

Is Luther's Ethics Christian Ethics?

by THEO A. BOER

Years ago, I had lunch with some colleagues in theological ethics. Some of us were Lutherans, others Reformed. A lady sitting at one of the adjacent tables overheard our conversation and inquired about the purpose of our stay in Savannah. We replied that we were attending the annual meeting of the Society of Christian Ethics, which takes place at the beginning of each year in varying North American cities. "Well, I'm a Lutheran," she replied both firmly and politely, "so I don't know anything about Christian ethics." At first I did not think much about her remark; at that time, I presumed she may have been ill-informed about either ethics or Lutheranism. But afterwards, some more serious questions occurred to me. Why did some of my colleagues, despite their initial amusement at this woman's answer, express signs of embarrassment? Was Luther not concerned about ethics because he concentrated so much on the gospel of grace? Or, for Luther, was "Christian ethics" tantamount to "good ethics," and is "good ethics" the same as "Christian ethics"? Have Lutheran theologians nothing specific to contribute to ethics?

In this essay, I will focus on the question whether it is possible to say that Lutheran ethics (here understood in the narrow sense of "ethics as found in Luther's theology") is Christian ethics. My starting point for reflection on this is a volume written by Oswald Bayer, *Martin Luthers Theologie: Eine Vergegenwärtigung* (Luther's Theology: a Re-presentation).¹ I start with some general impressions of his book, then offer a description of "morality" and "ethics" and suggest some levels at which religion may influence ethics. With that in mind, we then approach the main question of this essay, by way of the uses of the law.

Luther's Theology

To those searching for the relevance of Luther's theology for our day, Oswald Bayer's book provides an outstanding resource. It pre-

sents a concise yet comprehensive and scholarly overview of Luther's theology. Given the fact that Luther left us a myriad of writings, and that he was not a "systematic theologian" in the strict sense of that term, Bayer's work must be regarded as a real *tour de force*. He clearly demonstrates an unusual skill in interpreting Luther's writings.

Bayer intends to listen to Luther. Rather than forcing upon his subject a preconceived hermeneutical framework, he construes Luther's theology from within. Of course, this is difficult, since any hermeneutic reflects questions and concerns of the interpreter. Nevertheless, the intention is clear. All too often, Bayer avers, Lutheran churches and theologians have done "their utmost to domesticate . . . Luther's theology."² Bayer thus wants to minimize the influence of preconceived ideas: only when Luther is allowed to be the unmanageable and versatile theologian that he is, can he become a real conversation partner to contemporary modern and postmodern people. The result is an impressive encounter with, more than just a sampling of, Luther the theologian and Luther the believer. The book is hard to put down. Oswald Bayer does not indulge in theological jargon, but is concerned to introduce Luther's theology to a wider audience than the community of Luther scholars.

In a review of Bayer's work, Peter Jonkers raises the question whether Luther is sufficiently *re-present-ed* in Bayer's study, in the technical sense of that word.³ Indeed, one will search in vain for clear-cut reconstructive interpretations of Luther's view applied to contemporary issues. But Bayer indeed does more than just systematize an ancient source, and he makes some probing proposals for bringing Luther's theology into the present. For example, he criticizes the modern focus on autonomy, Sarte's so-called "damnation to freedom,"⁴ and the tribunalization, aesthetization and anonimization of social structures.⁵ We may also point to his contention that radical pacifism as a political program is fanaticism (*Schwärmertum*)⁶ and to his claim that the Protestant tradition has unwisely lost the practice of the private and the public confession of sins.⁷ With such concrete allusions to contemporary issues, Bayer's study has a strong impact on the reader. Upon closing the book and going back to the present, readers are better equipped to be critical of contemporary

moral and cultural paradigms, some of which have an almost undisputed status.

Reading Luther through the eyes of Bayer is anything but an “otherworldly” experience. Many will be surprised to find modern and postmodern elements *avant la lettre* in Luther. For example, to those who insist that morality is grounded in an objective natural and divine reality, Luther’s plea for the radical freedom of a Christian sounds almost subjectivistic. It is hard to disagree completely with Alasdair MacIntyre’s contention that the Reformation lies at the roots of the Modern and Postmodern fragmentation of ethics.⁸ After all, the Thomistic synthesis was rejected, and the structural continuity of the natural and the supernatural dissolved. For the Reformers, the highest good is not accessible through reason and therefore cannot steer the practices and ideals of a society. Indeed, Bayer’s study *does* provide some support for this analysis. For Luther, theology is primarily *sapientia*, wisdom from experience, mediated and obtained through *oratio*, *meditatio*, and *tentatio*,⁹ that is, through prayer, meditation, and experiencing spiritual assaults. Furthermore, Luther concentrates on the theologian as a person and a believer rather than on theology as a systematic discipline. Last, but not least, Luther’s emphasis on the priesthood of all believers and his radical conception of freedom makes a third use of the law, such as presented by Calvin, impossible and may thus be a further reason for the individualization of the morality of the church.

