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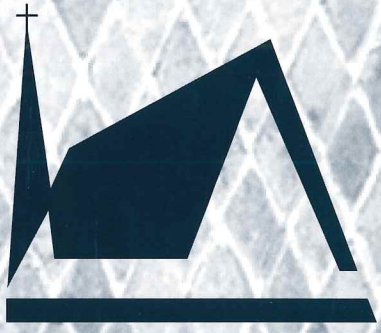

CONCORDIA THEOLOGICAL QUARTERLY

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The Third Use of the Law:
Keeping Up to Date with an Old Issue

Lawrence R. Rast Jr.

The publication of Scott Murray's book *Law, Life and the Living God: The Third Use of the Law in Modern American Lutheranism* by Concordia Publishing House in 2002 exposed a still-existing rift within American Lutheranism generally and the The Lutheran Church—Missouri Synod specifically. Responses to the volume ranged from delighted affirmation to critical denunciation. One reviewer called the book: "A scholarly and lucid study on a subject that has loomed large in Lutheran theology," and described it as "an exemplary exercise in confessional theology that is ecumenically engaged."[1] But another reviewer chided Murray: "there is no sustained historical analysis that builds from one chapter to the next. Instead, we get Murray's all-too-brief analyses, followed by even briefer conclusions, followed by additional all-too-brief analyses of individuals he had treated earlier."[2] It leads one to ask: Will the real Scott Murray please stand up?

To historians, such variety of interpretation comes as no surprise. In fact, it is specifically this kind of argumentation about method and interpretation that comprises the historiographical task. Better yet, it helps keep historians employed—which in my mind is a very good thing!

There is, however, much at stake theologically in all of this. What drives theologians and historians to write and write and write on this topic? And why can we not settle it? Why have a Confessions Symposium on such a narrow topic? One answer is that the presence of Articles V and VI,

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[1] "Books in Review: Briefly Noted," *First Things*, 128 (December 2002): http://www.firstthings.com/ftissues/ft0212/reviews/briefly.html#law.

[2] Matthew Becker, "Book Review: *Law, Life, and the Living God* by Scott Murray," *DayStar Network*, 23 November 2003, http://www.day-star.net/documents/murray-review.htm.

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especially the latter, in the Formula of Concord are justification enough for such an endeavor in and of themselves.

> To explain and settle this dispute definitively we unanimously believe, teach, and confess that, although Christians who believe faithfully have been truly converted to God, and have been justified [and] are indeed freed and liberated from the curse of the law, they should daily practice the law of the Lord, as it is written in Psalms 1 and 119, "Blessed are those . . . whose delight is in the law of the Lord, and on his law they meditate day and night." For the law is a mirror that accurately depicts the will of God and what pleases him. It should always be held before the faithful and taught among them continuously and diligently (SD VI,4).[3]

It seems simple enough. Yet, while the Formula hoped that Article VI would "explain and settle" the matter, the history of Lutheranism shows otherwise. The varieties of questions that this matter has generated are remarkable: Did Luther teach that there is a function of the law for the Christian? Did Lutheranism teach that there is a function of the law for the Christian? *Should* Lutheranism teach that there is a third use? Was the Formula faithful to Luther? And so on. Murray's book chronicles the shape of the arguments in both early and later Lutheranism and shows the variety of opinion that exists in answering the questions posed above. What Murray's study showed above all was the wide variety of opinion on the matter and Lutheranism's struggle to come to grips with the issue.

Within the context of twentieth-century American Lutheranism specifically, the issue has been especially divisive. One's position on Scripture, the Confessions, the extent of confessional subscription, and the like, have all swirled around the question of the law and its third use.

Perhaps one of the reasons for the struggle in interpreting the third use historically is the common typology that we use to make sense of Protestantism and our place in it. In the LCMS we have consistently employed the simple twofold typology of "conservative" and "liberal." In this typology Protestantism—and Lutheranism within Protestantism—is seen as dividing into one of two streams. It's largely an either/or proposition—either liberal or conservative, and never the twain shall meet. In addressing the situation in the synod in the 1960s, this seemed to be a workable typology for many on both sides of the issues that faced us. But

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[3] Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 587–588.

in the wake of the controversy over Scripture, we found that there remained tensions within the LCMS. Some have simply argued that this was due to the fact that many committed to the so-called liberal agenda did not leave the LCMS. However, historian D. G. Hart, in *The Lost Soul of American Protestantism*, has recently offered another possibility.[4] He argues that the twofold typology of conservative and liberal for American Protestantism is ultimately unsatisfactory and cannot do justice to reality. Rather, Hart argues, Protestant conservatism and liberalism share common roots in an activist Pietism. Hart offers a different typology: pietism and confessionalism. For Hart, Pietism's activist assumptions inform both the liberal and conservative viewpoints. It is the confessionalists, in his mind, that are truly different and who, in his opinion, properly capture the biblical view of the relationship of justification and sanctification.

Hart's thesis is quite provocative and it might go some ways toward explaining some of the tensions we find in our own midst. Pietistic and confessional Lutheranism have been in serious tension. At times the tension proves to be too much, and controversy breaks out. For example, in 1992 Concordia Publishing House published *The Goal of the Gospel*.[5] After publication, its doctrinal content was challenged and, after some years of controversy, the book was withdrawn. The theological problem? Many believed that the book fundamentally confused law and gospel, making the gospel merely antecedent to the more important matter of sanctification, or fulfilling God's law in our lives. Others responded vigorously to the book's withdrawal, stating that it had been the "Victim of Sanctiphobia and Church Politics."[6]

Although I resonate with those who criticized the book, I can also understand the confusion of those who supported the book. After all, how many of us learned to preach according to the threefold model: goal, malady, and means? *Preaching for the Church* has recently been reprinted

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[4] D. G. Hart, *The Lost Soul of American Protestantism* (Lanham, MD: Rowman & Littlefield Publishers, 2002).

[5] Philip M. Bickel and Robert L. Nordlie, *The Goal of the Gospel: God's Purpose in Saving You* (St. Louis: Concordia Publishing House, 1992).

[6] There are three reviews on the Amazon.com Web site; A reader, "Victim of Sanctiphobia and Church Politics," *Amazon.com*, December 3, 2002, http://www.amazon.com/exec/obidos/tg/detail/-057004569X/qid=1106156007/sr=8-1/ref=sr_8_xs_ap_i1_xgl14/104-1422805-1173556?v=glance&s=books&n=507846. For a criticism of the book, see Joel A. Brondos, "Is Obedience the Goal of the Gospel?" *Joel A. Brondos: Collarbones*, July 7, 2004, http://joelbrondos.worldmagblog.com/joelbrondos/archives/006278.html.

and continues to be used in homiletics courses.[7] No wonder there is confusion!

In the end, however, the withdrawal of *The Goal of the Gospel* did not achieve its intended end. Rather, another text has taken its place—Rick Warren's *The Purpose-Driven Life*.[8] And since this volume is published by Zondervan, there is no recourse to doctrinal review. It is here to stay.

So what are the answers to the questions that Murray's study poses? In the minds of many, the jury remains out—as you will certainly hear over the course of reading the articles that follow. My colleague John Pless stated in his review of Murray's book that the volume is an attempt "to chronicle a debate that is still in progress."[9] Pless is right. And, beginning now, you will read a bit of that ongoing debate and chronicle it for yourself.

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[7] Richard R. Caemmerer, *Preaching for the Church* (St. Louis: Concordia Publishing House, 2003).

[8] Rick Warren, *The Purpose-Driven Life: What On Earth Am I Here For?* (Grand Rapids: Zondervan, 2002).

[9] John T. Pless, "A Review of *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism* by Scott R. Murray," *Concordia Theological Seminary*, nd., http://www.ctsfw.edu/academics/faculty/pless/review_murray.pdf.

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A Third Use of the Law:[1]
Is the Phrase Necessary?

Larry M. Vogel

Well, if you put it that way, no.

Yes, the phrase is in the *Book of Concord*, in the Formula of Concord, Article VI. Yes, we confess it with that whole corpus to be teaching that is "a true exposition of the Word of God."[2] However, if the use of the indefinite article in our ordination vows is ever to be emphasized, this is such a place. The Confessions self-consciously stand within the Western catholic tradition of faithful teaching, but they do not delimit that tradition, nor are their articulations the only possible orthodox expressions of the faith. Faithful teachers and preachers of the Scriptures, standing within the catholic, trinitarian faith, and even within our confessional family do not all employ the phrase "Third Use of the Law" in their teaching.

C. F. W. Walther pointed out that "heresy is not so much in the terms one uses as in the matter which one teaches, although the terms are not to be treated as an indifferent matter."[3] So, let us take the indefinite article fully to heart and consider that other faithful explications and articulations of the word are possible.

However, where the issue of what pertains to the very being (*esse*) of orthodoxy has been resolved, there remains the question of the well-being

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[1] Throughout this article I will capitalize the terms *Third Use* and *Law*. Third Use refers to the concept as articulated in the Formula of Concord, Article VI, that the Law is a "sure guide" for the regenerate. Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wengert (Minneapolis: Fortress Press, 2000). Third Use does not imply that the Law enables any good works. The term *Natural Law* will be capitalized when referring to God's intentions or will for human conduct.

[2] "Ordination," *Lutheran Worship Agenda* (St. Louis: Concordia Publishing House, 1984), 211.

[3] C. F. W. Walther, *The Proper Distinction Between Law and Gospel: Thirty-Nine Evening Lectures* (St. Louis: Concordia Publishing House, 1928), 280.

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(*bene esse*) of faithful teaching. And so we may reframe the question: "A Third Use of the Law: Is the phrase beneficial in the twenty-first century?"

Well, if you put it that way, yes. The phrase is potentially of great benefit to faithful teaching. Rightly understood it is conducive to a faithful application of the word of God. However, I must admit that my final answer does not seem as immediately obvious to me today as it did twenty-five years ago when I first entered the ministry. For us in the LCMS, the Third Use looms relatively large in our recent history. Scott Murray's book, *Law, Life and the Living God,* documents that history quite helpfully from the standpoint of a firm advocacy of the phrase.[4] Reviews of Murray's book illustrate how prominent and controversial the topic of a Third Use for the Law continues to be.[5] And, although Murray makes a convincing case that the denial of the Third Use in American Lutheran circles is connected to the current drift toward antinomianism, it must be noted that there are also many pastors and teachers today who are not antinomian even while they persist in declining the language of a Third Use. So I will give some time to the possibility that the term *Third Use* may not be the most beneficial way to speak about God's Law.

I. An Argument Against Third Use Terminology

There are two reasons to wonder about the benefit of Third Use terminology. The first pertains to an historical fact: the Third Use is an unwelcome novelty. The second concern is that the Third Use is viewed by many as a potential source for legalism to reenter our theology.

An Unwelcome Novelty

Luther had no Third Use of the Law. William Lazareth recapitulates this position:

> The international scholarly consensus on Luther and the Law was summarized in 1965 by Wilhelm Maurer. In contrasting Luther's approach with the title and parts of the later Formula of Concord (1577), Maurer judged: 'In Article VI, however, the Gospel is actually subordinated to the Law.'[6]

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[4] Scott R. Murray, *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism* (St. Louis: Concordia Publishing House, 2002), 11.

[5] The sainted Louis A. Smith was a friendly critic of Murray's book in his "A Third Use Is the First and Second Use," *Lutheran Forum,* 37 (Fall 2003): 64–67. See Matthew Becker for a vehemently critical review http://www.crossings.org/Thursday /Thur110603.htm and http://www.crossings.org/thursday /Thur111303 .htm.

[6] William Lazareth, "Antinomians: Then and Now," *Lutheran Forum,* 36 (Winter 2002): 18–19. However, against Ebeling's contention that the concept of Third Use is found in

Please note, this is both a historical assertion and a theological judgment. The historical assertion is that the Third Use is not in Luther, but a novelty later added to his theology. The theological judgment is that the gospel is subordinated to the Law in a Third Use of the Law.

The history seems conclusive. Philip Melanchthon actually introduced the Third Use into Reformation theology. Timothy Wengert has proven that the phrase comes to us as early as 1534, but its history goes back to the first Antinomian Controversy with John Agricola during the 1520s.[7] The debate arose because of the Visitation Articles and their attempt to reign in a growing tide of laxity and lawlessness in churches with a superficial understanding of the gospel. Agricola had replied with the assertion that to insist on good works for the believers was a betrayal of the doctrine of justification. Luther supported Melanchthon against Agricola, even though he saw much of the debate as more terminological than substantive. By 1534, when Melanchthon published the third edition of his *Scholia,* he formalized his view on the necessity of good works by adding a Third Use to his (and Luther's) previously two-fold categorization of the Law's function.[8] The Third Use then arose as part of a whole clarification of the relationship of justification and good works.

The theological judgment—that the Third Use subordinates the gospel to the Law—is by no means conclusive. Gerhard Ebeling, who missed the 1534 reference to the Third Use in the *Scholia* and first noticed the term in full development only in the *Loci* of 1535, agrees that the essence of the concept, though not the terminology, appears in the Apology and in *The Articles of Visitation.*[9] Lazareth disagrees, however, quoting Maurer's assertion: "Recent Luther research has adduced the evidence that the

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the *Apology,* Lazareth also quotes Maurer's assertion: "Recent Luther research has adduced the evidence that the doctrine of the third use is foreign to Luther; nor is it set forth in the Augsburg Confession or the Apology."

[7] Melanchthon's response to developing lawlessness was centered, as Wengert shows, both in his early emphasis on *poenitentia* and, eventually, in his addition of a Third Use to the Law's office. Timothy J. Wengert, *Law and Gospel: Philip Melanchthon's Debate with John Agricola of Eisleben over* Poenitentia (Grand Rapids: Baker Books, 1997). Chapter six gives the origins of the Third Use, 177–210.

[8] Wengert, *Law and Gospel,* 177.

[9] Ebeling's latter contention fits well with Wengert's development of the history of the first Antinomian debate because it was Agricola's disapproval of the *Articles* which led to the intemperate responses which Luther labeled *anti-nomos.* Gerhard Ebeling "On the Doctrine of the *Triplex Usus Legis* in the Theology of the Reformation," in *Word and Faith,* tr. James W. Leitch, (Philadelphia: Fortress Press, 1963), 69; see also and footnotes on 66–67.

doctrine of the third use is foreign to Luther; nor is it set forth in the Augsburg Confession or the Apology." [10] Gerhard Forde, also sees the Third Use (together with Melanchthon's tilt toward a view of justification as only forensic) as an idea that came into full force in the era of Lutheran Orthodoxy.[11]

Therefore, while rating the significance of the difference variously, all agree on this: the Third Use is an unwelcome novelty because Luther had only two. Luther addressed Agricola's antinomianism simply by continuing to stress the political First Use (curb) and theological Second Use (condemnation or mirror). Luther's Law of two uses was the genuine article. Melanchthon's novel idea of a Third Use evidently did not persuade Luther of its value, and receives no endorsement from these later scholars.

If, however, Melanchthon's Third Use was a novelty over against Luther, then Luther's two uses are an even greater novelty. The whole matter of uses of the Law is a new perspective from which to think and speak about God's Law. Wengert notes: "The notion that the law has uses or functions is a peculiarly Protestant concept with origins deep within Martin Luther's theology."[12]

Thomas Aquinas summarizes the catholic consensus on Law after a millennia and a half of history. Note his definition: "Law is an ordinance of reason, for the general good, made by whoever has care of the community, and promulgated."[13] Aquinas then refers to a divine eternal law (*lex aeterna*). "The plan by which God, as ruler of the universe, governs all things, is a law in the true sense. And since it is not a plan conceived in time we call it the eternal law."[14] Finally, Aquinas makes plain that Law in this sense is a way to speak of God's will. "As to God's will, if by that we mean the will itself, identical with God, then it is not subject to the eternal law but is itself the law . . . . "[15] That is the old teaching about the Law prior to Luther. This essential perspective goes back through catholic tradition to the earliest fathers, such as Irenaeus of Lyons, who wrote: "At first God deemed it sufficient to inscribe the natural law, or the Decalogue, upon the hearts of men; but afterwards he found it

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[10] Lazareth, "Antinomians: Then and Now," 19.

[11] Gerhard O. Forde, *The Law-Gospel Debate: An Interpretation of Its Development* (Minneapolis: Augsburg Press, 1969); see especially 175–199 for his response.

[12] Wengert, *Law and Gospel*, 191.

[13] Thomas Aquinas, *Summa Theologiae, A Concise Translation*, ed. Timothy McDermott, (Allen, TX: Christian Classics, 1989), 90:4, 281.

[14] Aquinas, *Summa Theologiae*, 91:1, 281.

[15] Aquinas, *Summa Theologiae*, 93:4, 285.

necessary to bridle, with the yoke of the Mosaic Law, the desires of the Jews."[16] Augustine is credited with the most extensive early development of the concept. Throughout the tradition is a view of God's Law which sees it as his eternal will, with the understanding that God can and does variously apply that Law with changing ordinances or statutes (positive law).

