Ordained and Commissioned Members of the Gospel and Congregations

The Lutheran Church—Missouri Synod

Dear Friends in Christ:

In December 2005, the Commission on Theology and Church Relations distributed to all congregations and church workers in the Synod a copy of its report on *Christian Faith and Human Beginnings: Christian Care and Pre-Implantation Human Life.* In the cover letter accompanying this report, President Kieschnick noted:

Hardly a day goes by without another significant news story relating to some facet of the ongoing debate in our society surrounding embryonic stem cell research and cloning. As Christians—and as members of a church body well known for its historic stance on the value of all human life in God's eyes—we have a profound stake in these public debates, as we seek to bear witness both within and outside the church to the clear testimony of Scripture regarding God's care for human life at every stage of its development.

These words ring as true today as they did two years ago. In fact, in reiterating its position on stem cell research at its 2007 convention, the Synod officially "urge[d] its members to give *public witness* against the destruction of human life in embryonic stem cell research," and in this way to "let their light shine in this dark world regarding this type of ethical dilemma" (2007 Res. 6-02; emphasis added).

At its Dec. 3–5 meeting, the CTCR unanimously adopted a document titled "Defending Pre-Implantation Human Life in the Public Square: A Response to Wyoming District Concerns about the CTCR Report *Christian Faith and Human Beginnings.*" Although this document (as the subtitle indicates) was prepared specifically as a response to concerns expressed in a resolution adopted by the Wyoming District, the Commission believes that it can serve a broader purpose as well: namely, to encourage reflection and discussion in the Synod about the historic Lutheran approach to engaging critical, moral, and ethical issues *in the public square*.

As it shares this document with you, the Commission wishes (first of all) to commend the Wyoming District for the serious attention that it has given to this crucial issue and also for the attention that it has given to the CTCR's 2005 report. It is the Commission's sincere hope that all pastors, congregations, church workers, and lay people in the Synod will commit themselves to becoming as well informed as possible about this pressing issue and will also seek to become as well equipped as possible to think, speak, and act in God-pleasing ways in response to this matter, both within the church and in the public square.

From the Commission's perspective, it is important to keep in mind that *Christian Faith and Human Beginnings* was prepared by the CTCR—in response to requests by the Synod—as the third in a series of recent reports on beginning of life issues. In 1996 the CTCR offered Scripture-based counsel and guidance on questions relating to *Christians and Procreative Choices: How Do God's Chosen Choose?* In 2002, it produced its report *What Child Is This? Marriage, Family and Human Cloning.* The Commission begins its 2005 report by referencing these previous reports and by indicating that "in the present report the matter of protecting pre-implantation embryos is addressed in much more detail...and *our focus is on Christian participation in public debate concerning the use of embryos for medical research and therapy*" (4, fn. 1; emphasis added).

As is emphasized in the attached response, the CTCR "is convinced that what it says in *CFHB* regarding the value of human life at every stage of its development is completely consistent with what it has said in previous reports regarding this issue" (2)—including also its 1984 report *Abortion in Perspective*. "What is new in this report," notes the Commission, "is the 'focus on Christian participation in *public debate* concerning the use of embryos for medical research and therapy'" (2). This specific focus, the Commission believes, requires "the use of language, argumentation, and strategies that—according to Scripture itself—are most appropriate and effective for interaction in the secular realm" (2).

The Commission believes that its report on *Christian Faith and Pre-Implantation Human Life* can serve as a useful resource in this regard, not only as a way of offering persuasive forms of reasoning for defending pre-implantation human life in the public square but also as an example and a model for developing similar arguments and strategies in responding to other important social and moral issues. It is the Commission's hope that the attached document will also be helpful, both as a way of reiterating and clarifying the nature and purpose of the approach taken in its 2005 report and as a useful tool for summarizing and reviewing the scriptural principles underlying the historic Lutheran approach to church-state and church-society issues.

May God bless your use and study of this response, the various CTCR reports on beginning of life issues, and other valuable resources in this area as we seek to "let our light shine in this dark world regarding this type of ethical dilemma" (2007 Res. 6-02). May He also richly bless all of our efforts to bear witness boldly to God's love and compassion for all human beings—the love most clearly revealed in the gift of God's Son Jesus Christ, who came into our world as a tiny baby and who lived, died, and rose again so that we "may have life and have it abundantly" (John 10:10).