“Ethics” and “Christian Ethics”

First, we need to explicate what we mean by “ethics” and explore where specific religious elements may be found in ethics, that is, in the systematic reflection on morality. Useful for the purpose of identifying a moral judgment is an analysis of the British philosopher Richard Hare. For Hare, who combines Kantian deontology and preference utilitarianism, moral claims have three characteristics: universalizability, prescriptivity, and overridingness.¹⁰ Universalizability means that moral claims apply to any person in any situation that is identical in its relevant characteristics. To be sure, special roles are taken into account—a physician is expected

to do different things than an office employee, and the expectations in a teacher-student relationship differ from those in a neighbor-neighbor relationship. Still, such role-based moralities are specifications of a more general normativity that is ultimately attached to one's quality of being human. From this universalizability stems a solid, non-arbitrary, and in a certain sense predictable system of values, principles, and rules. Without these, people could not be held accountable or responsible for what they do, nor would there be reason for blame or punishment.

Universalizability is a necessary yet not sufficient condition. Another characteristic of moral judgments is prescriptivity. One cannot claim that parental care is a good thing without implying that care in fact ought to be given by those (including oneself) who have children. Thus, moral claims prescribe human actions, beginning with the one who makes the claim and then, due to the universalizability requirement, extending to all those in similar circumstances. This prescriptivity can only be suspended if there are other obligations (norms, rules) that are weightier.¹¹

Besides the realm of the “do’s and the don’ts,” there are, of course, other norms with a less cogent prescriptivity, such as virtues and ideals, but which nevertheless can be identified as “moral.” But despite their looser character, even virtues and ideals have a certain degree of prescriptivity and universalizability. We cannot consider something as a virtue or as an ideal without implying that this virtue or ideal is commendable to all. Universalizability and prescriptivity also apply to the so-called evangelical counsels. Only the degree of prescriptivity and the consequences for not complying may be (much) less strict, not the moral goodness or commendability.

Like other attempts to construe a “rational morality,” Hare’s account of ethics is not beyond dispute. Alasdair MacIntyre’s critique comes to mind that such approaches limit their focus to purely formal descriptions and foundations of morality. Material values and purposes get little or no attention. The view that an enduring and systematic concern for “logic and the facts” yields an ethic that makes as many people as happy as possible displays a dubitable optimism. Against such formal approaches, it is objected that moral claims should at least be related to a material conception of

a *summum bonum* (highest good), or of a “good life.” Mere pragmatism (that is, a concern for finding solutions to immediate or acute problems) that does not have in mind a comprehensive conception of the good will result in an impetuous moralism. The consequence, according to the Dutch ethicist Gerrit de Kruijf, is that actions become orphaned.¹² Thus, adding to Hare’s first two characteristics, I would assume that an account of morality should contain some reference to a material conception of the good, the “highest good” and the good life.

Together, universalizability, prescriptivity, and a reference to the good life may serve as criteria to explore whether or not Luther’s theology involves ethics in this sense of “Christian ethics.” Does he know a realm of norms, values, rules, principles, and so on, that possesses all three of these characteristics? Before examining that question, we must distinguish three levels of ethics where a religion could make specific contributions.

In what respect would it be possible to agree with the woman who claimed that she, as a Lutheran, does not know anything about Christian ethics? When, if ever, can we speak of Christian, or religious ethics? The Swedish theologians Ragnar Holte, Hans Hof, Jarl Hemberg, and Anders Jeffner identify three levels of ethics. Religion may play a role on each one of them.¹³

First, there is the level of *normative ethics*: a comprehensive, coherent, and adequate system of principles, rules, virtues, and so on, that functions to guide actions, and includes characteristics of universalizability and prescriptivity. In popular discussions (“Is euthanasia ever justified?” “What about animal experimentation?”), this level features the most essential part of ethics. A religious contribution could here be twofold. First, religion provides specific norms or values, such as “love your enemy” or “go the second mile.” Second, justification is provided for these and other norms and values in the form of authoritative theological sources such as the Bible, prayer, a tradition, laws, or papal authority. When such theological elements are claimed to have absolute and exclusive validity (such as God’s Word for Karl Barth), Holte and these other authors use the term “strictly theological ethics.” When the claims are more modest and when religious elements feature in combination with

other elements—as in Roman Catholic natural law—they employ the term “combination ethics.”

