

# The Second Use of the Gospel in Lutheran Reformation Theology – Part II

Colleagues,

This week's ThTh posting brings the conclusion of a two-part essay by pastor Timothy Hoyer of Gloria Dei Lutheran Church in Lakewood, New York. In this very week the homosexuality issue is on the agenda of the ELCA's national assembly in Orlando, Florida. Sadly, the public debate in our denomination (as well as all the others I've heard about) has been on two apparently antithetical versions of the "third use" of God's law—one allegedly traditional, the other not so. But both claiming to show "what the Bible says is permissible." So despite the apparent antitheses (to use one of Luther's images) they are like two foxes running in opposite directions, but their tails are tied together. And what is the tie that binds? The common concern to have God tell us what is permitted, what is "kosher." It's a third-use of the law issue.

Hoyer claims that the Lutheran Reformation tied distinctively Christian ethics to the second use of God's gospel—and not to the law at all. Although he doesn't say it, I will: Things could be different in Orlando if the ELCA could "go and do likewise." It's so Lutheran.

Peace and Joy!

Ed Schroeder

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## **Hoyer's text, Part II**

*Now the two questions used to test all Christian teaching will applied to what "some say," as was listed earlier. [Does it "use" the merits and benefits of the death and rising of Christ? Does it "use" them to comfort consciences (give the benefits of Christ to those who need them)?]*

*Those who are concerned that a Christian's life should be guided by the law will say that they want to uphold Scripture, obey the word of God, that the Bible is the source and norm of faith and life, and that forgiveness is lost when an act condemned in the Bible is no longer called a sin.*

*"One has to distinguish the promises from the law in order to recognize the benefits of Christ" (149.184). [All pages references are from The Book of Concord, Kolb/Wengert edition.] "All Scripture should be divided into these two main topics: the law and the promises. In some places it communicates the law. In other places it communicates the promise according to Christ, either when it promises that Christ will come and on account of him offers the forgiveness of sins, justification and eternal life, or when in the Gospel itself, Christ, after he appeared, promises the forgiveness of sins, justification, and eternal life. Now when we refer to the 'law' in this discussion we mean the commandments of the Decalogue, wherever they appear in the Scriptures. For the present we will say nothing about the ceremonial and civil laws of Moses" (121.5-6),*

*The distinguishing of law and promise is totally obscured when people say that Scripture must be obeyed, upheld, or is the norm of faith and life. When law and promise are obscured, law and promise are lost. The law is changed from accusing and*

damning into a weak description of how to please God and so be right to God and not really need Christ as a mediator. The promise is changed from being good news into a guilt-based reason to obey the law, as in, "Jesus died to take away your mistakes and so you should behave." To console consciences that they are doing what is right because the Bible says so is to console consciences with the law and so teach works righteousness, which takes away faith in Christ. So any time anyone says that Scripture should be upheld or is the source of faith and life and should be obeyed, that is to be totally dismissed at once because it does not distinguish law and promise, and because it is not based on Christ, and because it offers no comfort to consciences.

Some say the law is the immutable will of God. The law is indeed immutable in that the law will always do the three tasks described earlier: preserve, criticize, and execute. The law is immutable in that the civil use of the law will always be needed to restrain evildoers. The Third Use of the Law as a guide to the Christian life, however, does not maintain the immutability of the law but mutates the law into a way to earn God's pleasure. It mutes the law's accusation, condemnation, and wrath-bringing qualities. If the law is immutable, then The Third Use of the Law as a guide for Christian ethics goes against the genuine immutability of the Law.

Christ has not mutated the law, but has put an end to it, fulfilled it, and completed it. Christ has overcome what the law does. The law kills but Christ makes alive. The law condemns but Christ forgives. The law accuses but Christ gives his peace to all people. So, when someone is in Christ, the law has no power. In Christ the law cannot rule. In Christ the law has no effect. Either Christ rules the Christian's conscience or the law does. There is not room for both in the same bed, as Luther says in his commentary on Galatians. In the Christian,