Over against this tendency to think of Law as an enduring ordinance of reason or *lex aeterna* and thus in relatively static or theoretical terms, there is something novel in both Luther's two uses and Melanchthon's third. In both, the Law is understood relationally or dialectically.[17] The use, not the fixed order, is emphasized; or, in other words, the office of the Law is given new attention over against a prior focus on its nature. That blessed novelty recovers the scriptural focus on what God does rather than a more philosophical focus on ideas about God's Law. In their emphasis on the office or uses of the Law, however, neither Luther nor Melanchthon lost the nature of the Law.[18] Both showed an obvious awareness that the relational functioning of the Law flows from its inscription on the human heart (Ps 37:31; 40:8; Rom 2:14).

Luther's rejection of Agricola, *Against the Antinomians*, is grounded in the fact that God's Law is unable to be abolished for it cannot be removed from the human heart.

> Whoever abolishes the law must simultaneously abolish sin. If he permits sin to stand, he must most certainly permit the law to stand; for according to Romans 5 [:13], where there is no law there is no sin. And if there is no sin, then Christ is nothing. Why should he die if there were no sin or law for which he must die? It is apparent from this that the devil's purpose in this fanaticism is not to remove the law but to remove Christ, the fulfiller of the law. For he [Satan] is well aware that Christ

[16] St. Irenaeus of Lyons, *Adversus Haereses*, Book IV, Chapter 15.

[17] For a brief but focused insight on the dialectical-relational aspect of Law and Gospel, see Smith, "A Third Use Is the First and Second Use," 67.

[18] One of the many helpful aspects of Murray's book is his argument not only for an emphasis upon the notion of *simul justus et peccator* in teaching and practice, but also upon the need to emphasize again the eternal *given-ness* of the Law as *lex aeterna*; see Murray, *Law, Life, and the Living God*, 91–165.

can quickly and readily be removed, but that the law is written in the depth of the heart and cannot be erased.[19]

Pastoral concern led Luther and Melanchthon to the dialectical office of the Law and its two uses. No less a pastoral concern caused them also to hold fast to the eternal dimension of the Law or will of God in the lives of believers. In so doing, both men enabled the new, evangelical emphasis upon the Law's relational functioning to be in the service of conserving the unanimous catholic understanding of the Law's continuing validity, seen clearly in the enduring notion of Natural Law. This is yet another area where Luther's Reformation sought not to repudiate the catholic consensus but to correct and complement it. Melanchthon's Third Use is not a betrayal of the evangelical catholic spirit, but an example of it, seeking to purify, not recreate, the church.

Potential Legalism

There is a second, corollary argument against Third Use terminology which demands even more critical examination—the charge that it fosters legalism. By the term *legalism*, I specifically mean the teaching that one's salvation is to any degree dependent upon one's fulfillment of God's Law.[20]

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[19] Martin Luther, *Luther's Works, Vol. 47: The Christian in Society IV*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1971), 110.

[20] Current dictionaries give as the first definition of the word *legalism* something along the lines of "strict adherence" to a law or code, e.g., *American Heritage Dictionary*, online at http://dictionary.reference.com/search?q=legalism or s.v. *Random House Webster's College Dictionary*, (New York: McGraw-Hill, 1991). Theological resources provide a little more clarity in the use of this slippery term. "A theological position which demands strict conformity to laws, codes, rules as the 'way' of salvation; a moralistic interpretation of the Scriptures; adherence to the letter rather than to the spirit of the Law;" Julius Bodensieck, ed., "Legalism" in *The Encyclopedia of the Lutheran Church,"* Vol. II (Minneapolis: Augsburg Publishing House, 1965), 1282. More helpful though is Watson: "In ethics, legalism is the idea that strict conformity to prescribed rules of conduct is the hallmark of moral goodness, even though the claims of compassion or even commonsense are thereby inhibited. In theology, it is the idea that man's fulfillment of God's law is the indispensable foundation of man's standing with God. It makes no difference whether the requirement of the law is understood in terms of outward conduct or inward motivation, or whether the fulfillment is brought about by man's unaided efforts or by the assistance of divine grace. *The point is that the religious relationship is governed by the law;*" P. S. Watson, ed., "Legalism" in *A Dictionary of Christian Theology* (Philadelphia: Westminster, 1969), 191; emphasis mine.

Gerhard Forde has passionately argued against common notions of sanctification.[21] Forde defines sanctification, as "the art of getting used to the unconditional justification wrought by the grace of God for Jesus' sake" and, secondarily, as "being salvationed," in an attempt to put the German noun *Die Heiligung* into English.[22]

> [S]anctification has been sharply distinguished from justification, and thus separated out as the part of the 'salvationing' we are to do . . . . We become the actors in sanctification. This is entirely false. According to Scripture, God is always the acting subject, even in sanctification.[23]

Since "talk about sanctification in any way apart from justification is dangerous," Forde distinguishes the gospel's unconditional promises from the Law's conditionality. [24] Even faith is no condition: "The unconditional promise, the divine decree of justification, grants everything all at once to the faith it creates . . . ."[25]

A gospel which bespeaks us righteous forces radically different thinking about sanctification. Conditional thinking, where sanctification is viewed as "making progress in cutting down on sin," is denied.[26] Justification is incompatible with most ideas of progress.

> There is a kind of growth and progress, it is to be hoped, but it is growth in grace—a growth in coming to be captivated more and more . . . by the totality, the unconditionality of the grace of God . . . . As Luther put it, "To progress is always to begin again."[27]

All of Forde's points about sanctification echo the worries many recent Lutherans have regarding the Third Use of the Law. The Third Use is viewed as part and parcel of a sanctification scheme that brings salvation to its fullness with our part of the equation. The worry seems valid: "Did you receive the Spirit by works of the law or by hearing with faith? Are you so foolish? Having begun by the Spirit, are you now being perfected by the flesh" (Gal 3:2b–3 ESV)?

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[21] Donald L. Alexander, ed., *Christian Spirituality: Five Views of Sanctification* (Downers Grove: InterVarsity Press, 1988). Forde's view is followed by Reformed, Wesleyan, Pentecostal, and Contemplative perspectives.

[22] Alexander, *Five Views of Sanctification*, 13.

[23] Alexander, *Five Views of Sanctification*, 15.

[24] Alexander, *Five Views of Sanctification*, 16.

[25] Alexander, *Five Views of Sanctification*, 23.

[26] Alexander, *Five Views of Sanctification*, 23.

[27] Alexander, *Five Views of Sanctification*, 27–28.

To paraphrase Paul, the enduring worry about the Third Use is this: Having begun by the gospel, are you now perfected by the Law? C. F. W. Walther shared this concern: "If these two doctrines are not kept separate, the merit of Christ is obscured; for when I am afraid of the threatening of the Law, I have forgotten Christ . . . ."[28] For the Law is dangerous. It slays the old man and his proud thought that he needs no savior. But it may also slay the new man if the gospel is silenced, and he looks to his perfection or progress as the means of completing a salvation that justification has left incomplete.

Any doubt about the potential of legalism entering theology via the Third Use is laid to rest by evangelical-Protestant teaching on the subject.[29] Despite the diversity of Protestant thinking on the Law, John Calvin's theological influence continues to be a dominant force. John P. Burgess, attempting to ground a theology of Law in the gospel, distinguishes between Luther and Calvin. For Luther, the emphasis in his understanding of the Law is its continuing accusation while obedience and good works flow spontaneously from faith.

> But Calvin, having once noted that our flesh is sinful and lazy, insists that we cannot do without an external pattern of righteousness. We need to be reminded of God's will and we need to be spurred into action . . . . [Therefore, f]or Luther, the "principal use" of the law is its spiritual, accusing use, whereas for Calvin it is the third use.[30]

Burgess notes how, unlike Luther, Calvin thinks "we really can grow in righteousness."[31] The focus of Christian life becomes one of Law. Burgess asserts:

> To live by the commandments, then, is to enter more fully into the life of God, as it has been mediated to us by Christ. The commandments are not a futile exercise in external religiosity. They cannot be opposed to a truer, more genuine piety of the heart. *The commandments set forth Christ to us*—not only by telling us more concretely and specifically of his way of life, but also *by communicating his living presence to us. To live by the law*

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[28] Walther, *The Proper Distinction Between Law and Gospel*, 64.

[29] Evangelical, Protestant, Evangelical Protestant, and Protestant Evangelical are used interchangeably. They are capitalized to denote a tradition apart from the (Eastern) Orthodox, Roman Catholic, or Lutheran communions.

[30] John P. Burgess, "Calvin's Third Use of the Law: An Assessment of Reformed Explications of the Ten Commandments," (paper delivered to The Society of Christian Ethics, 2001), 7; it is available online at://faculty.samford.edu/~whbunch/Chapter9.pdf.

[31] Burgess, "Calvin's Third Use of the Law," 7–8.

is like feeding on the eucharist (or, as Reformed theology would emphasize, also like hearing the preached word). *Obedience, like receiving the bread and wine, strengthens faith.* Law and eucharist can become forms of works-righteousness, but need not be.[32]

Despite his laudable desire to oppose antinomian forces from a standpoint of grace, to say that living "by the law is like feeding on the eucharist," or that "[o]bedience strengthens faith" are crass examples of legalism, possible only from one with fatally marred views both of the Law of God and, more importantly, the Holy Sacrament. Law is viewed as having the power to enable good works. More troubling, the Eucharist is an ordinance we obey, not a gift we receive.[33]

While Burgess makes a significant, albeit failed, attempt to avoid legalism, other Evangelicals seem to have little ability even to discern the danger of a legalistic view of our relationship with God. Rick Warren, for example, while he makes no claim to present a Third Use of the Law per se, consistently goes wrong in his *Purpose Driven Life* precisely in his understanding of the Law in a believer's life.[34] Indeed, his central focus is an implicit theology of Third Use shaped by a Reformed mindset. The Bible is an "Owner's Manual" and Warren's view of the Christian life centers in knowing what you are here to do, and not on faith in Christ.[35] Justifying faith rates only occasional, decision-focused mention. Warren asserts that on judgment day

> "God will ask us two crucial questions: First, *'What did you do with my Son, Jesus Christ?'* . . . did you accept what Jesus did for you and did you learn to love and trust him? . . . Second, *'What did you do with what I gave you?'* . . . The first question will determine *where* you spend eternity. The second question will determine *what you do* in eternity."[36]

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[32] Burgess, "Calvin's Third Use of the Law," 10; emphasis mine.

[33] Clearly, Burgess's view of the Lord's Supper is purely Calvinistic. It is primarily an ordinance to be kept rather than a saving act of God to be received. The emphasis is so skewed toward the "Do this" of the Words of Institution that the reality of the Sacrament is lost and its gracious character abrogated. Those who believe today's battles over the doctrine of the sacraments are mere verbal battles might reflect on the significance of Burgess's perspective.

[34] Rick Warren, *The Purpose Driven Life: What On Earth Am I Here For?* (Grand Rapids: Zondervan, 2002).

[35] Warren, *The Purpose Driven Life*, 20: "[The Bible] *is our Owner's Manual, explaining why we are alive, how life works, what to avoid, and what to expect in the future.*"

[36] Warren, *The Purpose Driven Life*, 34, emphasis original.

Another book, *Five Views on Law and Gospel*, provides a fascinating look at the internal debates regarding the Law among Evangelicals.[37] With views ranging from a classical Reformed perspective to a modified Lutheran view, five authors provide their perspective on how the Christian is to view the Law, or, more specifically, what role the Old Testament is to play as Law in the life of the Christian. Three of the five authors assert some form of endorsement of the continuing validity of the Mosaic Law. From a classical standpoint emphasizing moral Law only,[38] to a reconstructionist view denying only ceremonial obligations,[39] the authors assert to one degree or another that Christians live under obligation to obey the Old Testament.[40] All of Paul's warnings about the deadly power of the Law are references only to a legalistic misunderstanding that works could justify rather than references to the Law itself.[41] Apart from ceremonies, the Old Testament provides the standards for Christian life.[42]

Two other authors see discontinuity between the Old Testament and New Testament, denying that the Old Testament law remains obligatory. One contrasts the Law as the means of Old Testament sanctification with the Spirit sanctifying in the New Testament.[43] The last, Douglas Moo,

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[37] Greg L. Bahnsen, ed., *Five Views on Law and Gospel*, (Grand Rapids: Zondervan, 1996). This book contains essays by Willem VanGemeren (classic Reformed), Greg L. Bahnsen (Theonomic Reformed), Walter C. Kaiser, Jr. (OT exegete), Wayne G. Strickland (dispensational), and Douglas J. Moo ("modified Lutheran").

[38] Willem VanGemeren, "The Law is the Perfection of Righteousness in Jesus Christ," in *Five Views on Law and Gospel*, 29–30. He stresses that the Law's purpose "is Christian growth in grace, not justification or merit" (42) and sees the Ten Commandments as the summary of God's will and "the basis of the other codes" in both OT and NT.

[39] Bahnsen defends the theonomic (reconstructionist) perspective, "committed to the transformation or reconstruction of every area of life, *including institutions and affairs of the socio-political realm*, in accord with the holy principles of God's revealed Word . . . " [emphasis mine]. Greg L. Bahnsen, "The Theonomic Reformed Approach to Law and Gospel," in *Five Views on Law and Gospel*, 118, 124–139, 142.

[40] See Walter C. Kaiser, Jr., "The Law as God's Gracious Guidance for the Promotion of Holiness," in *Five Views on Law and Gospel*, 177–203. His discussion of the broad meaning of *torah* is somewhat helpful, but lacking the clarity of H. D. Hummel and other Lutheran exegetes. See Horace D. Hummel, *The Word Becoming Flesh: An Introduction to the Origin, Purpose, and Meaning of the Old Testament* (St. Louis: Concordia Publishing House, 1980).

[41] Kaiser, "The Law as God's Gracious Guidance for the Promotion of Holiness," 188.

[42] Kaiser, "The Law as God's Gracious Guidance for the Promotion of Holiness," 198–199. Kaiser sees the civil laws primarily from the standpoint of continuing validity because of their moral core while disputing the continuing acceptance of their penalties.

[43] Wayne G. Strickland, "The Inauguration of the Law of Christ with the Gospel of Christ," in *Five Views on Law and Gospel*, 229–279.

defends what he calls a "modified Lutheran" view, rejecting Calvin's emphasis on the Third Use of the Law, but also rejecting a primarily theological understanding of Law. Therefore, his rejection of the Law of Moses does not preclude legalism, for his emphasis on love as the focus of Christian sanctification leaves believers with yet another, more impossible standard of condemnation.[44] In the end, this five-way dialog is less about Gospel than Law, and primarily about a rather narrow legal question: Which laws apply?

It is not that we can avoid this question altogether, but Luther addresses another, more important, question: How shall we promote the Law?[45] His warning from the *Heidelberg Disputation* cannot be ignored: "The works of the righteous would be mortal sins if they would not be feared as mortal sins by the righteous themselves out of pious fear of God."[46]

Even when Luther encountered Agricola's antinomianism, he was acutely aware of a two-front war. He saw the antinomian danger: "the devil devotes himself to making men secure, teaching them to heed neither law nor sin, so that if sometime they are suddenly overtaken by death or

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[44] Douglas J. Moo, "The Law of Christ as the Fulfillment of the Law of Moses: A Modified Lutheran View," in *Five Views on Law and Gospel*, 319–376. While Moo's position is perhaps closest to a confessional Lutheran perspective (focusing on the accusing role the OT Law plays and refusing to redefine Paul's assertions that we are no longer "under the Law" as simply meaning that we are no longer to try to be justified by keeping the Mosaic Law), his salvation-historical view of Law leads him toward a position that the "Law of Christ" is an evolved understanding that love fulfills the Law.

[45] Much of Luther's teaching dealt precisely with the question of what laws should be promoted under the Gospel. One need only recall the vehement disputes of the Reformation over human traditions displacing God's commands as well as later debates with the Radical Reformation over the role Moses should play to know how important that question was for Luther. See his "Sermon on the Three Kinds of Righteousness" (1521) with its indictment of the false righteousness based on obedience to the laws of man rather than the laws of God at work in the Roman church in *Luther's Works, Vol. 44: The Christian in Society I*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald and Helmut T. Lehmann (Philadelphia: Fortress Press, 1966), 235–242. On the other hand, see "How Christians Should Regard Moses" (1525) in *Luther's Works, Vol. 35: Word and Sacrament I*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1960), 164–166; and "Against the Heavenly Prophets" (1525) in *Luther's Works, Vol. 40: Church and Ministry II*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1958), 97, which address the abrogation of Moses and improper urging of Old Testement Law by the sectarians.

[46] Martin Luther, *Luther's Works, Vol. 31: Career of the Reformer I*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1957), 40, 45–46.

by a bad conscience, they have grown so accustomed to nothing but sweet security that they sink helplessly into hell."[47] But he also saw the irony that antinomianism does not avoid the Law: "they want to do away with the law and yet teach wrath, which is the function of the law alone. Thus they merely discard the few letters that compose the word 'law,' meanwhile affirming the wrath of God, which is indicated and understood by these letters."[48] But none of this led Luther to adopt Third Use terminology.