Sincerely, Samuel H. Nafzger

Defending Pre-Implantation Human Life in the Public Square

A Response to Wyoming District Concerns about the CTCR report *Christian Faith and Human Beginnings*

At its 2006 convention the Wyoming District adopted Resolution 3-09 "To Emphatically State the Biblical Position Regarding the Unborn." In March of 2007, this resolution was submitted by the Wyoming District to the Commission on Theology and Church Relations [CTCR] "for a response." The resolution adopted by the Wyoming District includes the following "resolveds" pertaining to the CTCR's 2005 report *Christian Faith and Human Beginnings* [CFHB]:

RESOLVED, That the Wyoming District thank the CTCR for their work in the past on issues relating to the sanctity of human life, and for their work in this [2005] document, which uses scripture to remind us that all life begins at conception; and be it further

RESOLVED, That the Wyoming District caution its pastors against an injudicious use of this document, and urge the pastors and congregations of the district to use caution when referring to this report, and express its regret that this document is not clear enough to receive an unqualified commendation for use by pastors and congregations; and be it further

RESOLVED, That the Wyoming District formally request that the CTCR revisit its report, "Christian Faith and Human Beginnings" so that this report would make clear and unambiguous the scriptural teaching on this issue that "the living but unborn are persons in the sight of God from the time of conception...."

The CTCR is grateful, first of all, for the seriousness with which the Wyoming District has approached this crucial issue and for the attention it has given to the CTCR's 2005 report. The Commission also appreciates the Wyoming District's recognition that its report *CFHB* (like its previous reports on beginning-of-life issues) "uses scripture to remind us that all life begins at conception." As the CTCR states at the very outset of its report: "The Commission will be defending the position that pre-implantation embryos in laboratories are to be accorded protection on the same basis as live-born humans" (7, fn. 4). This position is reaffirmed in the concluding paragraph of the report. "Human embryos," says the Com-

mission, "beginning with conception, are set on a course of development that leads continuously to an unfolding of a unique human life" (47). "We have found no moment in this unfolding where a convincing line can be drawn between embryonic life that need not be protected and embryonic or fetal or live-born life that should be protected" (47). The report closes with the affirmation that "the Bible speaks of God's love and care for an individual from even before the earliest physical moment. We therefore apply the principle 'Always to care, never to kill' to pre-implantation human life" (47).

From the Commission's perspective, in fact, clear and unambiguous statements such as these stand at odds with the Wyoming District's expression of "regret that this document is not clear enough to receive an unqualified commendation for use by pastors and congregations" and its view that this report needs to be "revisited" in order to "make clear and unambiguous the scriptural teaching on this issue that 'the living but unborn are persons in the sight of God from the time of conception."

At the same time, the Commission recognizes the fact that certain aspects of this report might be misread and/or misunderstood, including such critical issues as the specific focus of this report and its usage (within the context of this specific focus) of the "burden of proof" argumentation. Misunderstandings of this nature seem especially evident in the "whereases" of the Wyoming District resolution, which identify specific issues underlying the concerns expressed in the final resolveds. In the response that follows, therefore, the Commission seeks to address these issues, which fall into two major categories: 1) concerns about terminology and 2) concerns about argumentation.

Before addressing these specific concerns, a preliminary word may be helpful. At the very beginning of its report on *CFHB*, the CTCR references its work in previous reports on human beginnings and then states that "in the present report…our focus is on Christian participation in *public debate* concerning the use of embryos for medical research and therapy" (4, fn. 1; emphasis added). This is a critical point for understanding the approach taken by the Commission in its 2005 report. In The Lutheran Church—Missouri Synod, we regard the Holy Scriptures as the written Word of God and the only rule and norm for faith and practice. Because of our faith in God's Word, which is rooted in our faith in Christ, we are compelled to serve our neighbors in both church and society. This includes speaking and acting in the public square in ways that promote the common good and demonstrate care and compassion for all human life.