*it is Christ who rules.*

*When people say that the Gospel is lost because sin is no longer being called sin and repentance is thus no longer needed, they are using a weak understanding of sin, namely that sin is not fulfilling civil righteousness. However, that is to “consider only the commandments of the second table, which entail the civil righteousness that reason understands. Being content with this they suppose that they satisfy the law of God. Meanwhile they fail to notice the first table which instructs us to love God, to conclude that God is angry with sin, truly to fear God, truly to conclude that God hears our prayers” (125.34). “But the opponents attribute righteousness [pleasing God] to love for this reason: they teach the law and think that righteousness is obedience to the law. For human reason only focuses on the law and does not understand any other righteousness except obedience to the law. But Paul protests loudly and teaches that righteousness is something different, namely, obedience to the promise of reconciliation given on account of Christ, that is, the reception of mercy given on account of Christ. For we are acceptable to God and our consciences find peace this way: when we sense that God is gracious to us on account of Christ. Therefore godly minds must be called back from the law to the promise” (154f.229). “For, being ignorant of the righteousness that comes from God, and seeking to establish their own, they have not submitted to God’s righteousness. For Christ is the end of the law so that there may be righteousness for everyone who believes” (Romans 10.3-4). God’s righteousness is defined earlier in Romans, “But now, apart from the law, the righteousness of God has been disclosed...the righteousness of God through faith in Jesus Christ for all who believe” (Romans 3.21-26).*

*The Third Use of the Law is mistakenly taught because reason does not understand any other righteousness or any other way to*

please God except obedience to the law. But Christian faith and Christian ethics is obedience to the Promise of Christ! Thus, The Third Use of the Law completely by-passes faith in Christ. A lack of faith in Christ making our actions acceptable to God is why The Third Use of the Law is insisted upon. Our actions are acceptable to God, right to God, pleasing to God, only by faith. To say that Christians know their action is right or wrong to God on the basis of the law (The Third Use of the Law) is to trust the law for how we live right to God or how we please God or how God accepts what we do. The law is thus trusted instead of Christ. Christ is not given his glory. The promise is ignored, not "used," and rendered use-less. Faith is not taught. To say that our actions are right because they are in accordance with the law (The Third Use of the Law) is to abandon Christ and the teaching of faith. "By following [the teaching of The Third Use of the Law, people] fail to see that they thereby abolish the entire promise of the free forgiveness of sins and the righteousness of Christ" (140.121). And faith is what God regards and reckons as righteousness.

If Christians insist that one law should be kept, then they must keep all the laws. Choose but one law that must be obeyed and the system of the law has been chosen as the way to relate to God. To relate to God through the law is to see God as a God who only accuses, judges, condemns, and kills. "If you let yourselves be circumcised, Christ will be of no benefit to you. Once again I testify to every man who lets himself be circumcised that he is obliged to obey the entire law. You who want to be justified by the law have cut yourselves off from Christ" (Galatians 5.2-5). To insist that one law be kept gives no comfort to the conscience, since the law with its accusations and condemnation and killing is now the way a person relates to God. And nothing angers a conscience more than the first law that God is to be loved more than anything

else. For no one keeps that law.

The Third Use of the Law is used to falsely assure Christians that what they do is right to God. For when The Third Use of the Law is taught, "They completely bury Christ by imagining that we have access to God [please God] through our own works, and through them merit this disposition and then by this love find peace of conscience. Does this not completely bury Christ and do away with the entire teaching of faith?" (133f.81) So, to assure someone that what they do is pleasing to God because they are keeping the law is to bury Christ and to take away faith, the very thing God reckons as righteousness because it is faith in Christ who died and rose for us. "If moral works merited the forgiveness of sins and justification [pleased God], there would be no need for Christ" (135.87). "Whoever thinks that receiving the forgiveness of sins [pleasing God] is a consequence of acts of love insults Christ and will discover in the judgment of God that such faith in one's own righteousness [way of pleasing God] is wicked and futile" (143.150). "Now if we overcome the wrath of God by our love, if we merit the forgiveness of sins before God by our love, if we are acceptable by our observance of the law, let the opponents destroy the promise of Christ. Let them abolish the Gospel that teaches that we have access to God through Christ, the propitiator, and that we are accepted not on account of our fulfilling the law but on account of Christ" (153.223).

Some may say that Christ has removed the curse of the law so that the law no longer accuses, condemns, or brings God's wrath. Instead, the law is now only a guide. But the very nature of law is to accuse. For wherever there is a law, that law measures behavior, judging whether a person's actions meet the standard the law has set. The law will always say either "Yes" or "No" to what a person does. The only way the law's judgment can be taken away is to take away law itself. And for

*the sake of comforting consciences, Christ has taken away the law by his death and resurrection.*

*Some may object that The Third Use of the Law is not about earning righteousness, but about pleasing God, about living the life God wants Christians to live. It may be objected that pleasing God by keeping the law through faith is different from earning righteousness through works of the law. Those objecting will say that trying to please God is what the life of faith is, that it is a way to give God thanks for what Christ has done, or that it is a response to the Gospel. But to say that thanks is given by good works or by pleasing God is to forget the teaching of faith. Faith and faith alone is how God is pleased. Faith alone is how God is given thanks for the Gospel. That is how thanks is based on Christ, which is what is needed according to the first question of the test for what is Christian.*