It is also noteworthy that Walther, in his greatest work, pointed focus elsewhere than the Third Use of the Law. In *Law and Gospel* he never uses Third Use terminology or quotes from Article VI of the Formula. When he explains how to promote good works and godly living, he pointedly turns his hearers' attention away from any use of the Law to the Gospel.[49]

Indeed, the danger of legalism is real. To make Law the center of Christian life is to forget the Gospel. And, ironically, it is to promote deadly sin. The recognition of this critically important truth is Luther's most profound insight. No wonder so many of his students have questioned any formulation that might be understood to encourage godly living by focusing on the Law of God.

"He is not righteous who does much, but he who, without work, believes much in Christ," warns Luther.[50] A misunderstood Third Use becomes the great misuse of the Law where it is thought to teach that the really important thing for a Christian is to get busy and "do all the great things God intends for me to do," or where it implies that the regenerate child of God now needs nothing but an instruction manual to finish the salvation that was started by faith. All the busyness of Christian life becomes a blasphemous elevation of my purpose while the simple worship of faith is forgotten. After all, it is "The Law [that] says, 'do this,' and it is never done. [While g]race says, 'believe in this,' and everything is already done."[51]

If antinomianism is less an eternal danger than legalism, and if the Third Use as a phrase is potentially confusing, perhaps we should let it go. After

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[47] *LW* 47:111.

[48] *LW* 47:115.

[49] Walther, in Thesis XXIII, opposes any confusion of Law and Gospel with regard to Christian living: "when an endeavor is made, by means of the commands of the Law rather than by the admonitions of the Gospel, to urge the regenerate to do good." *The Proper Distinction between Law and Gospel*, 381–390.

[50] *LW* 31:55.

[51] *LW* 31:56.

all, it is arguable, as William Lazareth and Louis Smith have pointed out, that the Third Use, from a Lutheran standpoint, is "not so much a different use of the Law of God as it is a different user."[52]

Yet, I am not convinced. Indeed, perhaps the most important reason that the arguments against Third Use are unpersuasive is the confusion, terminological and theological, that has ensued in our era where Third Use has been widely rejected. In many cases, antinomianism has resulted. But, more importantly, those teachers and theologians who have recognized the danger of antinomianism while also declining Third Use language have inevitably sought other words to express the continuing call to good works for believers. As Murray points out so well, a desire to uphold the enduring character of ethical norms shows itself in a cacophony of new terms—*Gebot, paraklesis,* gospel imperative, imperatives of grace, second use of the gospel—none of which finally resolve the problem of effectively communicating God's truth.[53] Terminological confusion, rather than being resolved, abounds.

What must be emphasized is that the real point of confusion is not so much centered in the uses of the Law—either their numbering or a particular phrase—but in the very doctrine of divine Law itself. Neither adopting nor rejecting the phrase Third Use of the Law will necessarily save us from the dangers of antinomianism on one side or legalism on the other. But the concept of the Third Use as it is confessionally defined will help us.

II. Third Use of the Law: Benefits of the Terminology

Antinomianism: A Continuing Challenge

The obvious reason to retain Third Use terminology is the purpose for which it was originally developed. Few will disagree that Western civilization and, more specifically, popular American culture have changed dramatically in recent years. Samuel P. Huntington reminds us what civilization and culture are all about.

> Civilization and culture both refer to the overall way of life of a people, and a civilization is a culture writ large. They both involve the "values,

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[52] Lazareth, "Antinomians: Then and Now," 20. See also Smith, "A Third Use Is the First and Second Use," 67: "The first and second uses are directed to actual believers as much as to anyone and my denial of a third use is not at all a denial of a place for the Law in the lives of Christians."

[53] Murray, *Law, Life, and the Living God,* 107–111. Smith also grants this point; "A Third Use Is the First and Second Use," 66.

> norms, institutions, and modes of thinking to which successive generations in a given society have attached primary importance" . . . . Of all the objective elements which define civilizations, however, the most important usually is religion . . . .[54]

It is in these areas where the most obvious cultural changes are occurring both in Western civilization and in popular American culture.[55] While American culture is far more religious than European, to ignore the level of cultural change pertaining to religion in America would be blindness. One can clearly see a dramatic shift taking place, less in terms of external identification with Christianity than in moral beliefs and behavior. George Barna's continuing studies strongly suggest that a growing percentage of Americans view such personal conduct as drunkenness, pornography, adultery, fornication, and homosexual conduct as morally acceptable. Most troubling, but not surprising, is that the rates of change are highest in the age groups from 18 to 38.[56] A decade long study of American teens by the Josephson Institute of Ethics reveal a generation of young people in which a growing majority cheat, lie, and engage in violence with little or no sense of guilt.[57]

Sexual conduct may elicit the most frequent commentary regarding changes in moral attitudes and behavior. If reality television is in any way an indicator of American culture, then shamelessness in general—indeed, an arrogant shamelessness incapable of embarrassment—is the prime indication of a moral sea-change. After all, it is morality, an inner sense of right and wrong, that produces shame. To lose morality is to glory in shame (Phil 3:19).

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[54] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996), 41–42. Huntington incorporates the definition of Adda B. Bozeman, see endnotes 1 and 4 on 325.

[55] One must distinguish between the concepts of Western civilization and popular American culture, especially with respect to religion. If we divide Western civilization into two major foci, European and American culture, then religious change is most dramatic in Europe and, at least arguably, rather minimal in America. Europe is, by all accounts, essentially irreligious. America, on the other hand, continues to be broadly (if not deeply) religious, and, by self-identification, strongly Christian. See the evidence presented by one who puts the very best construction on the level of religiosity still present in the Western world; Philip Jenkins, *The Next Christendom: The Coming of Global Christianity* (Oxford: Oxford University Press, 2002), 94–105.

[56] See, e.g., "The Barna Update: Morality Continues to Decay," Nov. 3, 2003, http://www.barna.org/FlexPage.aspx?Page=BarnaUpdate&BarnaUpdateID=152.

[57] Josephson Institute of Ethics, "2002 Report Card on the Ethics of American Youth: Press Release and Data Summary," http://www.josephsoninstitute.org/Survey2002/survey2002-pressrelease.htm.

Make no mistake, this is not only a secular problem. Barna does maintain that those Christians he identifies as evangelical (by his criteria, this would include members of the LCMS and perhaps many Roman Catholics), have both convictions and behavior significantly different from the norms. Nevertheless, it is clear that in American Christianity theological confusion and antinomianism both abound. Ours is a culture with ever-expanding laws coupled with growing lawlessness. Rights are everything to us, restrictions are for others.

Yet, with all our moral confusion, Satan has not quite extinguished the sickening feeling in our gut that something is wrong—at least with others—if not myself. For, in the midst of our antinomianism, there is also a raging flood of anomie. Lawlessness indeed means pointlessness. As much as we hate it, we long for some moral bounds and for a consequent sense that there is a reason, order, and point to human existence. So, in pharisaical irony, while we insist that greed is good and fornication an inalienable right, we also hiss at the sins *du jour* and console ourselves with our moral decency: I'm not a Martha Stewart or a pedophile priest.

Both the Roman Catholic Church and Evangelicalism are seeking to address the chaos. The letters and encyclicals of John Paul II as well as the *Catechism of the Catholic Church* have addressed the lawlessness that is rampant particularly within the Western world. The *Catechism* again asserts a largely Scholastic progression from Law to counsels,[58] while John Paul has pointedly addressed the "soulless vision of life" in America and the Western world.[59] The encyclical *Veritatis Splendor* vigorously upholds the idea of divine Law and its necessary role in human conceptions of societal life. In that encyclical John Paul II identifies that the moral problem is connected to a deeper doctrinal one: "currents of thought which

[58] Starting from the catholic consensus on Natural Law, the Roman Church then focuses on the Mosaic Law, now fulfilled, and, lastly, the Law of Christ. Beyond the rubric of obligatory Law, the "Evangelical Counsels" are offered as without demand "to remove whatever might hinder the development of charity." "The precepts of the Church," on the other hand, are obligations guaranteeing "to the faithful the very necessary minimum [!] in the spirit of prayer and moral effort, in the growth in love of God and neighbor." *Catechism of the Catholic Church: Revised in accordance with the Latin Text promulgated by Pope John Paul II*, 2nd Edition (Vatican City: Libreria Editrice Vaticana, 1997), III:1950–1984, 2030–2051.

[59] Quoted by Dale Buss, "Christian Teens? Not Very," *Wall Street Journal*, Friday, July 9, 2004.

end by detaching human freedom from its essential and constitutive relationship to truth."[60]

Evangelicals have also tried to address our antinomian confusion. Not all of the growth of Evangelicalism is by entertainment evangelism! Much is due to a steadfast and commendable willingness to speak out on matters of right and wrong and to articulate clearly a Christian vision for the meaning of life. Rick Warren's book, for example, although theologically flawed, is noteworthy for the responsive chord it has struck. In a society where consumerism and rank lawlessness are consistent characteristics of the American soul, Warren has clearly identified a pressing need.[61] Moreover, the influence of Evangelicals in the so-called culture wars has been significant. Evangelical pastors, theologians, and laity are addressing both our antinomianism and our anomie.

From the standpoint of Lutheran theology it is clear that neither the Roman Catholic nor the Evangelical approaches to lawlessness adequately address the problem. However, it is debatable whether any Lutherans have provided equally effective contemporary responses to our culture. Our relative silence is unfortunate—particularly the silence of the LCMS—because we are uniquely positioned to learn from both groups of fellow Christians and address these issues from the most genuinely ecumenical and thorough standpoint. That is to say, more than virtually any other Christian group, we ought to be able to provide a genuinely evangelical and catholic voice to address our society's problems. The Third Use of the Law may help.

One Law Through All Ages

This is so because to reaffirm the Third Use of the Law as it is confessionally conceived, would, first, require a recovery of the idea of Natural Law. Carl Braaten points out that Protestants in general have tended in recent time to minimize or even deny the notion of Natural Law. Indeed, among Lutherans, part of the discomfort with the Third Use of the

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[60] John Paul II, "*Veritatis Splendor*," 6 August 1993 (Vatican City: Libreria Editrice Vaticana, 2003), http://www.vatican.va/edocs/ENG0222/_INDEX.HTM.

[61] I do not want to imply that Warren's *Purpose Driven Life* is all bad. I am impressed by his expansive grasp of Scripture, his insightful diagnosis of our society's deep need for a sense of purpose, and his ability winsomely and memorably to articulate his ideas. However, as is so often the case with our Evangelical brothers, theological imbalance is the problem. Ignoring or demeaning the great deposit of catholic consensus leads inevitably to a reformation which is every bit as theologically dangerous as the Romanism they seek to address.

Law has included a distancing from Natural Law.[62] For Luther, however, Natural Law is foundational to his theology of Law. The Law on our hearts (Rom 2) precedes the fall. Luther endorses the catholic consensus on the eternal Law underlying the Natural Law but strips it of the accretions of Scholastic theology.

In his 1519 Lectures on Galatians, Luther states:

> No less carefully must one understand that very popular distinction which is made among natural law, the written law, and the law of the Gospel. For when the apostle says here that they all come together and are summed up in one, certainly love is the end of every law, as he says in 1 Tim 1:5. But in Matt. 7:12 Christ, too, expressly equates that natural law, as they call it—"Whatever you wish that men would do to you, do so to them"—with the Law and the prophets when He says: "For this is the Law and the prophets." Since He Himself, however, teaches the Gospel, it is clear that *these three laws differ not so much in their function as in the interpretation of those who falsely understand them.* Consequently, this written law, "You shall love your neighbor as yourself," says exactly what the natural law says, namely, "Whatever you wish that men would do to you [this, of course, is to love oneself], do so to them [as is clear, this certainly means to love others as oneself]." But what else does the entire Gospel teach? *Therefore there is one law which runs through all ages, is known to all men, is written in the hearts of all people, and leaves no one from beginning to end with an excuse, although for the Jews ceremonies were added and the other nations had their own laws, which were not binding upon the whole world, but only this one, which the Holy Spirit dictates unceasingly in the hearts of all.*[63]

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[62] Carl E. Braaten, "Natural Law in Theology and Ethics," in *The Two Cities of God: The Church's Responsibility for the Earthly City,* ed., Carl E. Braaten and Robert W. Jenson (Grand Rapids: William B. Eerdmans Publishing Co., 1997), 42–43; see also e.g., Gustaf Aulén, *The Faith of the Christian Church* (Philadelphia: Fortress Press, 1960) and William Lazareth, *Christians in Society: Luther, the Bible and Social Ethics* (Minneapolis: Fortress Press, 2001), 74, 239. Lazareth objects to the notion that Natural Law is an eternal law (*lex aeterna*).

[63] Martin Luther, *Luther's Works, Vol. 27: Lectures on Galatians, 1535, Chapters 5–6, 1519, Chapters 1–6,* American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (St. Louis: Concordia Publishing House, 1964), 355; emphasis mine. See also Piotr J. Malysz, "The Third Use of the Law in Light of Creation and the Fall," in *The Law in Holy Scripture,* ed. Charles A. Gieschen (St. Louis: Concordia Publishing House, 2004), 211–237.

"One law through all ages" describes Luther's perspective—and that Law is the Law of nature, inscribed by the Creator from the very beginning, underlying the Old Testament Law and made explicit by the New Testament. Thus he clarifies a point of confusion that continues to exist regarding what to do with Moses's stipulations versus the "Law of Christ" versus necessary but changing man-made rules for communities. The persisting confusion that fails to see that Christ demands no more of us than God had ever asked—that the Law of love for God and the neighbor originates neither in Christ, nor in Moses, but from the very beginning—is resolved.

Again in 1525, Luther clearly opposed any sort of gospel licentiousness over against God's Law through his affirmation of Natural Law. In his brief *Against the Heavenly Prophets,* he asserts Natural Law as the hermeneutical principle that enables one to distinguish those elements of Mosaic law which still apply to Christians. Additionally, he asserts both the continuing validity of Natural Law and the complete spiritual abrogation of all Law with respect to salvation.

> Thus, "Thou shalt not kill, commit adultery, steal, etc.," are not Mosaic laws only, but also the natural law written in each man's heart, as St. Paul teaches (Rom. 2[:15]). Also Christ himself (Matt. 7[:12]) includes all of the law and the prophets in this natural law. "So whatever you wish that men would do to you, do so to them; for this is the law and the prophets." . . . *Where then the Mosaic law and the natural law are one, there the law remains and is not abrogated externally, but only through faith spiritually, which is nothing else than the fulfilling of the law (Rom. 3 [:31]).*"[64]

The same understanding of the enduring significance of Natural Law is reflected in the Lutheran Confessions. In the Large Catechism Luther compares and contrasts Law and Gospel, Commandments and Creed, from the standpoint of reason and Natural Law.

> From this you see that the Creed is a very different teaching than the Ten Commandments. For the latter teach us what we ought to do, but the Creed tells us what God does for us and gives to us. The Ten Commandments, moreover, are written in the hearts of all people, but no human wisdom is able to comprehend the Creed; it must be taught by the Holy Spirit alone. Therefore the Ten Commandments do not succeed in making us Christians, for God's wrath and displeasure still remain upon us because we cannot fulfill what God demands of us. But the Creed brings pure grace and makes us righteous and acceptable to

[64] *LW* 40:96–97; emphasis mine.

