Law-Gospel Theology and Family Life.

Colleagues,

Instead of more mining in Werner Elert's monograph LAW AND GOSPEL (hinted at in last week's post), here's a "crossing" of that law/gospel theology with a slice of life today. Well, not quite today, but 17 years ago (1994), when graduate student Graham Harms and guest lecturer Ed Schroeder were in the same place at the same time, namely, Luther Seminary in Adelaide, Australia in 1994. One piece of Graham's creative research that year was published already before the academic year closed in the seminary's LUTHERAN THEOLOGICAL JOURNAL. Editor of that journal in those days was John Strelan, whom some of you remember as keynote speaker at two of our Crossings international conferences.

Graham Harms, in these intervening years, has been professing more of the same—early on at the Lutheran Seminary in Sabah, Malaysia, and for the past decade in the Lutheran Church of Australia as Director of Ministry and Mission in Queensland. I discovered his article buried in my files, and asked Graham for permission to pass it on to you. He said OK and sent me his original text from way back then. Here it is.

Peace and Joy!
Ed Schroeder

The Family under Law and Gospel:

An Ethical View of the Family from a Lutheran Perspective
by Rev. Graham R. Harms

Stocks in the Australian family are being quoted pretty low — there is even widespread fear that the family is headed for extinction in this country. We often hear cries for a return to 'traditional family values', whatever they are, while the population as a whole continues to vote against them with their feet (and whatever other parts of their bodies may be involved!).

What can evangelical ethics say about the supposed 'breakdown' of the family? Is a return to 'family values' possible or desirable? What are family values? The present paper will attempt to come to terms with these and associated matters by discussing family life from an ethical point of view in the light of law and gospel.

NOMOLOGICAL STRUCTURE OF EXISTENCE

The family is one of those structures of human life, along with marriage, vocation and government, among others, which the Lutheran Reformation referred to as 'orders' or 'estates' (AC XVI).[1] It is one of the structures of our 'nomological' existence. This term as used by Werner Elert literally means 'law-measured existence' (gesetzmässige Existenz). It is everyday life in the old creation where God's Law is the key determining factor, where the standards are those of reward and retribution. So the family is a structure under 'law', under the kingdom of God's left hand, to use traditional Lutheran terminology, and thus applies to Christians and non-Christians alike.

HOW FAMILY LIFE IS SHAPED UNDER 'NOMOS'

'Nomos' [God's law] shapes human life, Christian and non-Christian, in three ways: it provides a setting for our life, a context of obligation and a context of evaluation. [2] The terms 'setting' and 'context' as used here imply a set of circumstances given or imposed from outside ourselves, and which is therefore unavoidable.

Under the first aspect of this law-shaped or nomological existence, we find ourselves in a family by accident of birth. God has not commanded us to be in a family; he has simply placed us in one.[3] We all find ourselves as the children of two parents — whether we know them or not — and we remain such for the whole of our lives, even if our parents divorce each other, disown us or die. Our human origins are by definition indelible and unexchangeable. In some cases, we may also find ourselves with foster parents, or adoptive parents, or other guardians. Depending on which culture we find ourselves in, we may be brought up by grandparents or paid employees or government officials. Parents and other guardians stand 'in loco Dei' (Luther's Large Catechism).[4] They are all God's agents in the creation and preservation of human life, which is his good will (Gen 1:27-31).

The family is the context in which we are born, nurtured and brought to maturity so that, among other things, we in turn are ready to produce and nurture children of our own. It is also the context in which we first learn to relate to other people — to our parents, siblings, other relatives and those with whom our family are in relationship. It is this nurturing of children which constitutes the unique and essential feature of the 'order' of family, as distinguished from the order of marriage. We could define 'family' as ' a human grouping within which a child or children are nurtured and reared into independent adulthood'. So, my family consists of myself, my siblings, parents, grand-parents and so on. My family extends in two

directions if I have children of my own, to include my descendants.

Our family is a gift from God, not something which we choose; it is an experience of God's love, which he pours out on the just and the unjust. However, it is not a gift of the gospel, but rather an endowment under the law, which obligates the receiver. This is a second aspect of the nomological shaping of our lives. Parents are responsible for the nurture of their children; children for obedience to their parents and love for their siblings; all stand under an 'ought' or obligation to fulfil God's intentions for the family. Indeed, this is one of our primary obligations, precisely because it comes to us from God himself, and so should take precedence over other, self-chosen works.[5] Clearly, the health of any society, and the welfare of its members, depends to a large extent on how effectively these obligations are fulfilled. And any judgement of the rightness or effectiveness of family life will ultimately need to refer to the extent to which God's purposes of creation and preservation are being carried out. This leads us to the third aspect of the nomological shaping of human life.