Effective Christian activity in the public square, furthermore, involves making use of arguments and strategies that are grounded not simply in "what the Bible says" but in human reason and natural law (which are accessible to all people). The Commission is convinced that what it says in *CFHB* regarding the value of human life at every stage of its develop-

ment is completely consistent with what it has said in its previous reports regarding this issue. What is new in this report is the "focus on Christian participation in *public debate* concerning the use of embryos for medical research and therapy" (4, fn. 7; emphasis added). Christian participation in *public debate* requires the use of language, argumentation, and strategies that—according to Scripture itself—are most appropriate and effective for interaction in the secular realm, where God's Word is not regarded as authoritative. The response offered below seeks to "flesh out" these presuppositions and distinctions in ways that help to make more clear the nature and purpose of the Commission's approach in this report.

Concerns about Terminology

In its fourth whereas, the Wyoming District resolution says: "Previously the CTCR has been unequivocal in its statement that life begins at conception, but in this document speaks of...'development that leads to...a human life."

Unfortunately, the partial quotation of this sentence results in the impression that it is saying just the opposite of what it actually says. The entire sentence (quoted earlier in this response) reads as follows: "Human embryos, beginning with conception, are set on a course of development that leads continuously to an unfolding of a unique human life" (47; emphasis added). The continuous unfolding of a unique human life, asserts the Commission, begins with embryonic human life at the moment of conception. As the CTCR says in its 1984 report Abortion in Perspective: "Human beings come into existence and then gradually unfold what they already are" (28, fn. 17; emphasis added). There is absolutely no "equivocation" in the statement on page 47 of CFHB or in the report as a whole regarding the fact that human life begins at conception. The very subtitle of the Commission's report is "Christian Care and Pre-implantation Human Life" (emphasis added), and the Commission's unyielding position throughout this report is that human life at *every* stage of its development, beginning with conception, is human life that is created and valued by God and that deserves our protection and care.

In its sixth whereas, the Wyoming District resolution criticizes the CTCR for "refraining from the use of the word 'person' when referring to the unborn, although the synod itself used the term to describe the unborn in 1979, and reaffirmed its use in 1981."

As is explained in a lengthy footnote (#4) on page 7 of CFHB, the Commission itself has no objection to the use of the word "person" to refer to the unborn. It is well aware that the Synod itself has used this language in official resolutions adopted in 1979 and 1981. Already in its 1984 report Abortion in Perspective, however, the Commission cautioned against relying too heavily on the language of "personhood" in defending the value

of all human life in the public square because of the way this language is often used (and understood) in the public square. Unfortunately, notes the Commission, in recent years the term "person" has been muddied by political and philosophical distinctions and debates that often seek to *undermine* the position that all human life is worthy of protection. Rather than being drawn into these futile debates, says the Commission, it may be advisable to use language that is virtually incapable of being misunderstood or qualified—e.g., language like the term "human being." As the Commission says in footnote 4 (quoting from its 1984 report):

Whatever we may say of personal qualities, human beings do not come into existence part by part as do the artifacts we make. Human beings come into existence and then gradually unfold what they already are. It is human beings who are made in God's image and valued by God—and whose inherent dignity ought also to be valued by us.

Thus in this as in previous reports (which are strongly commended in the Wyoming District's resolution), the Commission consistently uses the term "human being" to refer to embryonic human life. As it explains at length in *Abortion in Perspective* and *Christian Faith and Human Beginnings*, it does this not to avoid clarity but precisely "for the sake of clarity and to avoid unnecessary and futile disputes."

In its fifth whereas, the Wyoming District resolution faults the CTCR for suggesting "that we should not use the term 'murder' regarding the killing of those persons that have not been implanted in their mother's womb, even though the synod used that term repeatedly regarding the killing of the unborn."

It should be noted first of all that synodical resolutions that use the term "murder" with reference to the issue of abortion (e.g., 1979 Res. 3-02A; 2001 Res. 6-02A) consistently do so in the context of citing or quoting the fifth commandment, "You shall not murder." The CTCR nowhere asserts or suggests that the fifth commandment does not apply to the killing of human embryos or that it is inappropriate to cite this commandment in synodical resolutions that set forth our church body's official position on this issue. In footnote 68 on page 42 of its 2005 report, however, the CTCR states that "the goal of this report"—with its deliberate "focus on Christian participation in *public debate* concerning the use of embryos for medical research and therapy" (4, fn.1; emphasis added)—is to "make use of an argument that will not immediately divide the readers into those who already agree with us and those who just knew we would not understand them. In this light," says the Commission, "we advise against the use of the language of 'murder' in regard to the discarding of pre-implantation human life."