> God. Through this knowledge we come to love and delight in all the commandments of God because we see here in the Creed how God gives himself completely to us, with all his gifts and power, to help us keep the Ten Commandments: the Father gives us all creation, Christ all his works, the Holy Spirit all his gifts. (LC II,67-69)[65]

Luther is not alone. Melanchthon in the Apology similarly asserts Natural Law, with its reasonability, particularly in the area of civil righteousness, as a cause for human susceptibility to the assumption of seeking justification by means of the Law (Ap IV,7-8).[66] So also the authors of the Formula share this endorsement of Natural Law. Indeed, it is precisely the understanding that the Law of Nature continues from creation to eschaton that results in the confessors' approval of a Third Use of the Law. Listen to the rationale offered at the beginning of Article VI:

> We believe, teach, and confess that, although people who truly believe in Christ and are genuinely converted to God have been liberated and set free from the curse and compulsion of the law through Christ, they indeed are not for that reason without the law. Instead, they have been redeemed by the Son of God so that they may practice the law day and night (Ps. 119[:1]). For our first parents did not live without the law even before the fall. *This law of God was written into the heart, for they were created in the image of God.* (Ep VI,2)[67]

The Solid Declaration is even clearer:

> For although "the law is not laid down for the righteous," as the Apostle testifies [1 Tim. 1:9], "but for the unrighteous," this is not to be understood simply in such a way that the righteous should live without any law. *For God's law is written in their hearts, and the law was given to the first human being immediately following his creation according to which he was to conduct his life.* Instead, Paul holds that the law cannot burden those whom Christ has reconciled with God with its curse and cannot torment the reborn with its coercion because they delight in the law of the Lord according to their inward persons. (SD VI,5)[68]

Attempts to drive a wedge between Luther and the authors of the Formula on this point strike me as both sophistic and dangerous. Althaus is right to conclude that "[i]n substance . . . [the Third Use] also occurs in

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[65] Kolb and Wengert, *The Book of Concord*, 440.
[66] Kolb and Wengert, *The Book of Concord*, 121.
[67] Kolb and Wengert, *The Book of Concord*, 502; emphasis mine.
[68] Kolb and Wengert, *The Book of Concord*, 588; emphasis mine. See also SD V,17-19, 22

Luther."[69] That Luther does not use Third Use language does not matter in the least given his vigorous and consistent endorsement of Natural Law. Whether one speaks of Natural Law or eternal Law or the Law on our hearts or immutable Law or, on the other hand, stridently insist on *Gebot* rather than Law, orders of creation instead of natural law, or even, most unhappily of all, gospel imperatives instead of Third Use of the Law (like that will avoid legalism?), all of it comes down to this: from the very beginning, since God placed the stamp of *tôb* (good!) on his creation, there is good and, in its absence or corruption, there is bad. God wills what is good! That will not change. All the Confessions agree. Even critics of a Third Use have to admit that. So Smith asserts a Third Use that he prefers simply to call the continuing first and second uses,[70] and Lazareth finally asserts: "to be both accurate and fair, the Formula of Concord's Article VI (however mislabeled) is surely faithful to both Paul and Luther in its clear repudiation of the twin ethical errors of legalistic activism and antinomian quietism."[71]

The Law Clarified

The Confessions and Luther are consistent in carefully distinguishing both God's enduring insistence on goodness and our failure to achieve it. Indeed, they assert that humans can naturally understand the demand for good and the obvious human failure to be good. The only point of debate between Luther and other confessors on this matter may be how much of the truth of God's Law they think is written on the human heart. Luther (ever the most radical), as we have already seen, consistently asserts that it is all there—all the commands of God are there, from the first to the last, in the Natural Law. The persistence of everything from religion to the Golden Rule and all the rest of humanity's feeble attempts at obedience prove that the whole Law is there for him. Melanchthon, on the other hand, is more cautious, talking about aspects of the law that are "far beyond the reach of reason," like faith and trust in God (Ap IV,8).[72]

This, too, is a distinction without a difference. From Luther to the Formula, there is a consistent understanding not only of Natural Law, but also of the deep corruption of humanity precisely in our reason. We do not even understand what we understand. We do understand that there is good and bad, but we do not really get how deeply we have corrupted the

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[69] Paul Altaus, *The Theology of Martin Luther* (Philadelphia: Fortress Press, 1966), 273.
[70] Smith, "A Third Use Is the First and Second Use," 67.
[71] Lazareth, *Christians in Society*, 241.
[72] Kolb and Wengert, *The Book of Concord*, 121.

good. We do long for goodness. Yet that does not make us good. We ache and grieve and ultimately die, but we still do not get how hopeless we are.

So we need God to explain. His Law is made unmistakably clear only when we hear his word. The Law is on our hearts, but we need the clarity of God's word to quell our confusion as Satan asks, "Did God really say?" and our rationalizations for disobedience abound. Only the New Testament finally makes absolutely clear how expansive and profound the eternal Law of God is, but what is clearest from all revealed Law is violation. "Has not Moses given you the Law, yet none of you keeps the law?" (John 7:19). Violation, failure, condemnation, wrath, guilt, death—all the things reason knows but wants to deny—is what God's revealed Word compels us to admit.

For the sake of clarity and truth, we must teach Natural Law. It affirms what all the world knows: something is wrong. And we must also reassert the revealed Law, for it reveals what we do not get: the something wrong is me. The Law destroys our pretensions. It refuses to free us from our sins, but rather binds them ever more tightly to us (Acts 13:39; Matt 16:19), indeed even instigating a frustrated rebellion against its unyielding harshness so sin grows (Rom 5:20; 7:7–9). It continues its accusing (Rom 2:15) until it has finally shouted down all our excuses and rationalizations and shut us up (Rom 3:19). Then, like Judah's lion, it drags us dying to Christ, the Rock that crushes whatever determined pride remains even as he is the Cornerstone for the penitent (Matt 21:42–44; Rom 9:32; 1 Pet 2:1–9).

There is a Third Use of the Law for the same reason there are fourth, fifth, and seventy times seventieth uses of the Law. Believers (a.k.a. "sinner-saints") never out-live their need for penitential preaching while we are part of this natural world in which something called good identifies the reality of evil. That is what Luther told the antinomians: " . . . if there is no sin, then Christ is nothing. Why should he die if there were no sin or law for which he must die?"[73] The Formula confesses the very same understanding in the Epitome's first three affirmative theses and one negative thesis (Ep VI,2–4,8)[74] or, in the words of the Solid Declaration: "Therefore, as often as believers stumble, they are reproved by God's Spirit

[73] *LW* 47:110.

[74] Kolb and Wengert, *The Book of Concord*, 502, 503.

from the law, and by the same Spirit they are restored again and comforted with the proclamation of the holy gospel" (SD VI,14).[75]

Luther and the Confessions also affirm another, greater truth—indeed, only because they do not allow the Law to be diminished, do they have another, greater truth. Just as Luther argued that the devil's purpose in the promotion of lawlessness is not so much rebellion as it is "to remove Christ, the fulfiller of the law,"[76] so he all the more vigorously asserts the gospel as the only means by which there can be a good work and so the only basis by which the Law gains a welcome role in human life. Only the gospel grows good trees (Luke 6:43). Luther's *Sermon on the Three Kinds of Righteousness*, with its imaginary tour of the temple (or church), ends in the Holy of Holies, where we receive Christ and the Spirit. Here Luther concludes: "Faith alone saves. Why? Faith brings with it the Spirit, and he performs every good work with joy and love. In this way the Spirit fulfils God's commandments, and brings a man his salvation."[77] Is that in any way different than the Formula's assertion that after the Holy Spirit's renewal of the human heart by the gospel, only then can the Law "instruct the reborn and show and demonstrate to them in the Ten Commandments what is the 'acceptable will of God'" (SD VI,12)?[78]

For these reasons, it would be good for clear teaching if we could school ourselves to speak of the result of the Third Use carefully. Anything implying that the result is works of the Law must be avoided. It is far better to speak simply in terms of *good works* as Luther does so consistently, or *fruits of the Spirit* as in the Formula (Ep VI,5–6).[79] Speech is bridled so that truth might be preserved, but more importantly, that it might be proclaimed. For the truth God has made known is truth for all the world.

Truth for All the World

If the Law is a continuing truth in this created world, a truth that resonates both in human reason and the deepest human needs, and if the gospel alone provides a way to answer those needs and to produce genuine goodness, then there are no more important truths than this. And, like all truth, this is a matter of words—the One Word made flesh in

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[75] Kolb and Wengert, *The Book of Concord*, 589.
[76] *LW* 47:110.
[77] *LW* 44:242.
[78] Kolb and Wengert, *The Book of Concord*, 589.
[79] Kolb and Wengert, *The Book of Concord*, 503.

particular, then also, words flowing toward, from, and through him. Truths need clarity of expression, and—please God!—simplicity. The simplicity of the Third Use also persuades me of the benefit of the phrase Third Use of the Law. How important clear confession is over against the satanic mushiness that flows all around. A Britain named John Henson, who recently published a paraphrase of the Bible called "Good as New," is now also overhauling the creed to say: "God is 'personal and passionate. God seeks friends. God is active, creative, explorative; God is strong and tender with a great sense of humor.' To which a hearer asked: 'Is this a creed or a singles ad?'"[80]

The teaching of the Formula on the Third Use is clear, careful, and precise; it is utterly unromantic but entirely graceful. On a pastoral level, the Third Use idea relieves the inner fears of the average believer who is rightly horrified by the notion that Christian freedom means irreverence for God's Law. Third Use terminology, in my experience, does not produce legalists; it enables ordinary believers to understand how the same Law can both condemn and also be a delightful gift in a confusing world where the reborn actually want to be good.

Third Use therefore also provides an important missionary and ecumenical function. Consider, first, an ecumenical benefit. "Grace and truth" (John 1:17) is the one message the church has ever had to proclaim, that the entire world requires, by which the world may first die and then live. It is the catholic evangel: the truth that with varying degrees of clarity is uttered across the spectrum of the trinitarian faith from Catholic to Evangelical. And, it is a truth which has been graciously preserved where Evangelical and Catholic meet, in the churches where "the gospel is purely preached and the holy sacraments are administered according to the gospel" (*CA* VII,1).[81]

Our Confessions place us squarely in the middle between the poles of Christianity. What other church can be said to hold both to such truly catholic beliefs as the life-giving power of the Sacraments together with such evangelical beliefs as the inerrancy of Scripture and the power of the gospel for salvation? So also, a Lutheran understanding of the Third Use of the Law is supremely evangelically catholic. On one side, it affirms that Natural Law theology, which Rome has so thankfully maintained, even as Lutherans evangelically assert the authority of God to correct human

[80] R. N. Ostling, "'Good as New' Retells Bible," *The Courier Post*, Saturday, December 4, 2004.

[81] Kolb and Wengert, *The Book of Concord*, 42.

reason's misunderstandings of his eternal Law, as he does only in his word. On the other hand, the Third Use endorses the Evangelical's correct perception that justifying grace and sanctifying grace are not strangers, all the while reminding our brothers of these three truths: first, that both justification and sanctification are the results only of the Holy Spirit's work; second, the catholic truth of the communion of saints in which the Spirit works; and third, the means of grace by which the Spirit conducts this saving and sanctifying work. For both Rome and Geneva, moreover, a Lutheran Third Use reminds the suspicious among them that Luther's radical gospel is not antinomian.

Even as the Third Use has an ecumenical benefit, it has an even more important missionary benefit, as the letter to Diognetus reminds us: "What the soul is to the body, Christians are to the world."[82] Being in but not of the world, citizens yet foreigners, dying yet alive—that is the vocation of believers as the world's soul. Yet, this is not a calling we achieve. Rather it comes because of the Word made flesh through whom

> grace, widely spread, increases in the saints, furnishing understanding, revealing mysteries, announcing times, rejoicing over the faithful, giving to those that seek, by whom the limits of faith are not broken through, nor the boundaries set by the fathers passed over. Then the fear of the law is chanted, and the grace of the prophets is known, and the faith of the gospels is established, and the tradition of the Apostles is preserved, and the grace of the Church exults . . . .[83]

This early Christian letter reminds us that the church's mission was understood broadly, not only referring to evangelism or the ministry of word and sacraments to the world, but also to the adorning of the gospel with holy lives (Titus 2:10). In this, "the fear of the law is chanted."

In many respects the church by the wisdom and power of the Holy Spirit has been a vibrant and living soul within the body of the world. Alvin Schmidt argues that Christianity is largely responsible for much of the good that has come to be identified with Western civilization.[84] From hospitals to the personhood of women, societal blessings flowed from applications of the enduring Law of God. How could it be otherwise for those who hold the Christian faith? To look at the world from the

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[82] Mathetes, "The Epistle of Mathetes to Diognetus," in *The Ante-Nicene Fathers Vol. I: Translations of the Writings of the Fathers Down to AD 325*, ed. Alexander Roberts and James Donaldson (Grand Rapids: William B. Eerdmans Publishing Co., 1899), 27.

[83] Mathetes, "The Epistle of Mathetes to Diognetus," 29.

[84] Alvin J. Schmidt, *Under the Influence: How Christianity Transformed Civilization* (Grand Rapids: Zondervan, 2001).

standpoint of faith is to see a fallen world of injustice and disrepair in need of redemption, crying out for a new and different future. This unavoidably eschatological Christian perspective properly always looks beyond this world for genuine redemption, but it cannot ignore the agendas for earthly improvement founded on God's Law.[85]

Perhaps surprisingly, this fact is being strongly affirmed by the interest of contemporary Chinese intellectuals in Christian thought. David Aikman has pointed out that the phenomenal growth of the Christian faith in China—despite half a century of prejudice, oppression, and persecution—has been accompanied by rising intellectual interest in the influence that Christian morality, ideals, and social ethics (Law, in other words) had on the rise of Western civilization.[86]

On the other hand, where the church fails to uphold the continuing validity of God's Law for all the world, the church undermines its mission. Few things could be clearer. Though Chinese Christians are deeply interested in Christian history and the customs, practices, and social institutions Christian moral theory has spawned, like most of the rest of the world, they are now looking on in baffled astonishment at Western civilization and culture as a whole. Huntington has pointed out that, contrary to some of our conservative political fantasies, the non-Western world does not look on the West and long to be like us. Rather, as Meic Pearse argues in *Why the Rest Hates the West,* the rest of the world sees a new barbarianism in us.[87]

This is because Western civilization is suffering from a crisis of un-natural law. Our own legal system is leading the attack on the most basic, reasonable, and cross-cultural moral codes. The secularization of morality and the individualizing of rights give law an un-natural bent so that the most helpless of humans are the least protected, while the lustful longings

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[85] We should not assume that the other cultures or religions of the world share this perspective with such clarity. Robert Jenson persuasively asserts: "The very notion of an 'agenda' for the world, of a goal of worldly existence and of a historical path to it, is unknown in the world apart from the intrusion of the biblical faiths." "The Church's Responsibility for the World," in *The Two Cities of God: The Church's Responsibility for the Earthly City,* ed. Carl E. Braaten and Robert W. Jenson (Grand Rapids: William B. Eerdmans Publishing Co., 1997), 5.

[86] David Aikman, *Jesus in Beijing: How Christianity Is Transforming China and Changing the Global Balance of Power* (Washington, D.C.: Regnery Publishing Co., 2003); see especially 245–262.

[87] Meic Pearse, *Why the Rest Hates the West: Understanding the Roots of Global Rage* (Downers Grove, IL: InterVarsity Press, 2004), 34.

of homosexuals are given the same protection as the life-long bonding of a man and woman for the continuance of human life. What is that but unnatural law?[88] The non-Western, and in many cases non-Christian, world's absolute disgust and bafflement at the oxymoronic idea of homosexual marriage is one of the strongest proofs yet of the fact that some semblance of divine law is written on the human heart. When representatives of the Christian church endorse and promote such contrarities of nature, almost nothing could be more damaging to the Christian mission. Thank God that, as Lambeth showed, the Third World's bishops and churchmen will not meekly stand by as the Western church undermines the mission of the church catholic.

The Third Use of the Law in our churches will encourage Christian citizens to speak and to act in obedience to important societal truths. Christians ought to endorse those practices reflecting the Law as written on the human heart.[89] Even more, the Third Use of the Law reminds us that, more important than the endorsement of these ideas for our society, God calls us to reflect them directly in our lifestyles.

Third Use and Pastoral Practice

Good pastoral care also benefits from the Third Use of the Law. A right pastoral use of the Third Use will be centered, as Murray shows so consistently, in our dual character as sinner-saints.[90] Hence, pastoral care will always involve feeding and refreshing our sin-wearied flocks with the gospel of font, pulpit, confessional, and table. But loving pastoral care also involves the rod and staff of God's Law, curbing the sin of straying sheep and also guiding the flock. I have been struck, over the years, by the frequent eagerness of new Christians—oftentimes from completely different cultures and religions—for the guidance of God's word as to how they might now begin to structure their lives and direct the love for God and the neighbor that the Spirit pours into their hearts. David's words of delight in the law of God are no mystery to them (Ps 1:2; 40:8; Rom 7:22).[91]

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[88] For a reaffirmation of the classical Christian idea of Natural Law to jurisprudence, see the thoughtful brief by Russell Hittinger, *The First Grace: Rediscovering the Natural Law in a Post-Christian World* (Wilmington, DE: ISI Books, 2003).

[89] E.g., encouragement of life-long faithful marriage for man and woman; preservation of human life in the womb and at the end of life; condemnation of any racial discrimination; and reinforcement of societal and individual responsibilities (i.e., payment of taxes and debts, respect for authority, care of the helpless and the poor, etc.).

[90] Murray, *Law, Life, and the Living God*, 58–60.

[91] I recall a conversation some years ago with a man whose life had been marked by severe abuse of drugs, alcohol, and sex. I said something about how difficult it is to try to refrain from such abuse. His reply was something like this: "Quitting ain't nowhere

If the purpose of all pastoral care is that sheep would follow their shepherd, then we simply cannot neglect speaking the shepherd's words to the flock. Obviously, the central word of the shepherd is his constant affirmation of gracious and forgiving love, even (or dare I say, especially) for the most unruly sheep. But that is not all the shepherd says to his beloved sheep. We cannot ignore his scoldings, warnings, or explicit directions. Any undershepherd who fails to speak also these words introduces some other shepherd—one of his own making—to the flock.

That is to say, the Third Use is simply part of helping sheep to know and to follow the real shepherd, rather than some imposter. There is a hard edge to much of what God says to us, and nowhere is that edge more unyielding than in the words of our savior: "I say, whoever looks at a woman lustfully, has committed adultery with her" (Matt 5:28). "If anyone comes to me and does not hate his own father and mother and wife and children and brothers and sisters, yes, and even his own life, he cannot be my disciple" (Luke 14:26). "Whoever divorces his wife and marries another commits adultery" (Mark 10:11). We dare not shepherd so that, after such words have begun to worry attentive sheep, we then glibly preach the gospel in such a way as to say, "All that other stuff? Don't worry, he didn't really mean it." Which leads me to a final potential benefit of the Third Use of the Law: preserving the psychosis of saintliness.

