

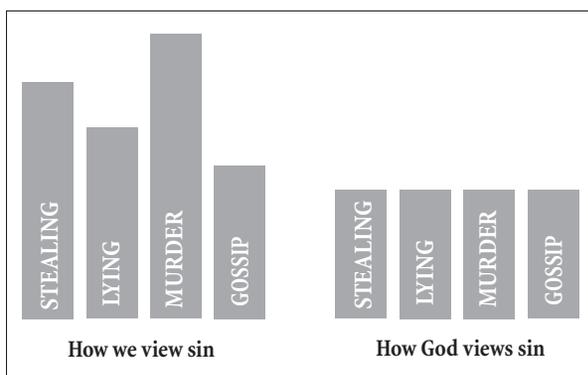


Clean Ethics for a Dysfunctional Age

STEWART W. HERMAN

Last October, the bulletin cover of one large Midwestern congregation of the Evangelical Lutheran Church in America (ELCA) featured two bar graphs. On the left, bars of differing heights were labeled with vices like lying, gossip, and murder, indicating different levels of moral seriousness according to the “human” view. On the right, all the bars were of the same height, expressing “God’s” view. From the pulpit that Sunday, the pastor drove the point home: for God, all human sins weigh the same! Theologian Ted Peters argued the point in greater detail in the

online *Journal of Lutheran Ethics*. Ethics, he declared, is inevitably “dirty.”¹ When we distinguish good and evil, we inevitably position ourselves as superior to others, which makes us blind to the ambiguity of our own actions. As a result, he argues, there are no significant differences in human sinfulness.



¹Ted Peters, “Dirty Ethics for Bold Sinning,” *Journal of Lutheran Ethics* (September 2015), <https://www.elca.org/JLE/Articles/1107> (accessed January 14, 2016).

We need something like Luther’s “estates” approach as a template for moral reasoning: identifying what functions are critical to sustain a resilient society, identifying where responsibilities for those functions already lie, and then reinforcing as he did the roles needed to carry them out.

Ted Peters is not alone in leveling the field of sin; it is a widespread belief. But what does this mean? Are we obliged to tell the victim of rape that she is no better than her rapist, or to tell Syrian refugees that their sinfulness is no less than those who drop barrel bombs upon them? Should we teach our children that there's no significant difference between shoplifting and committing genocide? That, of course, is not what the pastor or Ted Peters meant, yet the confusion is widespread—and not easily addressed within the Lutheran tradition. There is bedrock theological truth in the claim that all stand equally convicted of sin before God. Such confession captures our alienation from God and our capacity for delusional self-justification. But such a claim is of little help in helping us sort out the many shadings of wickedness and evil that we encounter in the world—including within ourselves. We need a way to speak of those differences if we are to speak out against what is wrong, or comfort those who suffer moral harm.

SIN: DISTINGUISHING THE HORIZONTAL FROM THE VERTICAL DIMENSION

Here's my suggestion. The way forward is to see that there are two dimensions of sin—closely and firmly related, but needing to be distinguished from one another. The first and traditionally most significant for Lutheran ethics is the “vertical” dimension. Bishop Elizabeth Eaton captured it very well in an address to graduating seminarians: “Every one of us is a broken, sinful human being. There are no degrees of who is more sinful than someone else. It is about a relationship that is severed between us and God, and every one of us is part of that and cannot escape that on our own.”² All of us indeed are equally broken in this dimension because there is no ladder which we might use to climb up to God. All are equally in need of grace.

However, this vertical dimension doesn't help us distinguish purveyors of gossip from perpetrators of genocide. In ordinary daily experience we have recourse to another dimension, the “horizontal,” which concerns moral failure. Here we evaluate what people do according to their character and their intentions, their degree of free choice, and the outcomes of their actions. We don't consider accidental drownings on the same level as first-degree murder, nor speeding to be as wicked as betrayal. We also extend our moral evaluations in the other direction—praising individuals for the goodness they accomplish. The endless varieties of human behavior guarantee that sin (and goodness) have an infinite range of expression in the horizontal dimension.