The quality of our family life is also the subject of Law. As we live out our lives where 'we find ourselves', under the demand of obligations placed on us by our setting in a family, we are also evaluated as to the quality of our child-rearing and filial obedience. Like the other two contexts, this one is unavoidable, because it is woven into the very fabric of our life under the Law.

Because each family consists of sinners, it comes under God's judgement. Even the best of families consist of sinners so that the obligation to fulfil God's purposes in and through the family is never fully achieved. In this as in everything else, there is no-one without sin (John 8:7). Children disobey their

parents; siblings fail in their obligation to love and support one another; parents fail to care for their children to a greater or less extent; families are all the scene of conflict engendered by the self turned in on itself. This is true of both Christians and non-Christians. Inasmuch as we have failed to be perfect in family life, we come under the judgement of God's law and are accused of sin. Furthermore, the family as a unit sins as it fails to achieve God's purposes.

PROVISIONAL STRUCTURE

So, although the family is God's creation and God's good gift to humanity, it cannot claim absolute value. At least four considerations should warn us not to treat it as an absolute or to invest all our hopes for the reform of society in it. First, as already indicated, it is a context not only of human virtue, but also of human sin. Certainly, God has provided the family as a structure to order sinful human lives for our welfare,[6] to protect us from the destructive forces at large in the world, and so it is a good institution; but, as a structure inhabited by humans, it is also a medium for expressing those destructive forces which flow from our own hearts (Mk 7:21-23).[7] As with the nomological orders generally, it can even become demonized, good turned into evil.[8]

The family is also less than absolute because it is only one of a number of orders, all of them God's good gifts, which shape our lives and make demands on us — for instance, the order of marriage, which has close connections with that of family, but is different from it. A marriage is an important influence, if not determinant, of the quality of family life. In ideal circumstances, husband and wife are a team, each with a distinct but complementary share in the formation of their children — not least in their understanding of and attitudes towards sexuality and marriage. Children need both parents, and are impoverished

by the loss of either or both, or by the withdrawal of either from the process of child-rearing.[9] The quality of the marriage can dramatically affect the quality of the family. The family is also affected by the order of the state. When parents fail to provide adequately for their children, the welfare authorities may intervene to ensure that they are properly fed, clothed and protected; in an extreme case, they may need to remove a child from the family in order to do that.

The family is also 'non-absolute' in respect to its shape. Family patterns are inevitably changing patterns. Every family, if it lasts long enough, goes through stages of establishing and developing relationships, bearing and raising of children, the 'empty nest' and a period of widowhood. Changes are also caused in normal circumstances by geographic relocation, working hours, finances and the like. There is no divinely mandated morphology of the family.

The much-vaunted 'nuclear family', consisting of mother, father and their biological children, with father working outside the home and mother working in it, has become the standard model only since the industrial revolution. In agricultural societies, parents of both sexes were often engaged in field work, or in cottage industries in the home. Extended families have been more characteristic of earlier cultures, and many contemporary ones, and a wide variety of blended families has been the rule rather than the exception. It is interesting to note, for instance, that a greater proportion of 19th-century children in England lived in a household in which one of the original parents was no longer present than is the case today. Those disruptions were more likely to have been caused by death or desertion, while today divorce is the major cause.[10] The actual form which families take has changed from one culture to another and from one period to another. The changes which are currently under way are also, at least in part, adaptations to new conditions. But

this does not constitute a break-down of the order established by God.

There is still another sense in which the family does not have absolute value, and that is in its nature as a temporary institution. In heaven, there will be no marriage or, presumably, family (Mk 12:25). Like the world itself, family will pass away. It is an emergency or interim measure to allow for the needs of sinful people in a fallen world.

