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## SAME-SEX BLESSINGS AND THE THIRD USE OF THE LAW

There's a marvelous ethical insight from the Lutheran tradition — at any rate from Luther himself — that's altogether unique among Christians, if I remember my Seminary training correctly. This is it:

You can't use the word "Christian" as an adjective; only as a noun.

As I suggest in my aside in that first sentence above, it's a pity, in my view, that this insight is not more widely known and honoured, even among Lutherans themselves, because I think this moral perception helps us through many a personal and public ethical minefield.

"Christian": Always a noun, never an adjective.

So, according to this view, there's no such thing as "Christian music". No such thing as "Christian politics" or "Christian plumbing". No such thing, even, as "Christian marriage". Of this, more in a moment.

But where does it come from, this particularly Lutheran — some would argue peculiarly Lutheran — ethical perspective? From Luther's view of the Two Kingdoms. He in turn was probably inspired by Augustine. But it's Martin Luther's very own take on ethics and morality that has shaped and refined the idea.

Luther argued that we live in a world ordered into two overlapping realms of reality, and he uses a memorable anthropomorphic metaphor to expand the idea. There's the Kingdom at God's Right Hand — the realm of the Gospel. And there's a second Kingdom at God's Left Hand — the realm of civic life and human culture. It's God and God's love active in both, please note. But the civic order, with its power of the sword to

compel obedience, belongs to the First Article of the Creed. And the Gospel, with its quiet suasion of the Spirit, belongs to the Second and Third Articles.

What's at God's Left Hand, following Luther's metaphor? The whole realm of civic society and human culture, the so-called Orders of Creation. In my reckoning, I'd cite six of them, although traditionally the last three were combined. They are:

- 1) Sex and family, and all that pertains thereto...
- 2) The so-called civic order: Government, the distinctions and responsibilities of rulers and the ruled, parliaments and legislatures and courts and institutions of public safety, like police and armies...
- 3) The so-called economic order, including capital and labour, systems of production and distribution, capitalism and socialism and communism and all the permutations of each, and considerations pertaining to how you earn your living: butcher, baker, candlestick maker...
- 4) The first of three so-called cultural orders: Science, education, medicine, and technology. The pursuit of knowledge...
- 5) The second of the cultural orders: The arts: music, painting, sculpture, architecture, literature, dance, theatre...
- 6) The final cultural order: Entertainment, leisure time, and play...

The youthful Bonhoeffer preferred to regard the term "Orders" here not simply as abstract philosophical categories, but as "Mandates" for active discipleship among Christians: social arenas in which individual believers have opportunity for service to the neighbour and for lordship within the creation. I like that: The Mandates of Creation!

Aside: It should be noted that in later life, Bonhoeffer rejected Luther's "Two-Kingdoms" approach to ethics as encouraging a (typically Lutheran) quietism in the face of Fascist oppression, and became, theologically, a neo-Calvinist. He was right: Quietism is indeed the Lutheran disease. (The neo-Calvinist disease, for whatever it is worth to you, is triumphalism.) Hey, Bonhoeffer's still a nice person, even if he isn't an orthodox Lutheran. You'd want to take him to lunch...

Related to all the above is the Reformation understanding of the Three Uses of the Law. (Patience: We'll get to same-sex blessings in a moment.)

I'd list them as A) the Civic use of the law, B) the Theological use of the law, and C) the Moral use of the law. In confirmation-class shorthand: The Law A) as Lock, B) as Mirror, and C) as Ruler.

A) The Civic use of the law, or the law as Lock, suggests its function to restrain the forces of evil in society. The Law possesses the power to compel obedience. It's like a Lock on the prison door. Martin Luther King, Jr. argued that you can't pass a law that will get white people to love black people. But you *can* pass a law that will prevent white people from lynching black people. He's referring here to the First Use of the Law.

B) The Theological use of the law "convicts of sin", as St. Paul and the Reformers might have put it. Here the law acts like a Mirror: You hold it up in front of you and see your faults and warts and weaknesses. The law convinces you you need saving, you need a Savior.

Now, has the law done its work when it's accomplished that? Are there just Two Uses of the Law? Or is there a Third? The validity of a Third Use of the Law is a theological hot topic today. Luther himself is ambivalent: Sometimes he argues for Three, sometimes for Two. I like him better when he favours Two.