Ted Peters argues that we must refrain from moral judgements because such evaluations are inevitably tainted with the effort to position ourselves among the virtuous. That is often, if not usually, true, but it doesn't excuse us from the need to make moral judgments. It matters greatly to parents whether their withdrawn and surly son is an occasional user of drugs or a dealer. It matters greatly whether Sally

²Elizabeth Eaton, “2013 Commencement Address at Trinity Lutheran Seminary,” *Trinity Seminary Review* 34/1 (Winter/Spring 2014) 7.

knew what she was doing when she drove while drunk, or whether Arthur thought of the consequences when uploading a bullying message to the Internet. Differentiating degrees of responsibility is basic to life. Moral education is critical. If we suspend the effort to differentiate relative shades of grey, we inadvertently contribute to unravelling the social order.

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Of course, the horizontal and vertical dimensions of moral failure and existential sin are connected. The young and idealistic Martin Luther famously asserted in *The Freedom of a Christian* that if one obeys the first commandment, to honor God, all the rest of the commandments will be fulfilled effortlessly.³ The older, perhaps more jaded Luther felt that the original sin of alienation and disobedience from God played itself out in moral failure and societal decay. Today it is easy to make the jump, as Ted Peters does: because we are fallen, we are all moral failures. But that link cannot and should not be drawn so tightly, for it fails to take into account the fact that God built moral differentiation into the very structure of creation.

Consider the first man, in Luther's 1535–1536 lectures on Genesis. Adam disobeyed God and “fell” resoundingly, imputing the stain of original sin to all his descendants. He lost much: Luther likes to dwell on how much stronger and more healthy the original couple was than their descendants.⁴ Yet the fact that he was fallen did not mean that he suddenly became morally evil. Unlike Satan, who removed himself entirely from God, the first man Adam remained open to God's Word. We still have that Word. Indeed, according to Luther, the world remains in a “Golden Age” because that Word still remains accessible.⁵

To the first human creatures, God's Word came as command, giving structure to life before the fall—and after. “Be fruitful and multiply” set the stage for the social institution of marriage, family, and household.⁶ A second command—“You shall not eat of the fruit of the tree that is in the middle of the garden”—established the church as the occasion where the first man and woman and all their descendants hear God's Word and respond with willing, unquestioning obedience.⁷ These commands have moral significance; they represent the establishment of goodness (and by implication, wickedness) as objective features in the emergent moral land-

³Martin Luther, *The Freedom of a Christian* (1520), trans. Mark D. Tranvik (Minneapolis: Fortress, 2008) 64.

⁴*Luther's Works*, ed. Jaroslav Pelikan and Helmut Lehman, 55 vols. (Philadelphia and St. Louis: Fortress and Concordia, 1955–1986) 1:62, 68, 71, 92, etc. Hereafter cited as *LW*.

⁵*LW* 2:84.

⁶In steps: Adam was charged with creating a household early on the seventh day, but the household actually was established with the creation of Eve (*LW* 1:82, 115).

⁷*LW* 1:95.

scape of creation. Indeed, there was no need for government immediately after the fall.⁸ When Cain killed Abel, he violated the preservation of life mandated by the command to procreate. And his act set the unfortunate precedent for further moral failure in the form of violence and tyranny. After the flood, which Luther saw as God's last-ditch effort to save the church, God commanded the establishment of government as a bulwark against human wickedness.⁹ With three bulwarks established, human life could continue, and even flourish.

THE "THREE ESTATES" AS A FUNCTION-CENTERED TEMPLATE FOR ETHICS

For Luther, the three "estates" or social structures—household, church, and government—constituted a grid for evaluating human intentions and behavior as good or wicked. During his long public life, he wrote lengthy tracts in response to particular moral questions, covering a broad range of professions and social institutions. He unhesitatingly "did ethics" by condemning wicked behavior and delineating the responsibilities commanded by the Word for various roles appropriate to church, state, and the household. He rendered concrete, nuanced moral judgments: when a knight asked whether soldiering has put his soul in peril, Luther parsed out the conditions under which princes might make war justly.¹⁰ When the citizens of the small city of Leisnig sought his approval and assistance for taking over local monasteries, he encouraged them to govern themselves, establishing a "common chest" and administering it in a spirit of love.¹¹ When he attacked the commercial practices of his day, he advised the governing authorities to appoint "wise and honest men" to set fair prices.¹² When he was shocked by the state of governance in Saxony, he outlined three virtues of a good prince and three vices of a wicked prince.¹³ When his help was sought by pastors confused by patchwork marriage laws and customs, Luther offered detailed advice about eligibility, parental authority, engagements, divorce, and other "marriage matters," triangulated between household, church, and state.¹⁴ Luther unabashedly shared his moral judgments about various social roles—citizens, merchants, spouses, monks, soldiers, and so on—within a three-estates framework.