THE 'CHRISTIAN FAMILY'

Is there any difference between a Christian family and any other kind? A Christian family is a family of the same sort as any other, ruled under law, given by God for the creation and preservation of human life. Its essence is located in that creative and nurturing will of God for the good of humanity. Its distinction is simply that it contains one or more Christians. The faith of one spouse 'sanctifies' the other and the children (1 Cor 7:14).[11] Christian faith and freedom are to be lived out precisely in the orders, including the family, rather than in splendid isolation. In this way, Christian faith and freedom still need the family, among other orders, to come to an adequate expression in reality. Christian parents have the added opportunity, of course, to pass on the faith to their children. In this capacity they act as priests, or 'pastors', rather than simply as parents. Nevertheless, it is the responsibility of all parents to provide their children with education in values, both moral and spiritual, to teach them obedience to God (AC XXVI).[12]

THE CURRENT STATE OF FAMILY LIFE IN AUSTRALIA

Luther complained in the sixteenth century of the degeneration of family life in his time:

That is the way things go in the world now, as everyone complains. Both young and old are altogether wayward and unruly; they have no sense of modesty or honor; they do nothing until they are driven with blows; and they defame and depreciate one another behind their backs in any way they can. God therefore punishes them so that they sink into all kinds of trouble and misery. Neither can parents, as a rule, do very much; one fool trains another, and as they have lived, so live their children after them (LC).[13]

Similar complaints could be found in the writings of most periods of history before and since, but the family perdures. What is the current state of family life in Australia?

FAMILY SHAPE

In his recent book, REINVENTING AUSTRALIA: THE MIND AND MOOD OF AUSTRALIA IN THE 90'S, Hugh Mackay draws on up-to-date broad-based research to characterize Australia today as a society in transition, beset with acute anxiety about the redefinition of most of its central institutions. This anxiety doubtless affects family life, but is also caused to a large extent by the changes in the definition and nature of family life. His summary of the causes includes the redefinition of gender roles, a rising divorce rate, an increasing diversity in the shape of families, and changes in working conditions, the financial system, multiculturalism and the changing nature of Australian politics. This list covers most of the key 'orders', all of which are in a process of redefinition.

The anxiety arising from this overall situation of instability gives rise frequently to pessimistic prognosis for the future. One research project has discovered a general tendency for Australians to over-estimate difficulties in family life, and to assume that there is a breakdown of family structure greater

than is actually the case.[14] This tendency was found to be closely linked with the influence of television, which, through selective reporting, appears to encourage a pessimistic view of family life in people of all social strata. The suggestion that the family as we know it is in imminent danger of extinction cannot, however, be supported from the evidence.

There certainly are indicators of a rising failure rate in family life. There is no need to document again the significant increase in the divorce rate over recent years, or to demonstrate the strain which this trend has imposed on the effective functioning of the family in the nurture of caring relationships. As a result, increasing numbers of children are losing the stability of their original family of birth and are deprived of close relationships with one or both parents.[15] This is further exacerbated by the temporary nature of most single-parent families; these groupings tend to be temporary arrangements until the custodial parent enters a new relationship.[16] The resultant blended families are a further cause of stress, as new relationships need to be forged in settings for which our culture does not have well-established guidelines.

There is no doubt that a stable environment is beneficial for the raising of confident, competent children who grow through a reasonably happy adolescence into productive and fulfilled adulthood.[17] Other factors obviously influence the outcome of child-rearing — schools, employment prospects, media — but the general malaise among young people, including rising crime and suicide rates, suggests that family life is not adequately fulfilling its God-appointed purposes.

At the same time, the negative indicators should not be exaggerated. Some statistics suggest that the nuclear family is almost extinct, numbering only about 25% of families in

Australia, if 'nuclear family' is defined as a married couple, only the husband working outside the home, and all surviving children still at home. This definition excludes extended families, and families with any children who have left home. In fact, fully 78% of Australian children live with both biological parents, currently married.

The typical Australian family has, indeed, some problems, and is undergoing changes which cause stress, but these difficulties do not amount to total breakdown of the institution. The majority of children grow up with their own, married parents, living in their own home, with the father employed and mother also employed when the children are all at school. In the typical family neither parent is alcoholic or a drug abuser. The children grow into reasonably happy teenagers, with a low probability of major problems, and have a good chance of finishing school. There are additional difficulties if they live with a single parent (<10%) — they are less likely to finish school, and the family is more likely to be below the poverty line.[18] But the general prognosis for the family is that it is here to stay, as it adapts to new circumstances.

ABUSE IN FAMILIES

A disturbing phenomenon of Australian family life is an apparently widespread incidence of abusive and violent behaviour. According to a recent report tabled in the Queensland Parliament,[19] one in three households has experienced some sort of physical violence between partners, one in ten women is battered and 3%-4% of women are seriously and chronically physically battered. In 68% of cases children are also abused. As the report says, these statistics challenge the belief that the family is a haven of safety which nurtures and protects its members.[20]

The causes of this kind of behaviour are no doubt many and varied, but the result is clearly a transformation of the family from a context of nurture and love to one of fear and injury — physical, psychological, social and spiritual. The family has then been 'demonized' — transformed from a structure for God's care of human lives to a structure, and even an instrument, of evil.[21]

Abuse in the family is not restricted to violent behaviour between the adults, but also frequently involves children as direct victims, as is by now well known. Many children grow up without the sense of safety which a home should provide, and many of them go on to perpetrate or participate in the abuse of their own children. Welfare departments are frequently dealing with people who are in a third and fourth generation of succession of physical or sexual abuse.