*People cannot become Christ-trusters through their own abilities. "I believe that by my own understanding or strength I cannot believe in Jesus Christ my Lord or come to him, but instead the Holy Spirit has called me through the Gospel" (355.6). Instead, a person is called to faith by hearing that Christ died for them and that for Christ's sake they receive forgiveness, righteousness, and eternal life. Then the person lives that faith by being merciful to others with Christ's mercy, forgiving others with Christ's forgiveness, loving others with Christ's love, and serving their neighbor with Christ's goodness. The law has no categories at all for such "Christ-talk."*

*The attitude of The Third Use of the Law is, "Look at me, God, I am doing this to please you. I am keeping your law. I am doing what is right. Aren't I a good and faithful follower of Jesus?" But such a person is not following Jesus and instead*

*trusts the law as the way to live the way God wants them to. Such a person is looking to the law for comfort and assurance that what they do is right to God. However, the way of the law is criticism and execution. Thus, "good works do not bring peace to the conscience" (170.358). When people look to the law for God's approval and affection, they do not realize the law is working to criticize and execute them. And they do not believe that Christ can give them God's love. They boast of their works and not of Christ. So law is getting the glory and not Christ. Did the law die for people? Does the law reconcile people with God? No, but Christ has.*

*What is the difference between an unbeliever doing a work of love and a Christian doing that same act of love? Both can do the same act of love because civil righteousness is attainable by reason. People do live very upright, honest, caring, neighborly, self-sacrificing lives without faith in Christ. The Third Use of the Law cannot differentiate between the act of love of an unbeliever and the act of love of a Christian. Do both please God because they do an act of love? If yes, Christ is forgotten. The unbeliever's work of love does not please God because only faith in Christ pleases God. So also the Christian's act of love is pleasing to God only because of faith in Christ.*

*Civil law will still be used by the Christian because they continue to live in the "old" creation. Civil law will still be used to organize, give directions, order society, regulate, teach, learn, govern, penalize, and so on. All such civil law preserves and protects people so that God's creation does not disintegrate and also so that the Gospel can be proclaimed without interruption. There are many different types of government, all serving God's purpose of the civil law-to preserve and protect people. Some governments use the penalty of capital punishment and others do not. Some countries have*



*national health care and others do not. There are different ways of teaching or for providing education. Governments also use the law of preservation and protection in the arena of sexuality in different ways.*

*In one culture (Madagascar), the man will not marry a woman until she has borne a child, proving her fertility. The child is given to the grandparents as their old age insurance when the woman marries. Old age insurance in the United States is Medicare paying eighty-seven percent of nursing home care. One culture will have the widow marry the chief so that she belongs to a household and is included in the distribution of food. The ancient Israelites had the widow marry the younger brother, even if he was already married. All are God's ways of preserving and protecting. The Netherlands allows same-gender marriages. But never, never are the specific rules of civil law to be changed into The Third Use of The Law, into a way to earn righteousness or a way to please God. Actually, the law was never meant to be a way to please God. God uses the law to preserve and protect for the sake of the Gospel; and to accuse people of unfaith, to increase sin, and to put to death. To turn the law into a way to please God, as in The Third Use of the Law, uses the law in a way God did not intend it to be used, as was earlier said by Paul, when he spoke of the law being the disciplinarian until Christ came.*

*Since the civil use of the law restrains evildoers, governs, teaches, and penalizes, when the situation in the world changes, such as greater wealth, new technologies, new countries, then the civil law is amended to govern the changes. An example is how civil law has changed to give all people the right to vote. An example of church civil law changing is the allowing of pastors to marry and women to be pastors. Civil law is changing because sexual lifestyles have changed. In New York State, if a couple has lived together, had children, and then*

separate, the court makes child custody decisions and the division of property divisions as if the couple had been married. That has helped preserve and protect those couples and their children. In many cultures sexual relations are governed because of inheritance of property and money, and because of responsibility for offspring. Birth control has taken away the risk of responsibility for offspring and so has caused changed sexual relations. Inheritance laws and laws about the division of marital property at divorce have changed.

Those civil matters are still God's civil matters. God is concerned, in the civil arena, to preserve and protect people so that creation and people survive, and also so that the Gospel can be proclaimed to them. Civil law is not about stating that one behavior is right to God and another behavior is wrong to God. For there is no righteousness to God through the law. Civil law is about preserving and protecting people.