The second level of ethics is *metaethics*. Here, questions are addressed such as, “What are the characteristics of a moral claim?” (the discussion above on what makes a judgment moral is an example), “from which sources do we derive our material norms and values?” and “what is the relationship between ethics and the highest good?” Also on this level we may identify both strictly theological and combination approaches. The more that metaethics is defined in a purely formal way (such as done by Hare), the harder it is to identify a religious contribution to metaethics. In contrast, a strictly theological ethicist like Karl Barth contends that even the question of what “ethics” is can only be defined from the vantage point of divine revelation. Needless to say, one’s understanding of the relationship between ethics and the highest good is bound to be conditioned by one’s understanding of, and commitment to, the highest good itself.

The third level of ethics can be described in terms of the *realization of the good*. Irrespective of the question of what is right or good in a given situation or practice, and irrespective of one’s metaethical position, the question needs to be addressed why “knowing the good” often fails to be equivalent to “doing the good.” Many issues on this level fall within the range of moral psychology: why do people act against their professed convictions? Why does one say “A” yet do “B”? In some contemporary accounts of theological ethics, the input from religion is located primarily or exclusively on this level. Faith (or piety) motivates an individual; a religion may come in handy in the context of moral education; a religious community provides stable conditions for a solid and lasting moral commitment; the Holy Spirit inspires believers. Those who hold the view that the role of a religion is located *only* here, contend that material moral elements, as well as metaethical convictions, stem from sources that are accessible and convincing to all rational human beings.

As stated above, normative ethics often features as the most important part of ethics. But ethics consists of all three levels. When seen in isolation, doing the good can seem a matter of mere moral psychology. Normative ethics may become tantamount to descriptive

ethics. Without metaethical awareness about the status, characteristics, sources, and justification of ethics, it will in practice not be much different from what is generally conceived to be *morality*: a system of norms and values that direct our actions and our attitudes. And metaethics, without a concern for “the moral life”—the substance of the norms and values, their realization in practice—is also deficient. But although the different levels of ethics can thus not be conceived separately, a contribution of the Christian faith on one level does not necessarily imply a contribution on the other levels. This is an important observation for the purpose of identifying the specific “Christian” character of Luther’s ethics.

Uses of the Law

We can now address the core question in a more substantive way. Is Luther’s ethics Christian ethics? The scheme of the three uses of the law is our point of departure.¹⁴ God’s law, taken by Luther to be a set of guidelines for human life that are not exclusively based on revelational sources, protects humanity from falling into the abyss of chaos and provides guidelines for a humane society.¹⁵ For this purpose, the law needs to be acknowledged and kept by all, if necessary aided by authority and enforced by power. Although the terms are not found in Luther’s writings, the universalizable and prescriptive character of the law is vital and undisputed. God’s law is the regimen for all humans, not a rule of faith only for the believers.

If we understand this “civil use of the law” in a merely pragmatic, act-oriented manner, we may rightly ask whether it belongs to the realm of ethics at all. Perhaps we may just as well call this a form of prudence, an extended form of jurisprudence, perhaps even legalism or moralism. The *usus politicus* gets an ethical dimension only when the required actions and attitudes are placed in the context of what is considered to be their source, justification, function, and meaning. In other words: they need to be embedded in a comprehensive conception of the good. According to Bayer, Luther elaborates this connection in two ways. First, he identifies a theological meaning of worldly orders such as state, society, and church. Of great importance here is Bayer’s contention that, for Luther, the doctrine of

the three estates (or orders) is of far greater importance than the doctrine of the two kingdoms (or realms).¹⁶ In his doctrine of the three estates, Luther distinguishes *ecclesia* or ecclesiastical order, *oikonomia* (home, marriage, family, economy) or domestic order, and *politia* or political order.¹⁷ Whereas *ecclesia* and *oikonomia* are part of the good creation, *politia* is necessary only because of human sin.¹⁸ As a consequence, at least according to Bayer, it may be risky to make an ontic division between the three estates where the *politia* almost automatically becomes synonymous with the worldly kingdom. Although Bayer, in my opinion, could have elaborated this thesis more extensively, so much is clear: *all* three estates are part of both the worldly and the spiritual kingdom. There is no reason to classify the *politia* as “worldly” and the *ecclesia* as “spiritual.” Not only the church, but also the state, marriage, household, and so on, have theological dimensions and justifications. Bayer sharply disagrees with interpretations of Luther that see the political order as synonymous with the worldly realm. As a consequence of such interpretations, the state receives a *carte blanche*, and its laws and mechanisms can no longer be corrected on the basis of theological and Christological considerations.