FROM THE OLD ORDER TO THE NEW

The family and other nomological structures are precisely given by God to prevent this kind of abuse, in the first place, but then also to limit and punish it. The family often acts to restrict outright wickedness — most parents are discouraged from perpetrating neglect and abuse by the closeness of family relationships, the bonds of love that have been established, or at least by a sense of shame. But where the family fails to provide children with the protection they need, other 'orders' are provided as a corrective. Ultimately, the order of government (legal justice) is responsible for this role. No 'right' to family privacy or solidarity over-rides this legal authority, and erring parents should not count on the Church for the support of their cause against the agencies of the law — they are God's own left hand.

Welfare departments are doing the work of God in this

connection. Of course, they are subject to error, like any other 'order', and their potential for genuine solutions is limited. The removal of a child from the family, for instance, may halt the immediate abuse or negligence, but does not alter the underlying causes. Either the child must be kept away from the family permanently, or return to a probable resumption of abuse. If he or she continues under the care of the state, so-called 'institutional abuse' sometimes takes over where the familial abuse left off, and the child may be in a worse position than ever.

A more promising approach, which is sometimes attempted, is to provide counselling for the parent(s), or better, for the family as a unit. In the best approaches, the family is seen as a kind of system (analogous to 'order'), which needs to be healed as a whole. Counselling has the potential to address the underlying motivations and to improve patterns of interaction between family members in a way which may overcome the immediate problems. This 'secular' therapy is part of God's left-handed healing apparatus and should always be part of the Church's approach to families who have lost their way. If we are dealing with people outside of Christ, this is about the limit of what can be done.

This does not yet address the root problem of family 'dysfunction', however, which is estrangement from God. It is really a problem of sin — and of judgement, of God's curse. That does not mean, of course, that conversion to Christianity immediately removes all the problems of family life, or that families involving Christians do not have such problems. But it does mean that while a family remains under God's judgement and curse, there is no possibility for a comprehensive solution.

The good news, however, is that Jesus Christ died to take the curse of sin on himself, and in the process gave to a world

under that curse a righteousness which is not its own, but which signifies nevertheless genuine reconciliation with God. In Christ, the curse of God's judgement is lifted, peace with God is achieved and freedom is freely given. In Christ, new possibilities open up for those living in even the worst of families.

On the basis of this foundation, family members are free to leave behind the ghosts from the past, the fears, frustrations, and whatever else had bound them to their patterns of sinful behaviour, whether that behaviour has reached extreme proportions of abuse, or is simply lacking in perfection of love. Family members can now be motivated by faith in Christ instead of slavery to sin. The actions which flow out of faith, namely, the fruits of the Holy Spirit, can renew family life beyond any human expectation (Gal 5:22-23). There is no intention here to indulge in utopianism or to overlook the real obstacles that still stand in the way of family wholeness – the continued tendency to slip back into the old slavery, for instance. No family, Christian or not, succeeds in functioning according to the fulness of God's plans or expectations. But the power of the Gospel is real, and its sphere of operation is in those places where God has placed us in this world, and so this is where the hope for families lies – in God's love enacting itself through faith in Christ.

This love liberates, within the family and beyond it. It opens the door for mutual support of family members in their work, education, leisure, personal development, faith, etc. It enables members to model for one another the faithful living out of relationships both within and outside the family.[22] It undergirds the family as an important training ground for developing attitudes towards life issues including marriage and family life, justice and responsible freedom. The special challenges of teenagers, mid-life crises and pre-menstrual

tension, to mention a few, can be lovingly received and supported in this environment.

The family in which the Gospel is present is also free to serve the world around it. Other families in distress may be helped through the modelling of good family life, rendering assistance in emergencies and other acts of loving service. Christians will also bring the needs of such families to God in prayer – it is possible, by the power of the Spirit who produces these fruits of love, that the cycle of failure, rejection and a repeated pattern of dysfunction can be broken through such service. The family blessed by the Gospel may also be able to help other families in a wider sense by lobbying in the relevant places for government and societal support for family life, so that families will be able to fulfil more effectively their God-given function of nurturing children. In this context it is not 'family values' which should be canvassed, but 'valuing the family' (Edgar).