Preserving the Psychosis of Saintliness

Without something like a Third Use of the Law, orthodox Lutheran churches risk losing the radical nature of Christian holiness (a standard of sanctity that seems downright psychotic to the world), particularly the demands of Jesus that seem so unreasonable to the world. Although, thanks to the Natural Law written on the human heart, the world has some ear for the demands of God, the sinful nature tends to be able to rationalize away all but the most obvious prohibitions and whatever prescriptive morality may be popular (or pragmatic) for a given society. So, even in the chaos of a postmodern mindset, most people still recognize fundamental aspects of the law such as prohibitions against murder and stealing and the goodness of giving to the needy.

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near as bad as using." We do our flock no favors when we neglect to provide guidance in godly living, and the Third Use, rightly understood, simply reminds us of that responsibility.

Nevertheless, authentic godly living on the level that it is revealed in Jesus is simply unthinkable for the Old Adam. Jesus is far too radical, for he declares the angry man a murderer, the lustful heart adulterous, the greedy larcenous, and the whole of humanity clueless about its Maker. Yet he does not stop there. His test for righteousness involves such challenges as repudiating all temporal worry, disposing of our wealth and giving to the poor, eschewing all divorce, giving without repayment, loving enemies while hating family, and daily taking up the cross of utter self-denial, indeed to lose our life in this world—all in order to love and honor God with all that we are and have and to love our neighbor as we love ourselves (Matt 5-7; 22:38-39; Mark 8:35; Luke 6:27-38; 10:23-27; 12:33-34; 14:12-14, 26). The world hears such words and sees an unreal fanaticism; anyone who takes them to heart is deemed psychotic. But it is not only the world that reacts in such ways. The Christian church, and sometimes, in particular ways, Lutherans, have a similar reaction. It is, of course, the first dodge of the Old Adam to say to God's unyielding and all-encompassing Law: You got to be kidding! Only God's Spirit is able, when and where he wills, to move hearts to the repentant recognition that these difficult words of Scripture are nothing less than the genuine standard of right and wrong as well as moving us to the miracle of faith in Christ's promises of forgiveness.

In addition, the same Spirit instills in God's children a desire to live up to our new identity. But, precisely then, Christians are vulnerable to the Old Adam's rationalizing: "Go ahead, be good, but don't get crazy about it." We Lutherans may be particularly vulnerable to see our new life as meaning something quite safe. After all, is that not the meaning of the doctrine of vocation? Is it not simply a kind of domesticated godliness that says: "Pay your taxes. Quit your vices. Go to work. Go to church. Go to the polls. But, don't get crazy about godliness. After all, those hard words of Jesus were only meant to get us to admit our guilt and give up on our own righteousness. They serve no other purpose. He didn't really mean anything literal. After all—chuckle, chuckle—only fanatics take that stuff for real."

I am not scoffing at my heritage as a Lutheran Christian. We have a highly detailed and carefully nuanced understanding of Law and Gospel. We know that the Law's most significant role is to terrify and condemn us, bringing us to remorse over our sins. We also understand the freedom of the gospel: that our forgiveness and salvation are entirely for Christ's sake, and we need not look anymore to good works for salvation or security. We are free to enjoy the whole of God's creation because of the peace that comes by refraining from looking to the Law as God's final say in life. We

know that in our earthly vocations God sanctifies us without super-human works of the Law.

It would be a sad thing if such proper teaching would cause us therefore simply to ignore the radical words of Jesus and see them as words that are meant only to drive us to repentance, not words that are also to define holiness of life. Only the Holy Spirit can save us from such rationalizing. So often that happens by means of simple-hearted saints who have heard the word of God without much theological sophistication (indeed, sometimes, amid great confusion of Law and Gospel). Yet, the Spirit does work faith (ahh, felicitous inconsistency) in such people as . . . oh, Francis of Assisi who simply took his Lord's words to heart:

> Sell your possessions, and give to the needy. Provide yourselves with moneybags that do not grow old, with a treasure in the heavens that does not fail, where no thief approaches and no moth destroys. (Luke 12:33 ESV)

I think Melanchthon, for all he got wrong as his life progressed, was right when he said:

> The third use of the preaching of the law is concerned with those saints who now are believers, who have been born again through God's word and the Holy Spirit, of whom this word was said, "I will put my law in your heart" [cf. Jer. 31:33; 32:37–41; Heb. 8:8–12]. Although God now dwells in these and gives them light, and causes them to be conformed to him, nevertheless, *all such happens through God's word,* and the law in this life is necessary, that saints may know and have a testimony of the works which please God.[92]

"[A]ll such happens through God's word,"and I expect that nearly every pastor has witnessed the word of God at work in this fashion. Christians hear the unconditional word of promise that their sins are forgiven for Christ's sake, and they believe it. And, because they have not internalized some sort of theological sophistication that seemingly implies, "now you can ignore the same Christ who defines your new life," they take his words of Law also to heart. Perhaps that is why laity, not pastors, are so often the best examples of godly living.[93] Ordinary believers who stay faithful in

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[92] Philipp Melanchthon, *Melanchthon on Christian Doctrine: Loci Communes, 1555,* tr. Clyde Leonard Manschreck (Grand Rapids: Baker Book House, 1965) 127.

[93] After a series of sermons, studies, and discussions on financial stewardship in advance of a congregational decision on whether we could expand our facilities and how much we could afford, I was moved by one response in particular. An older

miserable marriages, stay chaste even though contending with frustration and loneliness, give sacrificially from poverty, work dilligently for unjust bosses, honor dishonorable authorities, turn the other cheek, and in many other ways take up their crosses in direct obedience to a word of the Lord are the shining examples of the validity of the concept of the Third Use. For them the continuing role of God's Law, his commands, his demands, his exhortations to holiness—all of it genuinely—is simply part of the life of faith. They trust their Lord when he says, "I forgive you." They believe him when he says, "Let your light shine through good works" (Matt 5:16). That kind of thing will not happen if people view the Law of God as having no guiding work in the lives of the justified. Indeed, such lives testify that the Formula was right to say:

> Believers do . . . without coercion, with a willing spirit, insofar as they are born anew, what no threat of the law could ever force from them. (Ep VI,7)[94]

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woman, divorced and poor, came to me one evening and handed me a Ziplock® bag of coins—all she had been able to save for years—and apologetically asked if she could give it to help us add to our school. See also Andrew F. Walls, *The Missionary Movement in Christian History: Studies in the Transmission of Faith* (Maryknoll, NY: Orbis Books, 1996), 160-172; Walls details the extensive role played by the laity in the history of the modern missionary movement.

[94] Kolb and Wengert, *The Book of Concord*, 503.

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God's Law, God's Gospel and Their Proper Distinction: A Sure Guide Through the Moral Wasteland of Postmodernism

Louis A. Smith

I take my brief to be that of addressing the matter of biblical hermeneutics, specifically in the context of the morass in which the church of the Lord Jesus Christ now finds herself. These are indeed strange times in which the talk of mission is pirated by revisionist relativists to distract the church from her Christ-given mission of the disciple-making proclamation of the gospel; in which bishops and pastors repudiate their ordination vows with impunity; in which everything is tolerated in the church, except the saving gospel; in which millions can be spent to study the un-studiable, while support for mission development both home and abroad both dwindles and is eaten up by increasingly irrelevant bureaucracies; strange times indeed. But such are the times with which we must try to come to grips. And it is my conviction that the church has at hand the resource to deal with these times, namely the Bible itself. Which is, of course, why the matter of hermeneutics is so crucial.

I am going to try to touch on several things. First, I want to say a few things about hermeneutics in general. Second, I want to say a few things about the phenomenon that we have come to call *postmodernism* as they relate to matters of hermeneutics. Third and finally, I want to say something about that Lutheran *proprium*: the proper dividing of law and gospel, specifically as it relates to hermeneutics in the postmodern morass.

We begin with hermeneutics. What do we mean by this term, which is regularly invoked for the conduct of all kinds of mischief? As everyone knows, hermeneutics has something to do with interpretation but specifically what? We can get at it, I think, by comparing the two key words in the study and interpretation of the Bible: hermeneutics and

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Louis A. Smith was called to his eternal rest on November 30, 2004 less than two months before he was scheduled to deliver this essay at the 2005 Symposium on the Lutheran Confessions in Fort Wayne, Indiana. A tribute to him was given by Frank C. Senn and the essay was read by Richard Niebunk, both members of the Society of the Holy Trinity and close friends.

exegesis. Both, of course, may be rendered in English by the word *interpretation*; yet the two are not interchangeable. Rather, they relate in the following way. When I take a biblical text and say to you: This means that . . . . What follows the *that* is my exegesis. When you then ask me: How do you know that's what it means? My answer to that question is, at least in part, my hermeneutics. That is to say, in answering the how-do-you-know question, I will reveal the basic principles which I use in order to read and interpret the biblical text.

We need also to consider the fact that there are what we might term *exegetical tools*. They are intellectual devices that are used to carry out our exegesis, and while they are not per se hermeneutical matter, it is fairly common sense to conclude that such tools should be appropriate to the hermeneutics that we claim. So, for instance, if I say that one of my hermeneutical principles is that the biblical writers say what they mean and mean what they say (the old dogmaticians would call this the perspicuity of Scripture; i.e. its fundamental clarity), then it would be inappropriate to use the interpretive devices called allegory, unless a writer clearly tells you that he has made an allegory. Likewise, if one of my hermeneutical principles is that the Bible's original languages must lie behind any interpretation, it would be inappropriate to use a word study based upon an English dictionary.

On the other hand, if a hermeneutical principle is that the thought structure and language of the Hebrew Scriptures underlies the New Testament, or as it has been said that the New Testament writers may have written in Greek but they thought in Hebrew, then it is quite appropriate to take terminology from the New Testament and explain it on the basis of its roots in the Hebrew Scriptures.

What then are the hermeneutical principles that form the basis of a Lutheran interpretation of the Bible? The first thing that we need to note is that nowhere in the Lutheran symbolical books is there a discreet theological topic on the Bible to lay out a complete hermeneutic for us. This means that we will only discover the hermeneutical principles in the context of a broader reading and, I would argue, in what might be called an occasional fashion (i.e., we will discover principles as the occasion requires it of us). For example, as long as the Bible was actually functioning as authority in the church, it was probably sufficient to testify to it as God's word. This matter is challenged even by those who use a language that says the Bible is the word of God, when the Bible is not allowed to function as actual authority. For example, does it matter that the ELCA constitution says that the Scriptures are the authoritative source and norm for church teaching, if it can then appoint a study commission

which can admit other so-called authorities and functionally allow them to trump the Bible?

When that happens, it becomes necessary to spell things out more extensively and more carefully. And we might see such spelling out as prescriptions for reading the Bible properly. In the process, we will undoubtedly find spots where we ourselves have been blind and will be called to alter our own ways. Unless, of course, there might be some who think themselves beyond repentance. To such, I have nothing to say, finding repentance to be the most appropriate stance for my own life and person. This is, of course, not the first time that a need for such prescription has arisen in the life and history of the church. We might take the historic creeds of the church to be just such prescriptions. So, for example, the Apostles' Creed might be seen as a prescription that says: When you read the Bible, read it in such a fashion as to proclaim the world's creator, redeemer, and fulfiller as one and the same God, and not like Marcion who could not stomach the connection. Or for another example, the Christology of Chalcedon might tell us to read the Bible in such a fashion that when you read of Jesus of Nazareth, the Word (of God), or the Son of God, you know that they are one and the same person, and not two different persons as the Gnostics want us to think.

If anything is peculiar about our current situation, it might be that the controversial point that we have to deal with is the Bible itself. Therefore, it seems to me, the very first affirmation that we will have to insist on is that the Bible is the word of God in the words of God. You do not have to have some theory of inspiration like a notion of dictation to make such an affirmation. All that you need to do is begin with Jesus himself, God the Son incarnate. I would hold that most ideas of inspiration have missed the point because they have begun elsewhere, even when that elsewhere has thought to have been the Holy Spirit. And they have missed the point because they have at this one point forgotten the teaching of the Smalcald Articles part III, which holds that the Spirit is never given apart from the word of God, and in that forgetting have turned the biblical authors into enthusiasts, who, if they have not swallowed the Holy Spirit feathers and all, have at least imbibed in some rarified air (SA III).[1]

[1] Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church,* tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 310–326.

It seems to me that if we start with Jesus himself, several things happen. First, his words to those whom he chose to be his apostles become the source of their inspiration as they write (or initially speak) what they have been taught. The inspiration of the New Testament resides precisely in their nature as confessional writings; that is words that speak the same thing as they have first heard. Second, we can see the close connection between inspiration and proclamation. These words, the Holy Scriptures, have been given to be confessed. I take it as a given that you know that the Greek word that stands behind our English word *confession* is ὁμολογέω, which means: to say the same thing. Third, the inspiration of the Old Testament as the word of God in the words of God is christologically established, since it is Jesus himself who gives us the Old Testament, as Luke 24:44–47 testifies. So then, the first affirmation: The Bible is the word of God in the chosen words of God.

A second affirmation: The Bible is inerrant with respect to its proper purpose. Inerrancy was, of course, a piece of Lutheran theological orientation from the outset, even if its precise definition did not come until the time of Lutheran Orthodoxy. And we all know that it was eroded over the course of time under the impact of Rationalism, Pietism, and the advances of modern science—both natural and social. But I think that it is a doctrine that must be reclaimed and the key to reclaiming it is to identify the proper purpose—the proper purpose, that is, for which the Bible was given to us. The old term for that proper purpose was *faith and morals* or as the constitution of the ELCA so elegantly phrases it, "proclamation, faith and life."[2] It is no disrespect of the Bible to say that it was written not to introduce us to the creation which is below us, but the creator who is above us. It is no disrespect to say that Scripture was not written so that we could be informed about the age of rocks but rather that we might be reformed into the image of the Rock of Ages.

Lutherans in America never really had to work through the Fundamentalist-Modernist controversy. That is most likely due to the fact that the Lutheran Churches existed as immigrant churches well after the time that their members themselves ceased to be immigrants. Now, having made it pretty much into the mainstream of American life without having gone through the struggle, we are easily intimidated by the accusation that we might be fundamentalists, even though both we and our accusers are highly likely to be ignorant of just what the fundamentals were. We just

[2] *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.* (Chicago: Evangelical Lutheran Church in America, 2005), 19, Section 2.03.

have to get past that and lay it on the line: When it comes to faith and morals, the Bible is inerrant.

A third affirmation: The Bible is clear. To repeat what I said earlier, the Biblical writers say what they mean and mean what they say. This, of course, does not mean that we immediately grasp what they say and mean. But the fault for that does not lie with the biblical text. It lies with us, and that for any number of reasons. We might not yet have learned the grammar. We might not yet have learned the vocabulary or the particular idiom of an author. Luther's struggle with the righteousness of God might be an example (Rom 1:17). He had imported a foreign notion of righteousness into the biblical text and so misunderstood the text to his own great pain. And it took a goodly amount of reading before the Bible could straighten him out. But in the end, the Bible's clarity won the day.

A fourth affirmation: The Bible must be read historically. Its own language as well as the events to which it bears witness are rooted in the specific history of Israel, Israel's Jesus, and his church and cannot be divorced from them. These writings are not in any way mythological. Having now said that the Bible must be read historically, I must immediately go on to say that the term *historically* does not imply the historical-critical method. That method, which is so thoroughly entrenched in the modern academy and which is really a collection of intellectual devices united by a common perspective, is in many ways not historical at all, since rather than accept the witness that comes to us from the past it seeks to judge that testimony on the basis of the critic's own quite limited perspective, as if that present perspective had automatic claim to be normative. This is nowhere more clear than when we observe the way in which the historical-critical method so easily slid into deconstructionism, which for all practical purposes denies any objective meaning to the text, preferring instead to treat it as a wax nose, to use Luther's colorful expression for the effort, to treat the text according to our own desires.

Nor do the texts of the Bible, as historical texts, lend themselves to the abstraction of which the postmodern world is so fond. For example, the Bible does not know of something called sexuality, nor does it know of committed relationships. Rather it knows men and women with their differentiated but mutually adapted sexual apparatuses, who produce human babies, and it knows of marriage.

A fifth and for now final affirmation: The interpretive task is not so much to understand the word of the Bible as it is to stand under the word of the Bible. It is, after all, not the Bible that is the puzzle that we need to

solve. It is we who are the puzzle, and the Bible that will solve us. Matthias Flacius Illyricus, the true father of the science of hermeneutics, put the basic issue this way: the Bible he said, is recognized by everyone as a very difficult book to understand. And there are reasons for that. It is ancient and we are modern (he was writing in the sixteenth century). It comes out of a Semitic culture and we do not. Its languages are not our native tongue. It includes so many different styles of writing. And the authors are often verbose. And not infrequently they will stop a thought in mid-stream and start all over again. But all of these problems are solvable. We can learn the languages, we can learn the culture, we can come to understand the styles. When we do those things, then we come up against another problem, and it is the real reason why the Bible is so difficult to understand. When we have cleared up all the other problems, we finally confront the claim of another, the LORD of Israel, incarnate in Jesus of Nazareth, to be God. We confront that claim at exactly the point where we are putting forth our own claim. There are some things that it is more convenient not to understand.[3] It is this word that meets us in judgment and grace, which asserts the claim of God upon us in law and gospel, which we must first stand under. All interpretive activity is finally aimed at clarifying that claim.

