

WHAT CAN WE SAY THAT IS LUTHERAN IN BIOETHICS?

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A Lutheran response to issues in bioethics is always one of Law and Gospel. Law addresses the outward behavior of a man and the Gospel addresses the inner heart of a man. Law is necessary to constrain the weak from outward sin, but it is the Gospel and Gospel alone that reconciles and renews, transforming human lives to see the world rightly in the light of the New Creation in Christ. Perhaps I can illustrate this with an analogy from marriage: my own marriage. If my wife and I have had an argument over some trivial thing we may say things to one another that we soon regret and therefore need to confess to each other as sin. When we do, and when forgiveness is shared between us, there is something new that happens in our relationship at that very moment. Reconciled, we are made new and are closer than we were even before the argument. Reconciliation not only forgives sins, but forgiveness of sins changes our lives. Our reconciliation with God proclaimed in the Gospel changes us so that we see things anew. So it is with the effect of Gospel proclamation in issues of bioethics. It changes the heart of the forgiven to see things from our Lord's perspective rather than that of our own expediency, rather than "on our own terms." Let me illustrate with regard to the choice between life and death in treatment decision-making.

A sixty-two year old woman lies in the intensive care unit of a community hospital with injuries from a beating she has received in an argument with her husband. This is not the first time she has come to the hospital for emergency treatment for the same reason. In the course of the attack she suffered a ruptured kidney and has undergone surgery for its removal. In the days following surgery it becomes clear to others that she is filled with anger toward her husband. But she is unable to admit to herself that she is angry because she is afraid of her own anger. She fears that if she expresses her anger toward her husband he will leave her. And more than fear of being beaten is her fear of being abandoned. So she keeps her anger hidden down deep inside her. But it comes out in other ways. It comes out in her decision to refuse dialysis which is necessary to support her remaining kidney. Without dialysis she will eventually experience kidney failure and die. Her decision, complicated by her anger, is aimed at her own destruction. It is easier for her to die than to face her own anger and her fear of abandonment. There is no Law of man or God that can prevent her from making the decision to refuse treatment, and it is a decision to die. What the Law of God says she ought not do, the Law of God cannot prevent her from doing, but the Gospel can!

Let us call this patient Anna. What Anna needs is spiritual care, the cure of the soul. She needs to be helped to admit and confess to herself and to God the anger she has toward her husband. She needs to be helped to lay out her anger before God so that God can heal the direction of her self-destruction. And she needs most of all to experience God's forgiveness for her self-willed destruction in wanting to aim at her

death. Finally, at some point, she needs to learn to forgive her husband . . . which is not to say that that is the end of the matter for their relationship. There needs to be pastoral counseling for both husband and wife to find healing for body and soul. The Gospel will do this and will finally enable this couple to make decisions that are faithful to their relationship with God and not in obedience to their own self-destruction.

From the beginning, the heart of man has known the meaning of death as "the power of darkness" at work to turn us away from God and into ourselves. Luther defined sin as being "turned in on ourselves" by which he means we tend to follow our own human nature rather than God. This "turning inward" for reliance on self-determination finally ends in choosing death. We are, by nature, inclined to listen to our own thoughts rather than to the thoughts of God. This too is the "power of death" at work in us, cutting us off from God. Once cut off from God and turned in on ourselves, we talk to ourselves about death and we tell ourselves that death is a friend, in some cases, a solution to our problems of suffering and we turn in sympathy to physician assisted suicide and euthanasia.

We know about Law and Gospel in a particular way that distinguishes us as Lutheran Christians. We know that the Law serves two functions, some say three. The first function of the Law is to curb or set limits for outbreaks of sin in the world. It is possible to legislate morality, at least to set limits by means of laws and to punish violation of those laws through the courts and therefore discourage certain behaviors. We can legislate the moral behavior of a society by discouraging the legalization of physician-assisted suicide and euthanasia. This is essential not only as an issue of God's justice, but also because in many people's thinking, what becomes legal must therefore be moral. The Law, even as civil law, functions as God's way to control the outbreak of sinful behavior in society.

There is also built into us the Law as a moral sense that there are limits God has placed upon us as human beings for our protection from each other and from ourselves. The Law as curb attempts to control outward behavior and calls us to account so that we seek forgiveness from God. The Law does not change the heart so that we think differently, but the Law does cause us to hesitate, for example, in taking human life into our own hands to exceed the limits of what God allows us to do. The Law tells us what we must not do. "We must not kill."