In the Commission's view, arguments by Christians in the public square regarding highly sensitive issues such as stem cell research are not

likely to be advanced in persuasive ways through the use of terms like "murder." The use of such terms in the public square, in fact, may well result in our arguments not being heard or being taken seriously at all. Furthermore—as was noted above and will be discussed further below—arguments by Christians in the public square regarding such issues are not likely to be effective if they rely solely or exclusively on Bible passages like the fifth commandment, even though Christians themselves must remain cognizant of the normative authority of Scripture alone for the church's doctrine and life.

Concerns about Argumentation

Perhaps the most serious concerns expressed in the Wyoming District's resolution have to do with the argumentation used in the CTCR's report—particularly the "burden of proof" argumentation. The final three whereases of the resolution set forth this concern in very strong terms:

WHEREAS, The CTCR suggests a burden of proof argument to protect the unborn, implying that, should new and more convincing arguments be developed, then the synod could reject the position that all life, from the moment of conception, should be befriended, and is worthy of our help and compassion; and

WHEREAS, The burden of proof approach is a significant departure from the historic practice of the church, which is to clearly proclaim God's Word, in keeping with our Lord, who "taught as one with authority, and not as the scribes and the Pharisees"; and

WHEREAS, The recent report by the CTCR although not blatantly contradicting the firmly established testimony of Scripture, could be misconstrued as not speaking clearly enough to this issue; therefore be it ["Resolved" as quoted above].

The Commission is puzzled and troubled by the suggestion that the argumentation employed in its 2005 report implies that "the synod could reject the position that all life, from the moment of conception...is worthy of our help and compassion." It also disagrees with the suggestion that its use of certain arguments based on human reason is "a significant departure from the historic practice of the church" or is incompatible with the clear proclamation of God's Word.

Such conclusions, the Commission believes, stem from one or more of a number of apparent misunderstandings, including a misunderstanding of the stated focus and purpose of this report, a misunderstanding of the role played by the "burden of proof" argumentation within the context of this specific purpose, and/or a misunderstanding of the historic Lutheran approach to addressing issues in the public square on the basis of the principles underlying the scriptural distinction between the two realms.

It is the Commission's hope that the following discussion will help to alleviate these misunderstandings and the faulty conclusions stemming from them.

As was stated earlier, the Commission notes at the beginning of its report that "our focus is on Christian participation in *public debate* concerning the use of embryos for medical research and therapy" (fn. 1, page 4; emphasis added). From a historic Lutheran perspective, Christian participation in *public debate* regarding moral and social issues is by no means limited to proclaiming "what the Bible says" about these issues. In fact, attempting to affect or effect public policy solely on the basis of "what the Bible says" runs directly contrary to the historic Lutheran understanding of the proper (and biblical) distinction between the two kingdoms and the two kinds of righteousness. As the CTCR says in its 1995 report *Render Unto Caesar... and unto God: A Lutheran View of Church and State:*

The two-kingdom distinction of Lutheran confessional theology requires that the basic *principles* of the church's public message be carefully discerned. Is the message concerned with spiritual righteousness or with civil righteousness? Is it focused on sin and grace or on the neighbor and social justice? Is it grounded in the revelation of God in Christ or in human reason and natural law as well? As we have already seen, *for Lutherans the normative principles of the civil order are reason and justice*. When speaking to different audiences, the church's message must be sensitive to the biblical principles that are most appropriate to each audience. (64; second emphasis added)

When addressing issues of social justice and human care in the secular public square, the "right question" to ask is not simply "What does the Bible say?" Rather (as the CTCR's 2005 report puts it) we must also ask how we can "find ways of articulating our pro-life position that can command attention from persons who may have thought that they could easily dismiss our pro-life reasoning" (CFHB 9). One reason such people often "easily dismiss" pro-life reasoning is precisely because they question the premise—understandably so—that "what the Bible says" should necessarily serve as the basis for public policy in our country, the United States of America.