Our next item is postmodernism. Here I want to point to a few characteristics of postmodernism that have an effect on the interpretation of Scripture in the church, which, if allowed, will render any serious interpretation of the Bible impossible. I think that each involves an inherent contradiction that I will try to point out. I begin with the obvious: postmodernism relativizes the absolute and absolutizes the relative. This is perhaps most clearly seen in the postmodern phenomenon of multi-culturalism. This notion that somehow all cultures are of similar value and that they can be included in one over-arching common culture, which can pick and choose what it likes best in each of them, is probably rooted in middle-twentieth-century cultural anthropology, which looked upon cultural diversity as a way to critique and reconstruct certain aspects of Western culture in general and American culture in particular. But, of course, if there is no place to stand, no absolute, then there is no possibility of critique other than the arbitrary. There could only be description. How, for example, with no absolute could one render a critical judgment about wife-beating, other than to say: I am repelled by it? Morality would at best be a matter of taste and as the Romans said: *Degustibus non disputandum est,*

[3] Cf. Robert Kolb, "The Clarity of Scripture," in *The Christian Faith : A Lutheran Exposition*. (St. Louis, MO: Concordia Publishing House, 1993), 201. Francis Pieper, "For Whom the Clear Scriptures Are an Obscure Book," in *Christian Dogmatics*, 3 Vols. (St. Louis: Concordia Publishing House, 1950), I:321–322.

"You can't argue with taste."[4] But this would finally mean that laws against wife-beating come about because those who are repelled by it have gained the power to enforce it on those who would like to practice it, thus putting themselves in the same moral pasture of the wife-beater who likewise seeks to impose his will by force.[5]

A second characteristic of postmodernism is its attachment to an ideology of progress. From its point of view things can only change for the better. Revision means improvement. Moreover, in this ideology, progress does not move toward a goal. It is on-going and never ending. Some of you may remember the old General Electric commercial that boasted, "Progress is our most important product." It is what anthropologists call *liminality*, the condition of being in transition. But with postmodernism it becomes the ideal whole way of life. Anything less than constant movement is looked upon as less than good.

This ideology of progress has two built-in problems. First, it has no way to deal with evil brought about by change. "'Cheer up, things could get worse.' So I cheered up and sure enough things got worse." This old joke catches the problem. In fact, change is not always for the better, not by a long shot. But the ideology of progress has no way to deal with that. The second problem with the ideology of progress is that it has no way really to appreciate the past. History can be no more than the story of what we have left behind. If, however, the Bible's history really is the history of salvation, then to leave behind the Bible's history is also to leave the Bible's salvation; which is, of course, just what has happened and is happening.

Third, postmodernism is the age of the slogan. Like the world of advertising it works with sound bites. For all of its seeming sophistication,

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[4] Suetonius, *Life of Titus*, 8.1.

[5] I have chosen this illustration not quite arbitrarily. It is actually rooted in an encounter reported to me by a friend. He was teaching as a guest lecturer in a small and, in fact, quite conservative church liberal arts college. The subject was morality, and it finally dawned on one of the co-eds that he was arguing on the basis of moral absolutes. "You don't really believe that there are moral absolutes, do you?" she quizzically asked. "Yes", he answered, "and what's more, if you will think for a moment, you do too." "I do?" came the response. "Yes, you do. For example, you believe that it is always wrong for a husband to beat his wife." Well what followed that, according to my friend's report, was some of the most fantastic mental gymnastics he had ever witnessed. "Well," she mused, "maybe she could learn something from the beating. Maybe it would serve to strengthen her. She might become a more compassionate person as a result." All of which might be true and none of which can justify a husband beating a wife. Why the mental gymnastics? All of it done in the effort to hold absolutely to the notion that there are no absolutes.

clear and penetrating thought is not postmodernism's long suit. This was typified for me in a recent *New York Times* editorial supporting gay-lesbian marriage. In this editorial the argument for gay marriage was: We're gonna get it so why fight it; thirty-seven years from now it will be a non-issue, just as now inter-racial marriage is a non-issue; activist mayors and judges are like civil rights protestors and should be seen as heroes.[6] That is about as fuzzy as thinking can get. Civil rights protestors were private citizens violating what they perceived as unjust laws, and taking the penalty to bear witness to a higher law. Activist mayors and judges are officers sworn to uphold the law taking it upon themselves to rewrite laws they do not like without the threat of penalty. Rather than heroic behavior they are engaged in tyrannical behavior. The laws against interracial marriage introduced a foreign element into marriage, namely skin pigmentation; whereas the limiting of marriage to men and women concerns something that is fundamental to marriage, namely sex and its function in the reproduction and nurture of life. Nevertheless, the civil rights sound bite is all that is necessary for the postmodernist argument in this matter.

Another brilliant example of this less-than-clear thinking produced by the slogan comes from our sister church, the Evangelical Lutheran Church in Canada (ELCIC). The ELCIC's Eastern Synod's Synod Council has recommended that "all persons are welcome to full participation in the organizational and sacramental life of this church, regardless of race, ancestry, colour, ethnic origin, citizenship, age, record of offences, marital status, sexual orientation, economic status, family status, or disability."[7] It also offers the same list of people to be respected by Canadians individually and in public institutions. The former, if taken as expressed, would allow convicted sex offenders to have charge of the congregation's nursery school or youth program. How would you like to be the attorney for the ELCIC if that should happen? It might well run into legal problems with under-age members holding trusteeship. The latter, if taken as written, would encourage granting public office to convicted felons and open political life to nepotism. I am not saying that the members of the Eastern Synod's Council intend any of that mischief. But it is what happens when you think in slogans designed to be politically correct.

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[6] "The Road to Gay Marriage" [Editorial], *New York Times* (Late Edition (East Coast)), Mar 7, 2004, 4, 12.

[7] This statement was later adopted by the Eastern Synod convention. See Eastern Synod. Evangelical Lutheran Church in Canada. *2004 Eastern Synod Assembly Motions.* (Kitchener, Ontario: Eastern Synod, 2004), 3. http://www.easternsynod.org/docs/2004assembly/2004%20ES%20Assembly%20Motion%20listing.pdf

The fourth characteristic of postmodernism that I want to hold up is that religion replaces God. Even here, "man is the measure of all things."[8] "When God is dead religion is everywhere."[9] The thought is accurate, but the expression could be more precise: when we are dead to God, religion is everywhere. Religion, under the impact of multi-cultural relativity, is held to be an entirely subjective matter. And we have no way past the subjective. What is granted to the natural scientific endeavor, namely the capacity to transcend our physical location in the solar system and see things from another perspective, is not really granted to other realms of thought (e.g., religion and morals). In this area we are supposed to be bound to our own place and point of view, at least until the multi-culturalists come along to tell us that there is nothing to be bound to, that all is relative. Now I think I know enough about the Old Adam who lives in all of us to know how hard such relocation can be. But I also know that there is an intellectual equivalent of repentance that allows us to move beyond the subjective in the same way that genuine repentance allows us to move beyond some specific sin; we never move completely, to be sure, but enough to make a difference. Surely every one of us has changed his mind about something significant at one time or another!

Even here, however, there is a built-in contradiction in the postmodern position. For after all, postmodernism does have a god: something to which all else must bow and which must be granted the place of any god as the ground of all value. God or deity, if you will, is not the highest good in a hierarchy of things otherwise deemed good. On this score, I think Aquinas, if I understand him, is wrong. Rather than the highest good, God is the ground of there being any possibility of good at all. God, any putative god at all, authors the good. And until the will of that author is known, we do not know what the good is (more on this later).

What authors the good for postmodernism? And therefore, what is its god? The answer is choice. Everything always is to be a matter of choice. If you choose it, that makes it good. If it is given that makes it bad. It is for this reason that when you meet up with the gay-lesbian agenda you meet with a confusion of language. Is it sexual orientation? Or is it sexual preference? It depends on the audience, does it not? If the appeal for support is addressed to the dim, who have yet to grasp postmodern enlightenment, that language will be orientation. *Hard wired* seems to be

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[8] Protagoras as quoted by Socrates in Plato's *Theaetetus* as cited in Michael Macrone, *Eureka! 81 Key Ideas Explained* (New York: Barnes and Noble Books, 1999), 20.

[9] Quoted in Thomas J. J. Altizer, *Living the Death of God: A Theological Memoir* (Albany, NY: SUNY Press, 2006), 74.

the slogan of choice. Among the illuminated, however, the term is *preference,* to indicate that it is a life-style choice. To legitimate that life-style to the soft-minded there can be talk about committed relationships, while everyone knows that promiscuity is a key element of the gay life-style.

As an utterly biased observer, seeking to understand how it is that the jumble of postmodernism manages to hold so many in thrall, I am reminded of the ancient Greeks who held that "Those whom the gods would destroy, they first make mad."[10] And I cringe when I remember the biblical equivalent of that: "God hardened Pharaoh's heart" (Exod 10:20, 27; 11:10; 14:4, 8). It may well be that this phase of Western history has no place for God in its scheme of things. That does not mean that God has no place for postmodern Western history in his scheme of things. He is as much the active Lord of this history as he was of the highly God-conscious Middle Ages.

Speaking of the active lordship of God at last brings me to God's law and God's gospel. The first thing that we need to remind ourselves is that law and gospel are not just a couple of baskets in which we can throw some biblical texts. In the first and in the final instance, law and gospel are the two ways in which God actively rules the world in the face of the world's sinful rebellion against the source of its own life.

Turning our attention to God's law, the first thing that we need to recognize is that God's law is addressed to the Old Adam: the human sinner who lives in every one of us, unbeliever and believer alike. As St. Paul once put it: "the law is not made for the righteous, but for the lawless and unruly, for the ungodly and sinners, for the unholy and profane . . ." and there follows a list of ways that the Decalogue is violated (1 Tim 1:9–11).

The Old Adam, however, can never make up his mind as to whether he is an antinomian or a legalist. As an antinomian, the Old Adam thinks that if the law can not save—which it can not—then it can simply be dismissed. The antinomian attitude is revealed in the often heard question that goes something like this: If doing good will not help me get to heaven, why should I do good?

As legalist, the Old Adam plays into his own antinomian hands. He does that by making the fundamental mistake of thinking that the rationale of the law is to be found in the law itself. But thinking to find the law's rationale in the law, and not finding it there, the law always appears arbitrary. The attempt to find the law's rationale in the law itself is a

[10] Sophocles, *Antigone,* l. 622.

fundamental mistake. Any law's rationale resides in a prior judgment about good and evil. This can be seen in something as common as a speed limit law. Just ask yourself the question: Which came first, the first limit on speed or the first accident? It is the accident which is judged to be bad. And then speed limits are established in the effort to limit the evil of accidents. Or in terms of much current discussion, the government provides certain tax advantages to married couples that people in other relationships are not granted. The perception, even, perhaps especially, among the cognoscenti, is that this is terribly arbitrary. If we can think beyond our legalism, it is definitely not arbitrary. The case really works like this: There is a recognition that stable marriages where husbands and wives stay together and raise children are a benefit to the society as a whole; therefore, legislation is put into effect to promote that good. The family that pays together stays together. All law finally works that way. First there is a judgment about good and evil, and then laws with their various penalties and rewards are set in place to promote the good and hinder the evil. It is no coincidence that as a radical individualism has become the content of the modern moral vision, likewise the law's promotion of stable marriage has disintegrated as a direct consequence.

But that in itself makes the critical point: to understand any law requires that you know the moral vision of the law's author. Since God is no legalist, to understand God's law, therefore, we need to seek after the moral vision of God. And that moral vision is to be found in the inner-trinitarian life of God himself—life together with an other in love. The key biblical text is Romans 13:8. "Owe no one anything except to love one another; for the one who loves the other [τὸν ἕτερον] has fulfilled the law." For some reason or another, the English translation tradition has rendered ἕτερον as neighbor. But Paul only uses the proper term neighbor at the end of the verse where he summarizes the commandments with the so-called Golden Rule: "you shall love your neighbor as yourself" (Rom 13:9). But while this Golden Rule summarizes the commandments, it is love of that which is other that fulfills the law. Why should that be so? Because the love that fulfills the law is rooted in the life of God himself, which moves out of himself in the primal decision to have a world which is not himself but nevertheless can receive and shares his life.

In the inner-trinitarian life, the persons of the Trinity are radically different. The Father, as the one font of divinity begets the Son and spirates the Spirit, but he himself is neither begotten nor spirated. The Son is begotten and does not beget and is subordinate as Son to Father, but this does not effect the equality of his divinity. Rather, his perfect obedience to

the Father is totally appropriate to his divinity. The Spirit neither begets nor is begotten nor does he spirate, but in proceeding from the Father his mode of existence is quite other than both Father and Son. He indeed points away from himself and points to the obedient Son and in this finds his greatest fulfillment in his own anonymity—willing to be the Spirit of the Father and the Son. Nevertheless, this in no way diminishes his divinity but appropriately fulfills it. In each case, the love that defines the inner-trinitarian life is love of that which is other.

When God, the holy Trinity, moves outside of himself in love, he does not produce another divinity but rather a creation that is not divine, so that there can be an *other* as the appropriate recipient of the love which is love for that which is different from God himself. Within this creation, moreover, the design of love for that which is other is carried out. Human beings are created as male and female, who will join in the creation of families made up of parents and children. They will live together with other families created by exogamous marriages, a constant reproduction of *others* to share in the creator's love.

It is this moral vision of God that stands behind the law of God, which seeks to promote such life together in love of the other for his human creatures, a law that in the first table prohibits the worship of gods made up of fellow creatures. Idolatry might be described as *homolatreia* ("worship of the same"). In the second table of the law, God directs love to what is not ourselves: spouses, parents or children, and other neighbors.

Since all life comes from God, the second table of the law will always be dependent on the first, for it is the God of the first commandment whose moral vision establishes the content of the law, and which is the content and measure of justice in the world. This is why revisionist projects can never be content with ethical reconfiguration but must always attack the doctrine of God. Since God is not properly known apart from his word in its scriptural norm, the attack on the doctrine of God will therefore always have an enthusiast (*Schwaermer*) element as well.

The law of God, while not the moral vision of God in and of itself, functions in two ways in this world that resists the moral vision of God. I will use the classical Lutheran terminology. First, the law functions civilly—to civilize the Old Adamic beast that strives against God. While normatively expressed in the Bible's Decalogue, this law is active in the world whether or not we accept the Bible's authority. If anyone does not want to believe that, just have them check the death rate. It remains at a constant one hundred percent. The way in which the law civilizes us is by confronting us with our own mortality. Where sexual license, for example,

replaces marital fidelity, the risk of disease and most horrid death rises. Where property is not honored, all our lives are in jeopardy. Where parents are not honored, the aged are in danger. The problem with a youth culture is that nobody remains a youth. The result of this confrontation with God's law is the great variety of human law. This human law is natural law, not in the sense that the discreet detail corresponds to some natural underlying law code, but in the sense that every law, even the most perverse, is rooted in the effort to deal with our sense of mortality.

This function of the law is connected to what is usually called human reason. This remains as long as we remind ourselves that reason at this point does not refer to the hyper-rationalism that we encounter in any variety of enlightenments or intellectualist movements. Luther's term for this reason with which the law in its civil use is apprehended is "*Vernunft*," which is much more akin to what we might call common sense—the ability to recognize on which side the bread is buttered and to make use of that to our own advantage. That is why Luther also talks about the law as the rule of sin. In the civil function of the law, God uses sin against itself. The creator's world is so designed that we ignore or abuse the other at our own peril.

At the very same time that the law is at work civilizing us, it is also performing its second function. It is exposing our sin to ourselves. This is a tricky business, however, and while the law is at work civilly whether we recognize biblical authority or not, the theological use of the law is always connected with a preacher of the biblical word. For while we might well recognize social breakdown when we see it, it is not very likely that we will connect that breakdown with our own rebellion against God without a preacher to make the connection for us. Indeed, this confrontation with the law apart from a biblical preacher is as likely to lead to idolatry as it is to anything else, since in our despair we are liable to clutch at whatever straws are at hand and whatever offers of help are made.

It is at just this point that the gospel enters with its peculiar moral significance. Most efforts to attribute a moral significance to the gospel usually end up with a gospel that is compromised as gospel, while at the same time compromising the law as law. What happens is that some feature of the New Testament record is taken—perhaps the teaching of Jesus or the example of Jesus—and then moralized, connecting it with any number of shoulds, oughts, or wouldn't it be nice ifs. Yet it is difficult to see how that is any good news at all, just a few more things that we fail to do. Since this regularly gets coupled with ideas that God does not so much

care if you get it done as he does only that you are sincere and try hard, it is also somewhat of a failure as law, since it is never really allowed to get its teeth into us.