Apart from this theological interpretation and justification of the three orders of state, church, and household, Bayer observes a second, specifically theological feature that determines the civil use of the law: Luther’s pessimism as to what humans are able to do. This pessimism primarily refers to nonbelievers; but since those who are justified through faith are at the same time sinners and will continue to be so until their last breath, this pessimism ultimately includes all people. This explains Bayer’s implicit criticism of the all-too-static and optimistic ethical construal of the Lutheran theologian and ethicist Trutz Rendtorff. For Bayer, “In all his writings, Luther is aware of the presence of sin, that is, the distortion of the human creatureliness into self-glorification.”¹⁹ If the conclusion is correct that Luther’s civil use of the law is embedded in these theological assumptions, this use can only be understood as *ethics* in its full sense if, and insofar as, it is *Christian* ethics at the same time. If the theological groundwork is left out, what remains is prudence, moralism, and orphaned actions.

Luther thus contends that human activity should serve a *summum bonum*, a highest good. In a culture characterized by pragmatism, his ethics is a call to return to a more comprehensive approach to ethics rather than to proceed on the road towards fragmentation. Whether this would satisfy MacIntyre, whose criticism we described above, remains doubtful. Luther's first use of the law regards all people, believers and non-believers alike, and can be known by all; however, his understanding of its ground, meaning, and goal involves a theological, revealed, and thus "particularistic" concept of a *summum bonum*. Outside the context of church, faith, and revelation, a "full" Lutheran ethics does not claim validity for the whole of humanity.²⁰ But which ethics can? A moral judgment should certainly be universally *valid*, and should therefore preferably also be universally *shared*. But whether the agreement on a judgment's validity also implies agreement on all dimensions of its justification remains to be seen. If it is correct that most natural law theories (Aristotelian, Thomistic, Hobbesian, or liberal) imply a hermeneutic drawn from tradition, or involve assumptions that are not convincing to all, Luther's first use of the law may even be regarded, in this limited way, as a continuation of Thomistic natural law.

Luther's first use of the law is not theologically neutral for other reasons too. We can, for example, refer to the connections between worldly justice and Christian love in Luther's theology.²¹ Moreover, the state is, according to Luther, not only called to secure political and societal justice, but should also sustain the preservation and the propagation of Christian doctrine.²² The church has the responsibility to call a society to account with regard to God's law.²³ One may thus criticize Luther for giving up the idea that the goal of the law can be known through reason, but he certainly provides a full account of what ethics ought to be, even in a "MacIntyrian" sense.²⁴

The Reformers agree that the "proper" use of the law, the second use, is to convince humans of their sinfulness and of their inability to bring about their own justification. The law thus opens people to God's grace. Even for this use of the law, universalizability and prescriptivity are indispensable formal prerequisites. In order to become

aware of one's guilt, a person needs unambiguous and objective criteria. Of course, one may experience a form of individual guilt that goes beyond universally valid rules and norms. Ultimately, the good is not an abstract concept, but a reality that takes shape in the lives of concrete human beings. One may, for example, experience guilt for not having developed or properly used one's own specific capacities to teach, to manage, or to care. One may be guilty of not having lived up to one's specific religious or civic vocation.²⁵ But that does not render guilt into a purely subjective concept. Rather, such awareness of one's private shortcomings is rooted in a universally valid and universalizable morality: that humans should devote their individual gifts to the service of other people and of God.

Still, despite universalizability, prescriptivity and the concept of a *summum bonum*, the second use of the law can hardly be classified as ethics. After all, it does not aim at directing human actions and bringing forth moral virtues. If this were the case, the (first) political use and this (second) theological use would in effect coincide. If the second use of the law has any implications for ethics, it is to be found on the level of metaethics: in its continuous referral beyond itself to God as the *summum bonum*. The full dimensions of individual and shared human shortcomings become clear when we understand the goal of the law, which is to shape the good life before God. Ultimately, moral shortcomings are here identified as religious failures.