In all these changes, The Second Use of the Gospel would uphold the law to do its work of preservation and protection. The Second Use of the Gospel also gives Christians the Holy Spirit, the mind of Christ, the love of Christ, the fruits of the Spirit. These gifts, found nowhere in God's law, guide the Christian in the life of faith in Christ in the midst of all those changes. As a guide, The Second Use of the Gospel uses faith working through love to care for the neighbor. In opposition, the law, even The Third Use of the Law, gives accusation, condemnation, and death. For the glory of Christ and the comfort of our consciences, the Second Use of the Gospel is the only guide a Christian can have and gets to have.

## **CROSSINGS**

When Christ's good news is proclaimed, the hearers' needs are two. The first is to have their situation in life explained or

diagnosed so that they can see the law working in their lives, how the law exposes their lack of faith in God and how God criticizes and executes them. The second need is to be told that Christ died and rose for them as the way God is pleased with them; and then to be called to faith in Christ as their righteousness before God, who gives them forgiveness and eternal life. By that faith in Christ they can then bring the forgiveness, love, mercy, peace, and reconciliation of Christ to their situation in life.

When Christ's messengers proclaim Christ's good news to people gathered to hear Christ's good news for them, the Crossings' process of Diagnosis/Prognosis is a way to proclaim Christ. The Diagnosis is about the hearer's first need. The Prognosis is about the second need. Each need is broken up into three steps, for a total of six. The six steps of the Crossings' Diagnosis/Prognosis are:

#### *Diagnosis:*

*Step One: The External Problem: the situation being addressed in daily life in the world;*

*Step Two: The Internal Problem: the cause of the situation is diagnosed to be a lack of faith or misplaced faith;*

*Step Three: The Eternal Problem: God is against those who lack faith and terminates them.*

#### *Prognosis:*

*Step Four: The Eternal Solution: the death and rising of Christ to overcome God's accusation, judgment, and wrath;*

*Step Five: The Internal Solution: the giving of faith in Christ, the giving of the Holy Spirit;*

*Step Six: The External Solution: using Christ's benefits, such as the Spirit, the mind of Christ, the fruits of the Spirit, the lordship of Christ, the love of Christ, to address the initial situation of Step One-daily life out in the world.*

*The Crossings' process starts with the law to help the hearers see how the law is working in their lives and that they need Christ. Then Christ is given. Then the benefits of Christ (The Second Use of the Gospel) are given and used as the new way to live in Christ. The distinction of law and Gospel is maintained in this way so that the benefits of Christ-faith-can be given and used. Also, since there are different maladies (guilt, death, sickness, despair, ignorance of God, being angry at God, placing confidence in temporal things, etc.), the specific malady is diagnosed so that the proper prognosis can treat that malady.*

*The Crossings' process uses the law fully. Step One is the civil use and the accusation use of the law. Step Two is the more full accusation of unfaith. Step Three is judgment, condemnation, and God's wrath (death for the unbeliever). The law is also upheld in its proper place, that is, in the life of the person without faith in Christ. Step Four is Christ given as Good News that overcomes Step Three's bad news of God's wrath. The first "use" of that Good News is Step Five, which is faith in Christ which replaces Step Two's bad news of unfaith. The second "use" of that Good News is Step Six, to use faith in life and ethics for the problem or bad news of Step One.*

*Once Christ is given, the law does not dare trespass into Christ's realm, into the new creation, into the new life, into the life of the resurrection, and the life of faith. Proclaimers of Christ must not bring the law into the life of faith where Christ rules with his righteousness. To bring the law into Christ's realm is disbelief and unfaith and takes away the glory only Christ is owed. To bring the law into Christ's realm, which is what happens when The Third Use of the Law is used for Christian ethics, only troubles consciences because the law, by its very nature, accuses and condemns. Thus consciences are deprived of the comfort Christ gives, namely,*

*faith in a God of mercy through Christ.*

*The Second Use of the Gospel, because it is Gospel, gives life, uplifts, regenerates, and “We begin to love our neighbor because our hearts have spiritual and holy impulses” (140.125). The Third Use of the Law inspires no new impulses. It is dead. So let Christians live by faith in Christ, in the mind of Christ, by the love of Christ, in the power of the Holy Spirit, and with the fruits of the Spirit. That way, neighbors are loved, consciences are comforted, and Christ is trusted and glorified, for he is the one who died and rose for us.*

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