Just as Luther saw God's Word continuing to sustain the functions of household, church, and government that keep disorder and chaos at bay, so might we. For Luther, God's presence is obscured but evident in the "masks" provided by these functions. This continuing divine support has astounding significance for us. By carrying out the roles and functions appropriate to household, church, and

⁸LW 1:103–104.

⁹LW 2:98–101, 139–141; see also 1:101.

¹⁰LW 46:93–137.

¹¹LW 45:171–173.

¹²LW 45:249–250.

¹³LW 13:42–43, 52–55, 59–60.

¹⁴LW 46:261–320, 45:385–393.

government, we human creatures are producing demonstrable goodness—not because we claim to be God, but because the moral value of what we do is measured relative to God’s larger purpose of keeping the world from stumbling into disorder and chaos. This simple formula—the bedrock value of earthly preservation and flourishing, correlated with the functions that serve to foster it—generates an objective means to distinguish levels of good and wickedness. Ethics as the very human work of distinguishing degrees of good and bad, right and wrong is not “dirty,” as Ted Peters asserts. Rather, it is simply fallen, like any other human activity—and necessary.

UPDATING LUTHER’S “ESTATES”

For the five hundredth anniversary of the Reformation, we might add a valuable resource to Lutheran ethics by recovering—and updating—Luther’s vision of the world as structured by the Word through social roles and responsibilities. This will involve sifting the wheat from the chaff. For starters, the particular content of Luther’s moral reasoning need not bind us. The worst of his moral judgments—his patently offensive screeds against Jews and the Roman church—rightly have been disavowed. Even his best writings were framed for his time and place and should not be presumed to be always and everywhere valid.

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Work is needed to bring Luther’s ethic forward five hundred years. His account of the “three estates” needs to be revisited and rethought from the ground up. What he saw as enduring structures are now clearly relics of a past era: the embattled true church facing the Roman juggernaut; the enlightened patriarchal “household” with women relegated to supporting roles; and petty monarchies steered by even pettier monarchs. Luther derived his notion of “three estates” from the medieval paradigm of society as a fixed set of social locations, ordered vertically according to status. Later, the “three estates” were hardened by a twentieth-century generation of theologians into fixed “orders of creation.”¹⁵ Luther encouraged such fossilization by deploying the language of “hierarchies” composed of “stations”—language which implies that individuals are anchored in permanent statuses.¹⁶ On the cusp of democratic, Enlightenment, and commercial revolutions, he was not privileged by history, as we are, to appreciate the degree to which social identities, relations, and institutions are constructed.

¹⁵Dietrich Bonhoeffer was just starting to render the “estates” more historically supple as “mandates” before his untimely martyrdom; see Dietrich Bonhoeffer, *The Bonhoeffer Reader*, ed. Clifford J. Green and Michael P. DeJonge (Minneapolis: Fortress, 2013) 608–612.

¹⁶LW 51:348, for example.

Yet there is a core idea worth recovering. Moral reasoning needs a basis for defining value. This use of the “estates” helpfully focuses our attention on the question of what basic functions need to be carried out for the world to be preserved and to flourish. We are challenged to distinguish the social roles, practices, and behaviors that serve to preserve a livable and resilient social environment from those that tend to degrade or destroy it. Today, disorder abounds in all three “estates” of contemporary US society: Congressional deadlock feeding off of vitriolic hatred of government; patterns of abuse and dysfunction within families; intolerant and uncivil moralism in churches. There is much grist for objective moral analysis fueled by the conviction that God’s Word intended these estates for human flourishing, while in fact they are falling short of fulfilling their function.

For Luther, there was a straight line connecting God’s Word to particular traditional social roles, and the only appropriate human response was unquestioning obedience. For us, who understand to what extent human society is a human construction, the appropriate response to God’s Word is questioning and debate.

For Luther, the basic functions of world maintenance were three: material sufficiency and procreation (household), protection (government), and salvation (church). One question for us is whether all the functions in contemporary society fit within these three broad baskets, or whether there are distinctively new or different functions that need to be included. Luther himself could not anticipate the division of labor that split economic production from the household and subdivided it into millions of tasks and job descriptions, let alone the wide variety of governance strategies and diversity in religious traditions, let alone the innumerable shadings of what counts as “family.” Whether this global variety can be subsumed under Luther’s three broad categories or needs new categories merits further exploration and debate.

