more likely to recommend a death sentence for a black defendant than for a white defendant in a similar case.⁵⁰

46. Cornell Law School, Legal Information Institute, *Furman v. Georgia*. [https://www.law.cornell.edu/wex/gregg_v_georgia_\(1976\)](https://www.law.cornell.edu/wex/gregg_v_georgia_(1976)) Accessed January 2, 2022.

47. Cornell Law School, Legal Information Institute, *Furman v. Georgia*. [https://www.law.cornell.edu/wex/furman_v_georgia_\(1972\)](https://www.law.cornell.edu/wex/furman_v_georgia_(1972)) Accessed January 2, 2022.

48. Death Penalty Information Center, “Facts about the Death Penalty.” <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf> Accessed January 2, 2022.

49. Pierce and Radelet, *Louisiana Law Review* (2011), in Death Penalty Information Center, “Recent Studies on Race”. <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf> Accessed January 3, 2022.

50. Beckett, University of Washington (2014), in Death Penalty Information Center, “Recent Studies on Race”. <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf>

- A study in California found that those convicted of killing whites were more than 3 times as likely to be sentenced to death as those convicted of killing blacks and more than 4 times more likely as those convicted of killing Latinos.⁵¹
- In 96% of states where there have been reviews of race and the death penalty, there was a pattern of either race-of-victim or race-of-defendant discrimination, or both.⁵²

There are twenty-seven death penalty states remaining in the US. As of November 18, 2021, 1539 people have been executed since 1976. More than 2500 people remain on death row in the United States.⁵³

The Innocence Project estimates that 4% of those on death row are innocent. That means, according to the Innocence Project, 100 people currently on death row waiting to be executed in the United States did not even commit the crime for which they will be murdered by the state.⁵⁴

Case Study

The small, tourist city of Vista, Arizona, has recently come into the limelight. Catching the attention of state and national news, a complex legal case in the city's state prison has ignited feelings on both sides of the death penalty issue. The media is starting to converge on the town and is disrupting day-to-day operations. The inmate, who is an African American male, was convicted of shooting a grocery store clerk who was eight months pregnant. At the time of the crime the inmate was 16 years old. Although convicted by a jury, he has maintained his innocence. The date of execution by lethal injection is set to occur for the end of the week. The last-minute pardon to the Governor is pending.

You are serving as the called pastor in a congregation in Vista. A high percentage of your congregation is either employed by the prison or related to someone who works at the prison where the inmate is housed and will be executed. The Black Lives Matter organization in conjunction with the Innocence Project has requested to have a rally in the church's parking lot. The request has ruffled feathers among those who work in the prison and are hired to carry out the execution. There are supporters and opponents of the death penalty in the community and within the congregation.

Discussion Questions

1. How would you advise the congregation council to engage the possibility of hosting a rally sponsored by the Black Lives Matter Movement and the Innocence Project? What ethical considerations need to be identified and discussed?
2. When hosting an educational session on the ELCA death penalty social statement, how can you acknowledge and engage the diverse perspectives within the congregation? How might you use the social statement?
3. Many people both in and outside the congregation need different kinds of pastoral care over the coming weeks and months. How might you and your congregation provide appropriate pastoral care based on their differing needs and experiences?

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[deathpenaltyinfo.org/pdf/FactSheet.pdf](https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf) Accessed January 3, 2022.

51. Pierce and Radelet, *Santa Clara Law Review* (2005), in Death Penalty Information Center, "Recent Studies on Race". <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf> Accessed January 3, 2022.

52. Baldus Report to the American Bar Association (1998), in Death Penalty Information Center, "Recent Studies on Race". <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf> Accessed January 3, 2022.

53. Death Penalty Information Center, "Facts about the Death Penalty." <https://documents.deathpenaltyinfo.org/pdf/FactSheet.pdf> Accessed January 2, 2022.

54. Research Resources, "The Work of the Innocence Project's Science and Research Department." <https://innocenceproject.org/research-resources/> Accessed January 3, 2022.