But in order to see the gospel's real moral significance, we need to begin by letting the gospel really be the gospel: the unconditional forgiveness of sins granted freely for Jesus' sake, which alone justifies the ungodly. In this gospel the triune God is once again living out his own moral vision of love for that which is other; only now that which is other is not merely other as creature to creator but as sinner to the righteous God. Here, in the gospel, God loves what is other by forgiving their sins for Christ's sake without any conditions of merit whatsoever. The faith through which this forgiveness is received is not a precondition to be fulfilled in order to merit forgiveness (Believe in Jesus, and God will let you off the hook of your well deserved damnation); rather, this faith, hanging your heart on the gospel word alone, describes the state of those forgiven sinners when the magnanimity of their divine forgiver at last penetrates their thick skulls and rock-hard hearts.

And it is precisely this gospel that allows the law really to be the law. You see, in order to save us, God really does intend to kill us with the law so that, from the debris of the executed Old Adam, he can create entirely new creatures. Proper repentance is neither a sorrow nor a terror nor a vow to change so that we can escape the divine death sentence. Proper repentance is to accept the rightness of the death sentence and to submit to it—to submit to being put to death under the law. Without the real gospel that is never done. As Article V of the Formula of Concord puts it, without the gospel the veil is kept on Moses's face; which is to say, without the real gospel we try to avoid the law, domesticate the law, and pull the teeth out of the law.[11] The law, however, is supposed to kill us. That is its contribution to our salvation. There is no salvation apart from dying and rising, and the law's role is to kill us. When it comes to the law, the good news is not "God really wants you to try hard." When it comes to the law the good news is "You're gonna die."

To stand under the law is to hear its proclamation of our death sentence, with the specific commandments supplying the evidence to sustain the verdict. To stand under the gospel is to hear the word that raises the dead. The task of all hermeneutics is to interpret so that we stand under the Bible, benefiting from understanding both ourselves and God. It is to allow both law and gospel to do what each alone can do: the law to kill; the gospel to make alive.

[11] Kolb and Wengert, *The Book of Concord*, 500–501, 581–586.

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The Third Use of the Law:
Resolving the Tension

David P. Scaer

While preparing this essay, a pastor reminded me that I had spoken on this topic several times and that this title may have been anticipated in the paragraph heading, "Overcoming the Contradiction Between the Law and the Gospel," in a previous essay.[1] He also added that it was unlikely that I could say anything new. But situations change. One size does not fit all. Dogmatics has a way of slipping into reverse gear and reverting to historical theology so that each loses its distinctive character. Familiar things can and must be addressed differently. An often-reworked title by Paul Tillich, *How My Mind Has Changed*, is taken up as a manifesto for those who want to rid themselves of the past as quickly and as often as possible. In looking back at what Queen Elizabeth called her "salad days," I have come to see some things differently. In the 1970s the ordination of women and in the 2000s the ordination of homosexuals and same-sex marriages have kept the law and gospel distinction in the middle of the theological debate. These practices are allowed, it is argued, because the gospel frees one from moral and ethical restraints. So the inebriated farmer peasant who at one time falls into the predictability of legalism now falls into antinomianism's lack of restraint.

I. A One Sided Coin: Gospel Alone

Antinomianism is the belief that Christians are by faith free from all laws and moral or ethical standards. If certain biblical citations disallow women pastors, the gospel takes precedence, so it is argued. Consecration of a gay bishop in the Anglican Communion and proposals to legitimize the ordination of homosexuals and same-sex marriages in Evangelical Lutheran Church in America (ELCA) keep the issues alive.[2] Such

[1]David P. Scaer, "The Law and the Gospel in Lutheran Theology," *Logia* 3 (1994): 27–24.

[2] This was also the issue with the faculty walkout from Concordia Seminary, Saint Louis in February 1974. Edward Schroeder who then was on the faculty writes the

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proposals are too radical for the LCMS, but the ordination of women continues to surface. Recently an emeritus pastor claimed that some pastors, whom he identified as confessional, are antinomian in not giving enough attention in their sermons to Christian sanctification which he described as crucifying the flesh, putting down the old man and putting on the new man. Without names or details, we can only respond to how he defines antinomianism. Crucifying the flesh and putting down the old man are never past tense, but they are the work of the law. Putting on the new man is the work of Christ (gospel) and is truly sanctification.[3] We do not put on an abstract holiness or morality, but we put on Christ—his life, his works, his sacraments, his death, his absolution, his resurrection, ascension, and session at the Father's right hand. These things are ours by a baptism into his death and resurrection, and by faith we are sanctified. The things of Christ that are ours by faith have nothing to do with the law's threats. Guilt is prior to and necessary for faith and sanctification but has no place in faith and sanctification by which Christ lives in us. After coming to faith by the gospel, the Christian is revisited by the law and his sense of guilt will increase especially in light of Christ's holy life. The Spirit's *opus alienum* increases his sense of inadequacy and makes him more miserable as he copes with a sinful reality he cannot escape.

II. Prior Christological Realities

God's sovereignty is neither enhanced nor satisfied because of the sinner's suffering or death. He takes pleasure in the sinner's dilemma only in the sense that self-mortification prepares him for the gospel. Human misery does not make God happy. He is not impassive or detached from man's fallen condition. Quite to the contrary, whenever the sinner is brought to Christ, joy escapes its divine boundaries and echoes in the mouths of angels (Luke 15:7). Good works please God first because they come from him and are established in and done by Christ, who did them freely because of what God made him:

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following: "The second heresy was on the so-called 'third use of God's law,' a constant hot potato among Lutherans ever since the 16th century. Our 'false teaching' on the law's 'third use' was that we opted for Elert's Gospel-grounded interpretation and not the one the LCMS had supposedly 'always' taught." *Sabbatheology Newsletter* (Thursday Theology #336 [November 18, 2004]).

[3] Desperation worked by the law so that the believer loses the sense of God's presence belongs to sanctification. The cry of dereliction, "My God, my God, why hast thou forsaken me" (Matt 27:46; Mark 15:34) is eminently the cry of Christ, also of Adam, David and every believer. This sense of abandonment is a holy work of God, dare we say the holiest, because in that moment we have no choice but to flee to Christ alone who is our wisdom, our justification, our sanctification, and our redemption.

> [God] is the source of your life in Christ Jesus, whom God made our wisdom, our righteousness [KJV: justification] and sanctification and redemption; therefore, as it is written, "Let him who boasts, boast of the Lord."(1 Cor 1:30-31)[4]

God is the source of our wisdom (the gospel of the crucified Christ), justification, sanctification, and redemption, because he placed these things in Christ. Only because they are found in and done by him can they be found in and accomplished by us through faith in him. Good works are done freely without compulsion by Christians just as they were done freely by Christ. Call this subjective sanctification, if you want. Just as the church, the *una sancta*, is the prior reality to every congregation, so Christ as our sanctification is a prior reality before we come to faith and do its works. "For we are his workmanship, created in Christ Jesus for good works, which God prepared beforehand, that we should walk in them" (Eph 2:10). Thoughts of moral or ethical self-appreciation, quantification, and admiration are annulled by the words, "Let him who boasts, boast of the Lord," a passage describing a scene of bodies decomposing into fertilizer (Jer 9:22-24).[5] In a situation of human misery and depravity, God's glory is the only act in town. At the heart of the Lutheran Reformation is the confession that we of ourselves can do no good works. This applies as much to our justification by which we face God with confidence as it does to our sanctification by which we face the world. Our sanctification is not only patterned after Christ's works (moral theory of the atonement), but is already present in him in the same way wisdom (gospel), justification, and redemption are present. Only by faith can sanctification become a personal, existential reality for the Christian. Neither in Christ nor in us are these disconnected things, but, in the one moment of the cross, God has made him to be our wisdom, justification, sanctification, and redemption—they are what God made Christ, what Christ is and did, and what he does in us. He who hears God's wisdom and believes has redemption, justification, and sanctification.

Lutheran arguments with Rome were not about redemption—the doctrine that Christ made atonement for sin—but about justification;

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[4] In Greek: δικαιοσύνη τε καὶ ἁγιασμὸς καὶ ἀπολύτρωσις.

[5] "Thus says the LORD: 'The dead bodies of men shall fall like dung upon the open field, like sheaves after the reaper, and none shall gather them.' Thus says the LORD: 'Let not the wise man glory in his wisdom, let not the mighty man glory in his might, let not the rich man glory in his riches; but let him who glories glory in this, that he understands and knows me, that I am the LORD who practice steadfast love, justice, and righteousness in the earth; for in these things I delight,' says the LORD."

however, by denying the sole agency of God in justification, Rome compromised its doctrine of redemption by depriving believers of its benefits. Grace becomes something in us instead of how he in Christ relates to the world. Justification is collapsed into sanctification and its objectivity is lost. A synergism inherent in sanctification seeped into justification, and these two doctrines became indistinguishable from the other. Yet Christ is as much our sanctification as he is our justification and redemption. Sanctification is God's work in us for others.[6] "Let him who boasts, boast of the Lord" applies not only to the atonement but also to the gospel, that divine wisdom, justification, sanctification, and redemption. Just as there can be no subjective justification in faith without a prior justification in Christ (objective justification), so there are no good works that the Christian does that Christ has not already done. Christ is on both sides of the equation. He does the good works in us and he is their recipient.[7]

III. Lutheran and Reformed: Same Terms, Different Content

Both Lutherans and Reformed have a place for the law's accusatory function (second use) in preparing for the gospel[8] and its directive function for the Christian life (third use), but each sees the relation of the law and the gospel differently. One Reformed theologian writes: "Reformed theology affirms a polarity but not an antithesis between the Law and the Gospel."[9] The latter view characterizes the Lutheran position. The condemning law and the forgiving gospel have a simultaneous impact on the Christian, who for life remains as much a believer as he does an unbeliever. His condition is described as *simul iustus et peccator*.[10] For the

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[6] See David P. Scaer, "Sanctification in Lutheran Theology," *Concordia Theological Quarterly* 49 (1985): 181–189; "Sanctification in the Lutheran Confessions," *Concordia Theological Quarterly* 53 (1989): 165–182.

[7] Matt 25:44–46: "Then they also will answer, 'Lord, when did we see thee hungry or thirsty or a stranger or naked or sick or in prison, and did not minister to thee?' Then he will answer them, 'Truly, I say to you, as you did it not to one of the least of these, you did it not to me.'"

[8] So Luther: "The foremost office or power of the law is that it reveals inherited sin and its fruits. It shows human beings into what utter depths their nature has fallen and how completely corrupt it is" (SA III,2,4). Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 312.

[9] Donald G. Bloesch, "Law and Gospel in Reformed Perspective," *Grace Theological Journal*, 12 (Fall 1991): 181.

[10] See Jan Rohls, *Reformed Confessions: Theology from Zurich to Barmen*, tr. John Hoffmeyer, Columbia Series in Reformed Theology (Louisville, KY: Westminster John

Reformed "the Law awakens the consciousness of the need of redemption,"[11] a problematic view for Lutherans for whom the law offers no hope and only more misery.

Differences also surface on the third use of the law.[12] In Reformed thought the law accuses the unbeliever (second use), brings him to Christ, and "is a rule of life for believers, reminding them of their duties and leading them in the way of life and salvation" (third use). Thus the law along with faith generates good works. The new man remains lazy and needs the law to remind him of his duty.[13] Lutherans see legalism in this definition.[14] Contrast the Reformed view with Luther, for whom faith

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Knox Press, 1998), 193–197. In preparing for the gospel, Lutheran and Reformed theologies have called the law's accusatory function its pedagogical use. Francis Pieper notes that some Lutheran theologians spoke of four uses of the law, a distinction with which he had no difficulty: 1) *usus politicus* or *civilis*; 2) *usus elenchticus* [accusatory]; 3) *usus paedagogicus*; 4) *usus didacticus seu normaticus.* In this scheme the second and third uses are customarily seen as carrying out the same function as a prerequisite for the gospel; *Christian Dogmatics*, 3 Vols. (St. Louis: Concordia Publishing House, 1951–1953), 3:238, n. 29. The Reformed see the second use of the law pointing to Christ and thus favor calling it the *usus paedagogicus.* The word *pedagogical* has its roots in Greek and refers to the servant or the slave who takes the child to school, but he is not the child's teacher. In Lutheran theology it is used of the accusatory function of the law in preparing for the gospel.

[11] Louis Berkhof, *Systematic Theology*, 9th reprint (Grand Rapids: William B. Eerdmans Publishing Co., 1965), 615.

[12] Michael S. Horton makes every attempt to make the Reformed position appear similar to the Lutheran one; however, his references to Beza's idea that the Spirit works through the law and that, after the gospel has brought about conversion, the law can provide directions suggests an entirely different world view. "Calvin and the Law-Gospel Hermeneutic," *Pro Ecclesia*, 6 (Winter 1997): 27–42.

[13] John Calvin, *The Institutes of Christian Religion*, ed. tr. Tony Lane and Hillary Osborne (Grand Rapids: Baker Book House, 1987); *Institutes* 2.7.12. See also Walter C. Kaiser, Jr., "The Law as God's Gracious Guidance for the Promotion of Holiness," in *Five Views on Law and Gospel*, ed. Greg L. Bahnsen (Grand Rapids: Zondervan Publishing House, 1996), 175–199.

[14]. The Reformed are aware that their view is seen as legalism by Lutherans; see Henrikus Berkhof, *Christian Faith: An Introduction to the Study of the Faith*, tr. Sierd Woudstra (Grand Rapids: William B. Eerdmans Publishing Company, 1979, 454. Elert saw the third use of the law as an intrusion of Calvinism into Lutheranism. So Scott R. Murray: "Calvin's contention that the Law itself gives motivation for Christian holiness is absolutely irreconcilable with the Lutheran structure of Law and Gospel where the Gospel is the sole motivation for good works." *Law, Life, and the Living God: The Third Use of the Law in American Lutheranism* (St. Louis: Concordia Publishing House, 2002), 95.

> . . .is also a very mighty, active, restless, busy thing, which at once renews a man, gives him a second birth, and introduces him to a new manner and way of life, so that it is impossible for him not to do good without ceasing. For as naturally as a tree bears fruit good works follow faith.[15]

For Lutherans the law is the standard of good works as suggested by the Latin phrase *usus didacticus seu normaticus* for the third use, but it does not motivate them.[16] One influential Reformed theologian understands the Lutheran position that the law as regulation and condemnation serves only to keep believers as sinners in check (second use) and does not promote holiness. Another theologian claims that, for Lutherans, Christ and not the law is the norm of righteousness[17] and so sees antinomianism lurking in Lutheran theology.[18] For Lutherans the law fulfilled in and by Christ is normative for Christian life, and in this sense it is normative and can be fulfilled (third use). As sinners, Christians are threatened by the law to do works that may be good according to external standards, but from faith they also do works pleasing to God. They are the works of Christ spontaneously motivated by the Spirit flowing from faith (SD VI,17).[19] Divine wrath as a motivation for good works for Lutherans confuses the law with the gospel. The law's prohibitions and threats belong in the

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[15] Martin Luther, *Luthers Werke: Kritische Gesamtausgabe*, Vol. 10, pt. III (Weimar: H. Böhlau, 1910), 285; WA 10.III:285.

[16] SD VI,18. "[Believers] live and walk in the law of the Lord and yet do nothing because of the compulsion of the law."

[17] Thus Louis Berkhof's critique: "It is not surprising that this third use of the Law occupies no important place in [the Lutheran] system. As a rule they treat of Law only in connection with the doctrine of human misery." *Systematic Theology*, 615. Richard A. Muller claims that the Lutheran position on the third use of the law was a reaction to work righteousness. "The Law, for Lutheranism, can never become the ultimate norm for Christian living but, instead, must always lead to Christ who alone is righteous." *Dictionary of Latin and Greek Theological Terms* (Grand Rapids: Baker Book House, 1985), 321. These observations contradict Luther's objections to Agricola's claim that the law had no function in the Christian life; see Pieper, *Christian Dogmatics*, 3 Vols., 3:227. The Formula of Concord is quite definite in saying that the law does function in the Christian life. "However, when people are born again through the Spirit of God and set free from the law (that is, liberated from its driving powers and driven by the Spirit of Christ), they live according to the unchanging will of God, as comprehended in the law, and do everything, insofar as they are born from a free and merry spirit" SD VI,17.

[18] See e.g., Kaiser, "The Law as God's Gracious Guidance for the Promotion of Holiness," 185; and also his "Response to Douglas Moo," in *Five Views on Law and Gospel*, ed. Greg L. Bahnsen (Grand Rapids: Zondervan Publishing House, 1996), 399.