This functional model of moral reasoning will generate more debate than Luther imagined. For him, there was a straight line connecting God’s Word to particular traditional social roles, and the only appropriate human response was unquestioning obedience. For us, who understand to what extent human society is a human construction, the appropriate response to God’s Word is questioning and debate. The Word aims at the preservation and flourishing of the world. What one person may find necessary to survival another may regard as an insidious threat. Moral value has to be distilled from competing claims. For example, a colleague recently complained on Facebook about being identified and targeted by advertisers with a set of unflattering ailments. The pastor of a rural church retorted: “Advertisers target everybody. Everybody. It’s their job.” The pastor perhaps was thinking that advertisers are pulling their weight in preserving creation; my colleague is more dubious. World preservation and flourishing are enormously

broad purposes, subject to a wide diversity of opinions as to what helps and what harms.

Yet where the evidence is clear, the functional “estates” approach generates prophetic directness and power. Consider our severely disordered relationship to earth as natural environment and resource base. The threats of climate change, resource depletion, and pollution are visible to us in a way that they simply were not to Luther. We might therefore want to include the world’s ecological and resource systems as an “estate” that serves the function of providing us a livable environment characterized by breathable air, tolerable temperatures, drinkable water, and survivable floods, storms, and fires. Then we can hear what scientists say, and the way forward will be clear: we need to do what it takes to stay within limits of planet-changing carbon emissions, reverse the depletion of aquifers, and work on other such critical issues. It might not be too far a stretch to assert that the Word—God’s commandment to us for world maintenance—is to be heard in scientific assessments of how the earth’s climate is being disrupted.

ETHICS FAR FROM DIRTY

There are many ways to “do ethics”—to distinguish good from bad, right from wrong. A well-developed morality includes prohibitions and rules to steer behavior away from what is harmful; goals and aspirations to steer in the direction of the good; virtues to define good character and vices to explain how good character fails to develop; intuitions of obligation and a sense of purpose to provide broader frames of meaning; and, as Ted Peters proposes, a method for recognizing and addressing moral quandaries. The function-centered ethic proposed here occupies just one wavelength on this broad spectrum. It is a sharp instrument for diagnosing dysfunction and disorder. It tends to simplify moral deliberation by cutting to the core of a problem and proposing solutions. As such, it abbreviates the complexity and richness of the social worlds we inhabit. But in a time of dysfunction, dislocation, and disorder, it can be a very helpful tool.

Yet, is such functional moral thinking really important in a faith tradition that historically has made the human relationship with God the cornerstone of its identity? To my knowledge, Luther himself does not develop an explicit distinction between the vertical and horizontal dimensions of sin. However, a distinction between failing to rely on grace vs. failing in social roles is implied, as when in *On Christian Freedom* Luther draws a sharp distinction between the inner self, liberated by faith to trust God, and the outer self, liberated by faith to serve the neighbor. Vertical sin resides in the effort to reach up to God by human powers; horizontal sin resides in the failure to reach out to the neighbor in love. Of the two, sin in its vertical dimension fills Luther’s field of view, generating his indispensable Reformation insight that grace alone saves. This has fostered Lutheran theology’s preoccupation with justification, and it has encouraged Lutheran preaching to stick to the basic task of reminding sinners of their fallenness and need for grace. It

is not hard therefore to understand why ethics appears “dirty” to Ted Peters—the claim and capacity to know good and evil would provide us fallen creatures with moral leverage against sin in its vertical dimension. But even Peters’s frontal assault against this striving for competitive moral advantage cannot escape the gravitational pull of the self-centeredness he condemns. After all, being justified before God is still about the welfare of the self, in the final analysis.

Here a line needs to be drawn between the distinctive competences of theology in the vertical dimension and ethics in the horizontal. Theology is concerned primarily with our value for God. Ethics, in contrast, is concerned with our value for neighbors and the wider society around us. This world outside ourselves has a way of bending the self back outward, by providing an external referent for the value of what we do. Then we need something like Luther’s “estates” approach as a template for moral reasoning: identifying what functions are critical to sustain a resilient society, identifying where responsibilities for those functions already lie, and then reinforcing as he did the roles needed to carry them out. This way of doing ethics relies, as Luther himself did, upon what is already there. It celebrates and encourages good efforts already underway while criticizing the failures of those who fail to carry out their roles. Ethics in this sense is far from “dirty,” as I suspect Ted Peters might agree. It is a skill for survival and flourishing. ⊕

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