All this is bound to have consequences for human autonomy and human conceit. But a representation of Luther's ethics in a modern and postmodern context does not come without controversy. After all, it is not only the context of the questions that has changed, but also the questions themselves. Luther's search for a merciful God, as it is often portrayed in the literature, presupposes an awareness of guilt and a longing for salvation. In its time, the Reformation brought good news to a church and a culture in which the awareness of God's sovereign grace had become overshadowed by a soteriology of good works. But it is doubtful whether the question, "How can I find a merciful God?" will resonate in the ears of contemporary seekers in the same way it did once. Consequently, it may also be questioned whether Luther's answer will have the liberating

effect which it previously had. In modern times, the vocabulary of guilt and grace is no longer as dominant and self-evident as in the late Middle Ages. Luther's search for a gracious God may thus have a different effect on modern people, an effect of alienation perhaps: What *about* guilt and grace? The religious and ideological paradigm of the early twenty-first century, both inside and outside the Christian churches, often presupposes that God, if God exists, is almost "naturally" bound to be benevolent and forgiving. To paraphrase Voltaire: God's "thing" is to forgive. Is not one of religion's functions to relieve the human conscience?²⁶ Of course, destructive human behavior continues to bother our minds: has humanity learned nothing from Verdun, Auschwitz, Vietnam, 9/11?²⁷ However, such reflection does not always involve an awareness of *personal* guilt. After all, to paraphrase Sartre: the problem is those others: Al Qaeda, the Axis of Evil, the president, the CIA. People may admit their own role in injustice and exploitation, and they may want to correct this. But whether this implies an awareness of existential and religious sinfulness, and whether a concept of "human fault" plays more than a marginal role in contemporary views of what it means to be human remains doubtful.

In the light of this, the relevance of Luther's theology could in our days perhaps be described differently: "How do I get a guilty conscience?" According to Luther, God's sovereign grace does not make the human fault irrelevant or invisible. Rather, it presupposes and reinforces an awareness of guilt and interprets this as a deficit relative to God. Bayer's analysis of Luther thus yields an uncomfortable question: are human fault and the human incapacity to be free actors taken seriously enough in our day? "Careless and sluggish consciences need the law to shake them up by its claims upon them."²⁸ This may even imply serious critique of much of contemporary ethics: "If we understand 'ethics' to mean 'theory of life conduct,' we are at risk of overlooking a dimension that is fundamental for Luther: sin, which forms the background against which human communal life takes place."²⁹

An anthropology that fathoms the depth of human guilt and emphasizes its religious dimensions is thus typical for Luther's ethics. This anthropology may be disturbing—especially when it is not put

beside Luther's doctrine of justification and sanctification. Moreover, some may be disappointed that this ethics does not contain a list of special Christian norms, rules, or virtues that go beyond the "normal."

Christian Freedom and a Third Use?

Luther thus extensively focuses on the law in both its theological and its civil function. But the most important part of his ethics is found in areas where the law, strictly spoken, ceases to be law. Unlike Calvin, Luther uses the law neither for the purpose of building the church as a community of believers, nor in the context of the sanctification of its members.³⁰ For the believer who is justified through grace, the law does not play any role in guiding his actions and directing his virtues. Still, because he is a sinner, he needs to hear the law in its first and second meaning—when necessary backed by worldly authority or forced by worldly power.

"Martin Luther stressed one thing, and one thing only: You are called to freedom."³¹ According to Luther, a human being becomes an ethical subject when and insofar as she is justified and set free by Christ: "Only God can break up the self-twisting of a sinner, can release the contortion of his closed fist."³² On this foundation, the liberated person receives "desire and love." Faith forms the basis of all ethics as the *opus operum*, the work of all works, and faith is, ultimately, the work of God, not of humans. This determines the order of things: "Good works never make a human good and pious; rather, a good man does good and pious works."³³ "The Christian is not a different human species or a religious human species, but simply a human being who has been set free."³⁴

Through justification by faith alone human beings are freed to become ethical subjects and to bear true moral responsibility. The special contribution of the Christian faith to ethics lies here, clearly on the levels both of metaethics (especially regarding the question what a free moral agent is) and of the realization of the good. The sanctified person is neither machine nor slave, but a moral subject set free to do good. It seems only logical that this newly acquired freedom will also be used for the realization of the law in its political

dimension. Whereas a human being as a sinner sometimes needs to be forced to cooperate for the sake of establishing a stable political community, the human being as a justified and sanctified being will freely comply with the rules and regulations of the community. But when it comes to the realization of the Christian life in the full sense of the word, the primary context for stimulation and admonition is pastoral care.³⁵ The specific meaning of Christ as gift and example precludes any form of evangelical moralism.³⁶