C) But the Lutheran Confessions themselves cite a Third Use of the Law. (*Formula of Concord*, Article 6.) This is the Moral use of the law: the law as Rule or ruler or straightedge. Here's a use of the law as guide and compass. You actually utilize the law in decision-making. You use it as a moral template, as a set of moral and ethical guidelines.

Luther at his creative best (in my view) could say this Third Use of the Law is dangerous and misleading. It ends in pelagianism or worse. It suggests the damning temptation towards works-righteousness. Christians can write a better set of Ten Commandments than Moses, Luther would say. And he's often quoted for his brilliant epigram about the impossibility of pure, un-mixed moral judgements in human decision-making: *Peccata Fortiter*. "Sin boldly!" In this he's following Augustine yet again, who said, "Love God. And do as you please." Both of these celebrated epigrams need to be understood in context, needless to say. Both of them honour the Second Use of the Law. Both of them question a Third Use of the Law. The full quotation of Luther's axiom provides the proper context: "Sin boldly. But believe and trust in Christ more boldly still...")

Now at last to my major topic: Marriage among Christians, and Same Sex Blessing. As I maintained above, there's no such thing, in Luther's view and mine, as "Christian marriage." (Hey, there's no such thing as "Christian worship". There's Lutheran worship and Roman Catholic worship and Pentecostal worship. But I won't use Christian as an adjective.)

"Christian" politics? "Christian" plumbing? "Christian" art? "Christian" music? "Christian" marriage? Yes, Christians *do* all of these things. But they belong at God's Left Hand, to follow Luther's metaphor. The Pope didn't invent any of these. Jesus didn't. Moses didn't. They're all, each and every one of them, "Adamite" ordinances. They began with Adam — to use yet another metaphor. They're simply part of the *humanum*:: part of what makes us human. They belong to the First Article of the

Creed.

Hence, in my view, it's not for Christians, for example, to determine who gets married and who doesn't. That is up to the state, the civic order.

Aside: Even as a young pastor, long before any of these same-sex issues ever arose, I resented having to sign my name to a civic document to be sent to City Hall. I'm not a servant of the State, I argued in those days. I'm a servant of the Church. And it's not the Church's business to marry. It *is* the Church's business to bless. So I find myself today among those who call for the Church to get out of the marrying business altogether in North America. Homo or hetero. As in most European countries, where even the Roman Catholic Church has found a way to accommodate.

So I'd be in favour of the Church blessing committed unions, among gays as well as straights, promiscuously. Whatever is God-pleasing. Same-sex marriage by the State is already a reality in Canada. It's only a matter of time before it becomes law in the USA as well, I am convinced. (Maybe a *long* time!)

Meantime, same-sex blessing in the Churches is an issue that simply will not go away. I am confident that it will happen too, in most of the Churches, sooner or later. And when it does, it will not simply be a matter of culture accommodation, as its critics claim, but an active endorsement of the New Thing that the Spirit of God is trying to work among us: a loving, generous response to a wider and fuller justice that God's Spirit is expecting of us.

As for the nay-sayers, they are likely subscribers to the Third Use of the Law. I like to think that those of us supporting same-sex blessing are, with Luther at his best, critical of the Third Use of the Law when it comes to this issue. We're willing to "write a better set of Ten Commandments than Moses." We're willing to imagine and to subscribe to a New Human Possibility. Our opponents in this contentious struggle are our brothers and sisters in Christ, sure. And we need them, if only to keep us honest. But I am persuaded they are today impeding the Spirit's work and witness. (Hey, they're still nice people. You'd want to, you know, take them to lunch...)

And it is the nay-sayers, the opponents of same-sex blessing, who are culture-captive, uncritically and unbecomingly accommodating to the prevailing culture of narrow Biblical literalism mixed with thinly-veiled homophobia. It's a culture you find on every hand, wherever you look in North America. And it's fostered by ill-educated TV neo-revivalists, harping uncritically on the Third Use of the Law. Enough already, I say!

But I suppose I must accept that the Lutheran "Two Kingdoms" view of things will always be a scandal to most Christians, and all but totally unknown apart from esoteric Christian piety. There are times when I despair that there are only three really orthodox Lutherans in the whole world: Martin Luther himself, my late colleague in Campus

Ministry Art Seyda, and myself. And sometimes I even have questions about those other two fellows.