The second function of the Law in biblical teaching is the function of the Law as a mirror. When we reflect on the Law of God, such as we have in the Ten Commandments, the Law serves as the standard by which we as individuals must measure ourselves. And when we are honest with ourselves we admit that we have not kept the whole Law of God. The function of the Law as mirroring our sins back to us is good for the Christian in that it turns us back to God and causes us to confess our sins in preparation for the Gospel of Christ's forgiveness. "The Law was given to increase sin," Paul writes. He means that the Law shows us what is down inside us that needs to be cleansed. The Law as mirror is important not only in examining our sinful motives in life and death decision making, but also important for examining whether we have

sinned in the life and death decisions we have made for others. Forgiveness always follows a repentant heart.

The third function of the Law has been a controversial one all the way back to the time of Luther. It is the function of the Law as a guide for the Christian life. Luther himself did not like speaking of the Law as a guide for Christian living because he feared that we would build our sanctification around the Law and not the Gospel. Nevertheless in our Lutheran Confessions, it is stated that the Law may indeed function as a guide for the Christian life. It is said that we cannot always know the will of God, and that the Law as guide is needed to reveal the intentions of God for us in a way that neither the Law as curb nor mirror does. The Law of God can educate us in the ways of God but, acknowledging Luther's concerns, the Lutheran Confessions are quick to emphasize that the Law as guide cannot motivate a change the heart. The Law, even as guide, can only tell us what we ought to do. It is only the Gospel that can change attitudes, sanctify the heart, and motivate change in us.

And so the bottom line is that the Law at best can only control outward behavior but cannot change the heart and the Law always ends up accusing us of sin now matter how well it works to curb, mirror or guide us in this life.

Let us look at the place of Gospel in the issues of bioethics. How are we to live ethically as people of the Gospel? As Christians we do not concern ourselves only with what to do or not do (that is, with Law), but attend to what God has done and proclaimed among us as Gospel. Ethics (even bioethics) for the Christian is primarily about Gospel, not primarily about Law, primarily about what God has done to transform our thinking¹, not primarily about what we do. The Christian's ethic is to live by faith in Christ even as Christ lives in us. Our ethic is to repent daily and believe the Gospel of Christ's forgiveness and promise of the Holy Spirit to bring all things to our remembrance in Christ. Another way to put it is, if Sin (with a capital S) is the underlying condition of all human nature and sins (with a small s) are the thoughts, words, and deeds we commit as signs of that condition, then the Gospel is the power that addresses Sin while the Law is the lesser power that addresses sins through principles and guidelines offered in bioethics.

The promise is sure: through baptism God makes us his holy people. In the Lord's Supper God feeds his holy people with the holy food of heaven for life on earth. God's promise has been fulfilled--"I will be gracious to whom I will be gracious, and will show mercy on whom I will show mercy." Ethics for Christians is about the death of Jesus on the cross that transforms our lives, and it is the Holy Spirit who makes applicable in us Jesus' death for our holy living. We are then, as Christians, holy people who live holy lives.

Paul writes,

What shall we say then? Are we to continue in sin that grace may abound? By no means! How can we who died to sin still live in it? Do you not know that all of us who

have been baptized into Christ Jesus were baptized into his death? We were buried with him therefore by baptism into death, so that as Christ was raised by the glory of the Father, we too might walk in newness of life.²

How does this new ethic work? Isn't there anything that we must do? Yes, "The righteous shall live by his faith." Faith trusts in Jesus Christ when faced with ethical dilemmas. Faith is not passive, going with the flow, as New Age passivity invites us to consider. Faith faces and wrestles with the incongruities of living between the realities of what God as our Creator intends and what life in a fallen world has become. Living by faith is not easy. We do not hide from the pain and suffering of this world, erasing pain and suffering by erasing the people in whom we find it. It is difficult to live by faith; to see the problem so clearly and yet, perhaps, do nothing but wait, letting God do or not do instead. It is more natural in a fallen world to attempt to grasp for control of life from the hands of God and to take charge and make things happen regardless of consequences. But that is the way of Adam and Eve's Sin. Faith requires our helplessness at those times we wait for God to act, but this helplessness is not passive. In our helplessness we actively trust in God. At other times faith requires direct action and we speak the truth of what it is that sinful human nature proposes against God. From the beginning and in the end it is faith that enables God's holy people to live holy lives.

¹To be transformed in our thinking is not to know in all cases what is ethically right or wrong, but it is to place us in a relationship of faith informs the way we approach the issues.

²Rom 6:1-4.