Clearly, this celebration of human freedom and divine goodness belongs to the most impressive parts of Luther's theology. But is it still ethics? Unlike Calvin, Luther does not construe an ethics with universalizable prescriptions designed to shape a Christian life of gratitude. For Luther, freedom and obligation hardly go together. He upbraids Melanchthon, who "appears to regress into a prescriptive ethic."³⁷ For Luther, the Christian life in its fullness is governed neither by prescriptivity nor by universalizability. Thus, in the strict sense, ethics may have ceased to be ethics! When Luther describes the life of a Christian, the tone seems almost subjectivistic. Is this a postmodernism before the fact?

In another publication, Oswald Bayer offers us a way out. According to Luther, Christian ethics takes place beyond a tight scheme of "is" and "ought," of fact and value, of description and prescription. Luther is fundamentally critical of such black and white schemes.³⁸ Evangelical ethics consists ultimately of propositions that are neither prescriptive nor descriptive, but performative: "Performative propositions include and exclude, they allow and deny, they 'bind' and they 'loosen.'"³⁹ This brings to mind the words of Karl Barth, for whom the ethical question is "the question as to the basis and possibility of the fact that in the multitude and multiplicity of human actions there are certain modes of action, i.e., certain constants, certain laws, rules, usages, or continuities."⁴⁰ With this focus on the "possibility," that is, on the freedom promised to humans, ethics seems even for Barth to begin precisely where others normally stop thinking in terms of ethics. Is ethics thus "swallowed up" by pastoral care and by the preaching of God's Word? In fact, there is reason to ask whether "philosophical ethics" (both modern and postmodern) and "Christian ethics" as described here refer any longer to the same thing. Contemporary philosophical ethics often

focuses on describing and prescribing actions and virtues, often in the context of applied ethics.

Perhaps the woman in the vignette that introduced this article had such a concept of “ethics” in mind when she contended that, as a Lutheran, she did not think there is a specific Christian contribution to ethics. In that case, her conception of ethics more or less coincides with the law’s first use. But this is a reduction of what Reformation theologians assume to be ethics. They also consider the “basis and the possibility” of human actions—which, ultimately, consist in divine provisions and promises. But the two should not be played off against each other. For Barth, Christian ethics speaks of more than God’s performative words and includes prescriptive ethics as well: “[The ethical question] is [also] the question as to the rightness of these constants, the fitness of these laws.”⁴¹ We may well assume that Luther agrees with this: evangelical ethics implies an account of the God-given freedom *and* of the law. He does see the need for a set of rules and other prescriptions; but much more eagerly, he emphasizes the reality that makes these constants both possible and necessary. The fact that Christian freedom, for Luther, is realized beyond the spheres of prescriptivity and universalizability can only be seen as a criticism of a conception of ethics that tries to comprehend the entire width of human activity and conduct in terms of rules. “Lutheran ethics” primarily means an attempt to save human activity from the grip of a narrow prescriptivity and universalizability.

On the other hand, Luther’s ethics clearly implies a morality that transcends human subjectivity.⁴² We need to keep in mind that, for Luther, experience and freedom as such do not make a Christian. It is not experience in itself, but experience of the Holy Scripture testifying to a reality that transcends human experiences and judgments.⁴³ And it is not freedom in itself, but freedom for the purpose of serving a God who is holy.

Conclusion

The woman who contended that, as a Lutheran, she knows little about Christian ethics, probably had in mind one specific contribution of theology to ethics: a contribution on the level of normative

ethics. Within this understandable but nevertheless false limitation—no doubt she is not the only one to believe this—the woman had some plausible reasons for her opinion. When it comes to concrete, universalizable and obliging norms and values that guide human actions and attitudes, Luther focuses on the civil use of the law. This use of the law can be known (or known sufficiently) by all people, whether they are Christians or not, and sets the standards and limits for all. The specific contribution of the Christian faith to a normative ethics begins for Luther exactly at a point at which many people would cease to speak about “ethics” at all. The freedom of the human subject as elaborated by Luther stands in obvious tension to the ethical demands of universalizability and prescriptivity. But it is precisely in the context of human freedom that the Christian will be able to be a witness to God’s love for all humanity.