For this reason, the attempt to find persuasive arguments that are not explicitly grounded "in the revelation of God in Christ" but in "human reason and natural law" is by no means an illegitimate task or venture which is somehow at odds with the clear proclamation of God's Word. On the contrary, it is a critically necessary task in which Christians must be engaged "in the context of the political realities of our pluralized society" (CFHB 9). Confessional Lutherans, equipped with the biblical and historic distinctions noted above, are wonderfully poised and positioned to engage in this effort. But it requires some "hard thinking" about how to communicate foundational ethical truths and principles in a way that can

be meaningful and persuasive even in contexts where (according to God's own design) the Bible is not recognized as "the normative authority" for determining what is right and wrong.

As the CTCR points out in Render Unto Caesar:

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

The foregoing discussion provides the context for understanding the nature and purpose of the "burden of proof" argumentation used in the Commission's report. "Social justice," says the CTCR in *Render Unto Caesar*, "must be grounded in the Law and human reason *rather than* in the Gospel and faith" (36). Arguments about the worth and value of human life in the secular public square are most appropriately and effectively made not on the basis of "faith in God and His Word" but on the basis of rational arguments that are accessible to all human beings, whether or not they have faith in Jesus Christ.

The Commission makes use of "burden of proof" argumentation in *CFHB* in order to *expose* the fact that (whether they realize it or not) those who *advocate* the killing of embryos for research are using this same line of human reasoning. As the Commission says on page 30:

Without always realizing or acknowledging their strategy, people advocating the use of embryos for research tend to be making an implicit "burden of proof" argument. They claim that because the health and well-being of people afflicted by disease and injury might be improved through embryonic stem-cell research, a heavy burden of proof lies upon those who would stop the research. Their hope is that by casting some doubt upon the pro-life arguments, they can claim that the burden has not been met and therefore the research can go forward.

The Commission's report, however, argues on the basis of human reason (on which those who advocate embryonic stem cell research would stand) that "destruction of human life cannot be justified by pointing to promising outcomes for other humans" (47). To argue that it is morally justifiable to *kill* some human beings in order to ("possibly") *save* other human beings is actually the crassest form of "the end justifies the means" argumentation. The Commission seeks to expose such fallacious reason-

ing by "turning the tables" on those who demand "proof" from those who seek to *protect* human life.

As a matter of fact, says the Commission, no "proof" has been offered by science or philosophy—and certainly not by Scripture!—to overturn the presupposition that "human embryos, beginning with conception, are set on a course of development that leads continuously to an unfolding of a unique human life" (47). Therefore, unless and until proof can be offered to the contrary, human reason itself tells us that all human beings, from the earliest moment of their existence at conception, merit our care and protection "on the same basis" as live born humans (7, fn. 4). Thus, while the "burden of proof" argument does, to some extent, "cut both ways," it certainly does not cut both ways *equally*. There is a *greater* burden on those who advocate *killing* human life (even for allegedly "humanitarian" purposes) than on those who advocate the *protection* of human life (even at the risk of "impeding" potentially beneficial research).

As Christians, of course, we know and believe that "God's Word makes plain that God cares for human lives from beginning to end" (42) and that "Scripture offers no guidelines for exempting certain lives from God's interest and care" (34). Scientific research and proposals in this area are changing constantly (for better and/or for worse); God's Word does not change. Obviously and unfortunately, however, not everyone in the public square recognizes the clarity or authority of God's Word regarding this issue. This is the point the Commission seeks to make in quoting Oliver O' Donovan's comment that IVF and cloning technologies puzzle us by "presenting to us members of our own species who are doubtfully proper objects of compassion and love" (35). Neither O'Donovan (a strong, Roman Catholic defender of the value of all human life) nor the Commission are suggesting that people *ought* to have doubts about showing compassion and love to human beings from the moment of conception. But, obviously, such doubts do exist in the minds of many people today. Even some Bible-believing Christians (and Lutherans) may be "taken in" by arguments about the "possible benefits" of embryonic stem-cell research. The Commission's intention is that by exposing the fallacious reasoning of those who support the killing of embryos for so-called "therapeutic" purposes, Christians may be better equipped to participate "in public debate concerning the use of embryos for medical research and therapy" (4, fn. 1)—and in so doing, to undermine what many in our society regard as the strongest argument used by those who support embryonic stem cell research.