PRESSURE FROM THE NEW ORDER

The picture is not complete, however, until we consider the family in the light of the new order of Christ's kingdom. The orders are interim structures, emergency measures to bridge the gap between the fall into sin and the eschaton. In this interim time, Christians live in the nomological orders, but also in the coming kingdom of Christ, which is future as to its fulfilment, but already present and active in the process of transforming reality to conform to its eternal goal.

In other words, the present nomological order is passing away. With respect to the family, Jesus himself already signalled that when indicating that there would be no family life in the resurrection (Mk 12:25). On another occasion he ignored his mother and brothers, and spoke of his followers as his 'mother

and brothers', or family (Mk 3:34f). Family is also relativized when Jesus demands from his disciples a higher loyalty than they owe to their family members (Mt 10:37; Lk 14:26); duty to a father at work (Mk 1:20) and even responsibility for burying the dead (Lk 9:59f) are set aside as secondary. At Cana, Mary accepted her son's rebuke and obeyed him (Jn 2:4f) in a reversal of family roles, which are by nature unexchangeable. A similar undermining of the family order takes place when parents confess their sin to their children and receive absolution from them, or even when we confess our sin to God in the presence of one another, and receive the absolution together. The order of forgiveness ultimately subverts the nomological orders.[23] When parents and their children exchange Christ's forgiveness with one another, they become brothers and sisters, and the nomological order of family has begun to pass away.

At the same time, Jesus supported the order as an interim measure – in his obedience to his earthly parents at the Temple (Lk 2:51), in his provision for his mother at the foot of the cross (Jn 19:26f) and in his admonition to obey the fourth commandment (Mk 7:10; 10:19).

At the end, the nomological family will be obsolete, and the only family will be that which gathers around the throne in heaven. In the interim period, the local church is God's family (Gal 1:2; 6:10; 1 Pet 2:17, etc), gathering people from every nation and every family (Rev 5:9), on their way home to the Father. People from strife-torn families, from dysfunctional families, from fractured families, even from demonized families can find a haven of peace in the Christian congregation. There, in the community of the forgiven, they can find the wholeness of life for which families were ordained, but can never achieve in this fallen world.

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1. Tappert, THE BOOK OF CONCORD, p. 38.
2. Elert, THE CHRISTIAN ETHOS, p. 56.
3. The fourth commandment is not a command to become a family, or to join one; it pre-supposes the existence of families and addressses itself to those who participate in this structure.
4. Tappert, pp. 379, 389.
5. Ibid. p. 380.
6. Ibid. p. 378; E. Schroeder, 'Family Ethos in the Light of the Reformation', p. 107.
7. Thieliecke, THEOLOGICAL ETHICS, I:381.
8. Elert's definition, p. 76. This will be explored below.
9. Diana Bagnall, 'Children of a Lesser Mode'.
10. Ochiltree, CHILDREN IN AUSTRALIAN FAMILIES, p. 10.
11. Surely also the faith of a child also 'sanctifies' the family. It is not certain what St Paul meant by the term in this context, but it seems at least to have signified that the family is not an unholy or unfit context for a Christian to live in.
12. Tappert, p. 65.
13. Ibid., p. 382.
14. P. Noller & V. Callan, 'Images of the Typical Australian Family', in Funder, IMAGES OF AUSTRALIAN FAMILIES: APPROACHES AND PERCEPTIONS, p. 8.
15. Stability emerges as a key factor in effective family life in a number of studies, including Edgar, 'Family Values or Valuing the Family?'; H. Mackay, 'Australians at Home'; Bagnall.
16. Ochiltree, p. 10.

17. The nature of family life has been shown to affect the development of intelligence, emotional and mental health, including the incidence of drug abuse, physical health and social skills (Eastman, FAMILY: THE VITAL FACTOR – THE KEY TO SOCIETY'S SURVIVAL.pp. 4-39; Ochiltree pp. 20f).
18. Noller & Callahan, p. 19.
19. BEYOND THESE WALLS.
20. Ibid., p. 320.
21. It can be seen as an instrument, because the normal right to expect family solidarity, loyalty and privacy (right and proper in normal circumstances) are actually used to hide the abusive behaviour and therefore to prolong it.
22. A useful checklist of suggestions is provided in G.W. Sheek, THE WORD ON FAMILIES, pp. 119f.
23. Schroeder, p. 107.