We must therefore conceive “ethics” in the fullness of its three levels: not only the level of normative ethics and of metaethics, but also the level of the realization of the good. Once we do this, it becomes convincingly clear that the ethics of Martin Luther is distinctly Christian. When we take his theology seriously, we may even want to ask whether it is at all possible to speak of “ethics” outside the Christian faith. Without a theological perspective, which implies an awareness of God’s goodness as the *summum bonum*, the recognition of human moral guilt as religious guilt, and a celebration of freedom, the civil use of the law will at best be a form of prudence, if not legalism or moralism. For Luther, the human agent becomes a truly free moral subject only through salvation in Christ. In this newly acquired freedom, the redeemed subject pursues the realization of the good in all its dimensions, including the political and social dimensions. Separating Luther’s ethics from its theological framework implies that the ethical dissolves into mere legalism and orphaned activism. No doubt, Luther’s ethics can therefore be seen as Christian ethics. At the same time, those who are saved know that “the Good” goes far beyond what is commanded. Whether or not the word “ethical” is appropriate for describing this will continue to cause debate, but that the term “Christian” is appropriate here is beyond dispute.

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NOTES

1. Tübingen: Mohr Siebeck, 2003, to be published in English translation by Eerdmans.
2. Bayer, *Luthers Theologie*, 9.
3. Peter Jonkers, “Theologie und (Post)modernität: Philosophische Fragen zu Oswald Bayers Luther-Buch,” *Neue Zeitschrift für Systematische Theologie und Religionsphilosophie* 48 (2006): 4–17.
4. See Oswald Bayer, *Zugesagte Freiheit. Zur Grundlegung theologischer Ethik* (Gütersloh: Gütersloher Verlag, 1980), 49ff., regarding “the problem of secularized freedom.”
5. Bayer, *Luthers Theologie*, 60.
6. Bayer, *Luthers Theologie*, 294.
7. Bayer, *Luthers Theologie*, 244.
8. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981), 165.
9. Bayer, *Luthers Theologie*, 30.
10. Richard Hare, *Moral Thinking: Its Levels, Method, and Point* (Oxford: Clarendon Press, 1981), 21.
11. This causes Hare to identify “overridingness” as a third characteristic. This means that in any given situation only one prescriptive can have a moral status. Moral dilemmas, that is, situations in which moral obligations contradict each other, are excluded by definition. Hare, *Moral Thinking*, 24, 58. In a way, Hare’s “overridingness” can be seen as a formal version of the more materially stated criterion of “relationship to a highest good,” discussed on p. 408 below.
12. G.G. de Kruijf, *Christelijke ethiek: een inleiding met sleutelteksten* (Zoetermeer: Meinema, 1999), 22.
13. Ragnar Holte, Hans Hof, Jarl Hemberg, and Anders Jeffner, *Etiska Problem* (Arlöv: Verbum, 1983), 88. See also H. van Oyen, *Christelijke Ethica* (Den Haag: Servire, 1946), 5.
14. Obviously, there are different views regarding the question, whether the political use of the Law should be seen as the first or the second use. Here, I follow Bayer.
15. For the relation between those two objectives, see Oswald Bayer, “Law and Morality,” *Lutheran Quarterly* 4 (1990): 63–76, esp. 63–64.
16. Bayer, *Luthers Theologie*, 114.
17. See Oswald Bayer, “Nature and Institution: Luther’s Doctrine of the Three Orders,” *Lutheran Quarterly* 12 (1998): 125–160, esp. 64.
18. See Bayer, “Law and Morality,” 63–64.
19. “Luther ist sich in allem, was er schreibt, der Sünde, das heißt der Verkehrung der Geschöpflichkeit des Menschen in dessen Selbstherrlichkeit bewusst.” Bayer, *Luthers*

Theologie, 281. On Rendtorff, see note 29 below. An impressive and still highly relevant elaboration of what “sin” means within the context of politics and ethics can be found in Reinhold Niebuhr’s *Moral Man and Immoral Society*, often reprinted. He blames liberal Christians for dealing naïvely with the human propensity to secure only one’s own interests. Reinhold Niebuhr, *Moral Man and Immoral Society: A Study in Ethics and Politics*, (Louisville, Kentucky: Westminster John Knox, 2001).