It is not true, therefore, that the Commission's use of this argumentation implies that "should new and more convincing arguments be developed, then the synod could reject the biblical position that all life, from the moment of conception...is worthy of our help and compassion" (eighth whereas). The Commission explicitly states that "God's Word makes

plain that God cares for human lives from beginning to end" and that "Scripture offers no guidelines for exempting lives from God's interest and care" (42). Nor is it true that "the CTCR suggests that...at some point, embryonic stem cell research might be appropriate should other avenues of research not yield results." On the contrary, the Commission argues that "destruction of human life *cannot* be justified by pointing to promising outcomes for other humans" (45). At the same time, the Commission recognizes that it is not speaking in this document *only* to Christians who share its presuppositions—based on God's Word alone—about the value of all human life. Even those who view embryonic stem cell research as an area of "moral uncertainty" must acknowledge that such research is "by no means the final hope for helping those who are suffering" (45).

We urge scientists, policy makers, potential embryo donors, and politicians to examine with more care whether the best course in the face of moral uncertainty is to press full steam ahead with morally problematic research. This question should trouble not only Christians but also anyone who tries to think clearly about human life. The practical course at the current time should be to shift resources away from this morally troublesome research to other promising lines of research [e.g., recent research into obtaining stem cells from skin cells for therapeutic use] in the pursuit of healing for suffering humans. (45)

Of course, the Commission's report also has as one of its purposes to help Christians (both within and outside the LCMS) who have guestions about the range or relevance of specific Bible passages that speak of God's care for human life (see, e.g., the section "The Relevance of Specific Bible Passages" on pages 31–34). Because the primary focus of the Commission's report is on "Christian participation in public debate" regarding these issues, it is not intended to be a thorough biblical analysis of beginning-of-life issues. In the very first footnote of its 2005 report (page 4), the Commission points to its previous reports on Christians and Procreative Choices (1996) and What Child Is This? Marriage, Family and Human Cloning (2002) as providing further discussion of the biblical principles that are assumed—but not reiterated in detail—in its 2005 report. In footnote two (page 5), the CTCR refers to previous reports on Christian Care at Life's End (1993), Guidelines for Crucial Issues in Christian Citizenship (1968), Report on Capital Punishment (1976), and Render Unto Caesar... and Unto God: A Lutheran View of Church and State (1995) that also set forth basic scriptural principles that are relevant to this issue.

The discussion of Scripture passages in the 2005 report is focused specifically on those texts that are most often used by Christians to defend the value of human life in its earliest forms (e.g., Jer. 1:5; Psalm 139: 13–16; Job 10:8–12). The Commission explicitly acknowledges here—as it did in its 1984 report on *Abortion in Perspective*—that these passages "do not directly speak about every fertilized egg." Its goal, however, is not to "cast doubt"

on these passages or their relevance to this issue, but to "show how to extend the range of reference" and to "let Scripture guide us into more general insights into God's care for human life" (32–33).

It bears repeating that the Commission's conclusion in this regard is unambiguous: "God's Word makes plain that God cares for human lives from beginning to end" (42). "Human embryos," says the Commission, "beginning with conception, are set on a course of human development that leads continuously to an unfolding of a unique human life" (47). "Scripture offers no guidelines for exempting certain lives from God's interest and care" (34). The CTCR acknowledges that this truth may not be patently "obvious" to everyone. It will certainly not be obvious to those who do not accept the Word of God as authoritative. And it may not even be obvious to all Christians—hence the need for arguments that show more clearly *how* the Word of God speaks to this issue, and that can respond to the easy dismissal of these passages and their relevance to the sanctity of all human life by those who argue in favor of embryonic stem cell research.

In closing, the Commission expresses its gratitude to the Wyoming District for taking the time to read and study the Commission's report and to share its thoughts and concerns regarding this extremely important and sensitive issue. It is the Commission's hope and prayer that this response will be helpful in clarifying the nature and purpose of this report and its multi-faceted approach to defending the value of every single human life as God's creation from the earliest moment of its existence and the need to care for and protect human life at every stage of its development. The Commission is convinced that this report is one that should be commended for use by pastors and congregations of our Synod for engaging this issue in the public square.

Adopted unanimously by the CTCR December 4, 2007