20. MacIntyre, *After Virtue*, 167.

21. Bert ter Schegget, *Volmacht in onmacht: Over de roeping van de christelijke gemeente in de politiek* (Baarn: Ten Have, 1988), 207. Hans-Jürgen Priem argues that Luther lifts the distinction between the evangelical counsels and natural law. Hans-Jürgen Priem, *Luthers Wirtschaftsethik* (Göttingen: Vandenhoeck & Ruprecht, 1992), 179–180. A similar conclusion may be even be drawn when one reads Oswald Bayer, “Luther’s Ethics as Pastoral Care,” *Lutheran Quarterly* 4 (1990): 125–142. In that article, Bayer contends that the evangelical counsels of chastity, poverty, and obedience apply to any Christian and qualify the way in which he or she interprets any moral commandment.

22. Ottmar Dittrich, *Luthers Ethik, in ihren Grundzügen dargestellt* (Leipzig, Felix Meiner Verlag, 1930), 107. Ter Schegget disputes this, Ter Schegget, *Volmacht in onmacht*, 209.

23. William H. Lazareth, “Lutheran Ethics,” in: James Childress and John MacQuarrie, *The Westminster Dictionary of Christian Ethics* (Philadelphia: Westminster Press, 1986), 363.

24. For a discussion of MacIntyre’s criticism of Luther, see Knut Alfsvag, “Virtue, Reason, and Tradition: A Discussion of Alasdair MacIntyre’s and Martin Luther’s Views on the Foundation of Ethics,” *Neue Zeitschrift für systematische Theologie und Religionsphilosophie* 47 (2005): 288–305.

25. See Bayer, “Luther’s Ethics as Pastoral Care,” esp. 133: “[Some] admonitions are meaningful only in the household, where they have their ‘Sitz im Leben’.”

26. A modern critique of religious anthropocentrism is found in James M. Gustafson, *Ethics from a Theocentric Perspective, Part II: Ethics and Theology*, (Chicago: University of Chicago Press, 1984), esp. 319ff.

27. Bayer, *Luthers Theologie*, 294.

28. Bayer, “Luther’s Ethics as Pastoral Care,” 127. He goes on to say: “Confused consciences, on the other hand, plagued by fear and melancholy, cannot be forced into clarity and security by having rules, norms and laws rammed into them or by being threatened with punishment. Only the gospel can help them.”

29. Bayer, *Luthers Theologie*, 281. Trutz Rendtorff defines “ethics” as “a theory of human life conduct,” Trutz Rendtorff, *Ethik. Grundelemente, Methodologie und Konkretionen einer ethischen Theologie*, 2nd. Ed. Band 1 (Köln: Kohlhammer, 1990), 9.

30. John Calvin, *Institutes of the Christian Religion*, II.viii.

31. Bayer, “Luther’s Ethics as Pastoral Care,” 125.

32. “Nur Gott allein kann die Selbstverkrümmung des Sünder aufbrechen, kann die Verkrampfung seiner geschlossenen Faust lösen.” Bayer, *Luthers Theologie*, 257.

33. “Gute Werke machen nimmermehr einen guten, frommen Mann, sondern ein guter Mann macht gute, fromme Werke.” Martin Luther, WA 7, 32, 5f (Von der Freiheit eines Christenmenschen; 1520), quoted in Bayer, *Luthers Theologie*, 261. For the English see *Luther’s Works*, American Edition, 55 vols. Eds. Jaroslav Pelikan and Helmut Lehmann (St. Louis and Philadelphia: Concordia and Fortress, 1955–86), 31: 333–47. See also Oswald Bayer, *Zugesagte Freiheit*, note 4 above.

34. “Der Christenmensch ist keine Spezies eines Menschen oder eines religiösen Menschen, sondern Mensch schlechthin als befreiter Mensch.” Bayer, *Luthers Theologie*, 262.
35. Bayer, *Luthers Theologie*, 281. Bayer, “Luther’s Ethics as Pastoral Care.”
36. Bayer, *Luthers Theologie*, 57.
37. “... der wieder eher auf eine präskriptive Ethik zuzugehen scheint.” Bayer, *Luthers Theologie*, 261, n. 34.
38. Oswald Bayer, *Zugesagte Freiheit*, 37.
39. Bayer, *Luthers Theologie*, 38.
40. Karl Barth, *Church Dogmatics*, II/2, § 36 (Edinburgh: T&T Clark, 1957), 513.
41. Ibid.
42. See Bayer, “Law and Morality,” 66.
43. Bayer, *Luther’s Theologie*, 34.