[19] For a presentation of the Lutheran position see, Murray, *Law, Life, and the Living God*, 198.

second use and not the third, according to which the law is transformed by Christ so that it expresses God's original intentions to the world. Christians as unbelievers can never escape the law's prohibitions and threats (SD VI,23–24). Simultaneously and often with the same deeds, they live under the law and the gospel as enemies and friends of God. They live a Nestorian-like existence with two incompatible forces at war with no communication between saint and sinner: *simul iustus et peccator* (SD VI,7–9).[20] Ironically, one work can flow from two motivations. Calvin sees the Christian as a composite person who is not zealous to do good works and thus needs the law to prod. Conversely in Lutheran theology, the sinner is caught between two realities: the same God who rejects him accepts him in Christ. He believes but is never relieved from divine accusation. Conversion is a one-time occurrence but its experience of going from unfaith to faith is repeated each day. Daily the old man is drowned, and daily a new man comes forth. For the Reformed, conversion initiates a process of moral improvement advanced by both the law and the gospel and can be charted.[21] In contrast, the Lutherans hold that the law as prohibition and condemnation provides neither a negative nor a positive motivation for the life that is specifically Christian. As sinner he remains subject to divine wrath (second use), but as a believer his works are not motivated by the law's threats but by faith (third use).[22] Sanctification is

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[20] In Luther's theology, saint and sinner are distinct realities within one person. For the Reformed these personal realities are blended so that Luther's distinction plays no role. Within the dimension of this Eutychian-like definition of human personality so the Christian as Christian is not distinct from his sinful nature, the law can be used to prod the believer. "[Calvin] acknowledged that the Law is also a tutor that leads one to Christ, but he was equally emphatic that the Law is also a divinely-given standard that keeps us in conformity with the will of God revealed in Christ." Bloesch, " Law and Gospel in Reformed Perspective," 180. According to this definition law and gospel are not as distinct in their functions as they are for Lutherans.

[21] See Wayne Grudem, *Systematic Theology* (Grand Rapids: Zondervan Publishing House, 1994), 748–751. For a presentation of the Lutheran position and a critique of the view that sanctification involves verifiable progress, see Steven A. Hein, "Getting Clear on Sanctification," *Issues Etc. Journal*, vol. 3, no. 3:12–14, 17. Hein says that sanctification "is not a separate work of God from justification. Rather, both are simply different aspects of God's saving work through the same saving grace which is ours through faith" (16). The opposing view is that justification and sanctification are different works of God. Justification is accomplished by grace and then "we are sanctified by the grace of the Spirit's power that energizes a holy obedience to the precepts of the Law" (12). Greater levels of obedience to the law are then reached (12).

[22] The Reformed view of the third use of law reinforces their concepts of the sovereignty of God. His glory is seen in the moral rectitude of his rational creatures. In Lutheran theology, however, God's glory is seen in believers who, when faced with the

characterized not so much as an absence of moral blemish (which is impossible),[23] but by the freedom to do good works that assist and help the neighbor. He begins again to live that life destined for him in paradise (the first use) and helps others as God in Christ did (third use). Good works are those God destined for him in creation and done by Christ. These are works done by faith. Sanctification is rooted in creation and redemption and displays both.

We return to the Reformed critique: "The Law, for Lutheranism, can never become the ultimate norm for Christian living but, instead, must always lead to Christ who is righteousness."[24] Guilty as charged! Law as accusation is not the norm for the Christian life; however, now fulfilled in Christ (gospel) the law does direct the Christian's conduct (third use). Without the law's threats, it is faith that performs good works, or better, Christ himself is doing these good things in believers. The third use has to do not with impossible possibility but with the reality that is present in Christ himself. Impossible imperatives become descriptive of what already exists in Christians and what they do. The third use is descriptive of what the Christian is doing in Christ, and what he will do. He exercises his mind on good things (see, e.g., Ps 1; 119).

Reformed theology rightly sees the third use of the law as the ultimate goal for the Christian in this world, but their definition includes self-conscious moral improvement. For Lutherans the law can also be seen as the goal of Christian life, but it must be defined as a completed law that is fulfilled in Christ without threat. Paradoxically, the Christian has no internal evidence or feeling that he is fulfilling the law. Rather than seeing himself progressing towards a greater autonomous holiness, he becomes increasingly aware that he stands *coram deo* as a sinner.[25] His experiences contradict what he is in God's eyes. As faith increases, so does the awareness of sin and the sense of unrighteousness. By looking at himself from the position of who he is in Christ, the believer becomes increasingly aware of his miserable condition. Thus, Melanchthon can write: "if we had to believe that after our renewal we must become acceptable not by faith but on account of keeping of the law, our conscience would never find

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law, constantly repent by turning away from their sins and being justified by faith in Christ.

[23] SD VI,7.

[24] Muller, *Dictionary of Latin and Greek Theological Terms*, 321.

[25] The Solid Declaration demonstrates this point with four references from St. Paul: Rom 7:18; 7:15; 7:23; and Gal 5:17 (SD VI,8). The quotation of the first will suffice: "For I know that nothing good dwells within me, that is in my flesh."

rest" (Ap IV,179). Christians hear the gospel and by faith are perfected in Christ and share his righteousness (third use), but within the reality of their own experience, they see themselves more and more as sinners condemned by the law (second use). We live and die as sinners (second use) pleading only for God's mercy in Christ (gospel). For the Reformed, God's majesty is seen in his electing some for salvation and leaving others under the law's curse.[26] In Lutheran theology the law as accusation (second use) belongs to God's pity for sinners because, without this, the gospel is without effect. The Lutheran doctrine of the third use of the law is then rooted in the article of justification and confirms the article on good works.[27]

IV. *Lex Semper Accusat*: The Two-Edged Sword

Lutherans have been caught between legalism and antinomianism over the question of whether and why good works were necessary. This problem can be understood in relation to the phrase from the Apology that "the Law always accuses us (*semper accusat*), it always shows us that God is wrathful."[28] When the law's threats are inserted into the life of faith, the third use becomes indistinguishable from the second use, a view similar to the Reformed understanding that appears in some Evangelical causes (Billy Graham rallies, Promise Keepers, the Purpose Driven Life), independent Bible churches, and Evangelical-styled colleges. In the face of the moral breakdown in society and church, some Lutherans are attracted to these causes. Legalism's attraction rests in the satisfaction it gives by identifying which moral bases have been touched.

Opposite from legalism is the antinomian view that the law's accusations apply to the Christian only as sinner, *lex semper accusat*, and not to Christian life. Challenges to the third use of the law, or the use of this phrase, rest on this understanding. Things once prohibited by the law are now allowed by the gospel. This position was known as *gospel reductionism*, a phrase now rarely heard. Since some prohibitions are presently up for discussion in the ELCA, some of its congregations and clergy persons are evaluating their continued association with that

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[26] This is evident in the first edition of the *Institutes* (1536), 1.1.1–2.8.3. Thus, also Jan Rohls writes: ". . . God wills to reveal divine glory in the election of some human beings and the rejection of others." *Reformed Confessions*, 151.

[27] "For we do not abolish the law, Paul says [Rom 3:31]. But we establish it, because when we receive the Holy Spirit by faith the fulfillment of the law necessarily follows, through which love, patience, chastity, and other fruits of the Spirit continually grow" (Ap XX,15).

[28] "*Lex semper accusat nos, semper ostendit irasci Deum*" (Ap IV,128).

denomination. Some are already on board Peter's ark; others are in the lifeboats.

Of the three uses of the law, the second is predominant in Lutheran thought because the law is in juxtaposition to the gospel. Law and gospel is Lutheran cliche. The origins of both legalism and antinomianism can be explained in relation to the second use of the law. Legalism merges the law with its prohibitions and threats (second use) into the third. For antinomianism, the second use exhausts the meaning of law for Christians as sinner, and concludes that it has no place in Christian life. In Lutheran theology, the first and second uses function negatively. In the first use, God through temporal threats maintains order. The threats of the second use are eternal and are directed by the revealed word to the conscience. Since Lutherans see the law in such negative terms, they may lose sight of any positive view of it.

In commenting on the governmental structure from Hammurabi up to nineteenth-century England, Percy Miller gives what appears to be a definition of a first use of the law from a non-theological stance. He notes that these systems "specify those actions which people should not perform and punishments to be imposed upon those among them." The law is "an instrument for restraint, for inhibition."[29] A recent essay argues that the first use deals with divinely implanted structures that are embedded in the creation before the fall, which now take form or reemerge for Christians in the third use.[30] Thus, the third use is more than a matter of removing the curse attached to the second use, which is inherent in a christological interpretation of the third use; it is also a return to or restatement of how things were before the fall. Things that should have been, but were not, now take form in the Christian life. God does not set arbitrary moral standards for good and evil, but good works are an extension of who or what he is, and they revive what is already inherent in creation and corrupted by sin. Defined in this way, the law does not stand in an antagonistic relationhip with the gospel. This is not simply a return to paradise, that is, to what the law was then, but a republication of the law in Christ. In fulfilling the law in Christ, the church is really a new creation. Works done from faith (third use) correspond to works done according to the first use. This understanding is suggested by the Latin terms for the

[29] Perry Miller, *The Life of the Mind of America: From the Revolution to the Civil War* (New York: Harcourt, Brace, and World, Inc., 1965), 207.

[30] Piotr J. Malysz, "The Third Use of the Law in Light of Creation and the Fall," in *The Law in Holy Scripture*, ed. Charles A. Gieschen (St. Louis: Concordia Publishing House, 2004), 211–237.

first use (*usus politicus* or *usus civilis*), that is, they describe how people relate to one another because they are first related to God by law.

Lex semper accusat is absolute only in the world of sin, and its threatening horrors were accentuated by Christ coming to rescue sinners. It did not occupy this place of prominence in paradise nor will it in the resurrection. Christ's death had universal dimensions (1 John 1:2). In raising him from the dead, God found Jesus to be the righteous man and divine righteousness itself, and hence, the law can no longer accuse him.[31] The *lex semper accusat* brought Christ to crucifixion, and by him death was destroyed. Its accusatory power for Christ and for those in Christ was removed by God raising him from the dead. The believer, because and in so far as (*quia et quatenus*) he is in Christ, is no longer accused by the law and is raised to a new life,[32] but his experience does not let him escape.

The problem—and it is the real problem because he can never escape it—is that the Christian lives in two realities. In Christ he is righteous, but in his body he sees something else at work. It is almost as if he was never converted.[33] He trembles before the law and runs from it. If he believes he has fulfilled it, he comes face to face with its condemnations and is spiritually mutilated. His life is one of frustrated misery. Seeing complete failure, he awaits divine judgment. In the moment of moral deficiency, the moment of dereliction in which the prayer "My God, My God, why hast thou forsaken me?" is uttered, he flees to Christ and finds a completely different reality; Christ is as much his sanctification as he is his redemption and justification. Sanctification is a one-step back to Eden and another step beyond paradise to a holiness that was still a hope for our first parents. The dilemma of how our good works are inevitably God's and his alone was resolved by an anonymous writer:

> Now may the God of peace who brought again from the dead our Lord Jesus, the great shepherd of the sheep, by the blood of the eternal covenant, *equip you with everything good that you may do his will, working in you that which is pleasing in his sight*, through Jesus Christ; to whom be glory for ever and ever. Amen. (Heb 13:12–13)

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[31] "For we know that Christ being raised from the dead will never die again; death no longer has dominion over him. He death he died he died to sin, once for all, but the life he lives he lives to God" (Rom 6:9–10).

[32] "So you also must consider yourselves dead to sin and alive to God in Christ Jesus (Rom 6:11).

[33] "But I see in my members another law at war with the law of my mind and making me captive to the law of sin which dwells in my members" (Rom 7:23).

The passage is clear in attributing our good works to God, but it goes one step further in identifying the Holy Communion as the way in which God works good works in and through us. In some translations, the words "by the blood of the eternal covenant" refer to how God brought Jesus back from the dead, but these words are reminiscent of Matthew's institution of the Supper in which Jesus identifies the blood of the Eucharist as the blood of the covenant by which he offered an atonement to God. It is not that God works directly in us or simply through the Spirit, but he works in us through Jesus and specifically through his blood, his sacramental blood because it is first and always a sacrificial blood. This is the blood of the eternal covenant which equips us to do what is pleasing in his sight. The dilemma of the law and the gospel is capable of being theologically harmonized but not experientially. The Christian lives within the contradictory realities of having a God who has given him all things, which in attempting to reach eludes his grasp. This is the great Lutheran contradiction.

V. The Third Use of the Law in the Gospels

The third use considers man in that moment, which exists in faith rather than in real time, when he is without sin and sees the law not as demand but as fulfilled. When he stops to consider whether he has fulfilled the law, faith is lost. Since the word *law* is used in the phrase "third use of the law," this use can be understood as a negative factor in the Christian's life. As such, we may have a reason for removing it from theological discourse. The third use, however, presupposes the gospel and extends it into the life of the Christian. In fulfilling the law according to its third use, the Christian is doing what he believes. If we can agree that a Christology can be constructed out of the positive affirmations of the Ten Commandments, then some objections to the third use may be removed. Christ has suffered the law's penalties and has fulfilled its positive commands. He loves the neighbor more than himself. The Creed is embedded in the first three commandments. Idolatry, a form of unbelief, is replaced by a faith that fears, loves, and trusts in God above all things (SC I,1). Such faith proves itself by calling upon this God especially in times of distress (the Second Commandment) and hearing and believing God's word (the Third Commandment). In crying out from the cross, Christ did these things and gave us an example to follow. Luther's explanations of the Ten Commandments take us as sinners from the law's prohibitions to the

gospel's invitation, making us believers. From the posture of faith, the Christian proceeds to live (third use).[34]

In his explanations Luther overcame the radical contradiction between the law and the gospel in the moment of the believer's faith without eradicating the contradiction between believer and unbeliever, the *simul iustus et peccator*.[35] Christians who can view themselves only as sinners accomplish the good things that only Christ can do. Luther's "we should fear, love, and trust in God above all things" matches his explanation of the introduction to the Lord's Prayer: "Here God would encourage us to believe that he is truly our Father" (SC III,2).[36] Christ transforms the law's prohibitions and threats into gospel.[37] The reformer was not playing fast and free with the commandments, since they begin with God's redemptive claim on Israel: "I am the Lord your God who brought you out of the land of Egypt, out of the land of bondage" (Exod 20:2).[38] Israel's craving for foreign gods may have put the weight of the commandment on preventing idolatry, but the other side of the coin was faith in God. Since God made Israel his people, he excluded other gods from their devotion. The

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[34] Luther's explanation of the First Commandment in the Large Catechism is an exposition on faith and life. For example, "Learn from these words, then, how angry God is with those who rely on anything but Himself, and again, how kind and gracious He is to those who trust and believe Him alone with their whole heart" (LC I,32). "He makes no other demand of us than a hearty trust in Him for all blessings" (LC I,47). Most importantly for the third use of the law, "For, as I said before, where the heart is right with God and this commandment is kept, fulfillment of all the other will follow of its own accord" (LC I,48).

[35] Perfect renewal in this life is impossible, so the moment where faith exists without sin is as real as it is elusive. Christians "spontaneously, without any instruction, admonition, exhortation, or driving by the Law they would do what they are obligated to according to the will of God, just as the sun, the moon, and all the stars of heaven regularly run theirs courses according to the order which without any admonition, exhortation, compulsion, coercion, or necessity, and as the holy angels render God a completely spontaneous obedience" (SD VI,6). Thus, "[t]he law and the gospel did not express a chronological sequence by an existential awareness of God I which Lutheran found himself as saint and sinner at the same time;" Scaer, "The Law and the Gospel in Lutheran Theology," 28.

[36] Theodore G. Tappert, ed., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Jaroslav Pelikan, Robert H. Fischer, Arthur C. Piepkorn, Theodore G. Tappert (Philadelphia: Fortress Press, 1959), 346.

[37] "As I have often said, the trust and faith of the heart alone make both God and an idol. If your faith and trust are right, then your God is the true God" (LC I, 2).

[38] Some early editions of the Catechism kept the words "I am the Lord your God" at the introduction of the Decalogue. Tappert, *The Book of Concord*, 342, n. 2.

prohibition confirmed Israel's faith in the God of Abraham who delivered them.

In response to a scribe's question, Jesus defined the true religion as loving God and the neighbor (Matt 22:34–40; Mark 12:28–34).[39] Closely related to these passages is the pericope of the rich young man (Matt 19:16–22; Mark 10:17–31; Luke 18:18–30). Both episodes revolve around obtaining eternal life. These passages entered the Reformation debate in the Lutheran objections to their use by Roman Catholic opponents to introduce works into the article on justification (Ap IV,122–182). Later liberal theology virtually defined the entire religion of Jesus as doing good. As a reaction to these views, some Lutherans may have reacted to list commands to love God and the neighbor as the second use of law. This step may not be necessary. In a preliminary way it can be noted that Luther sees love as a dimension of faith (SC I,1). Works performed by Christians are done out of love and not according to the compulsion of the law (FC VI). *Simul iustus et peccator* describes not only the believer but also his works. More important is looking at the controverted passages themselves.

Jesus makes love both the content of the Old Testament and the key to its interpretation: "On these two commandments [loving God and the neighbor] depend all the Law and the prophets" (Matt 22:40). Since he fulfills the law and the prophets (Matt 5:17), these commandments are descriptive of his preaching and that of the apostles (1 Cor 13:13; Eph 1:4; 1 John 4). These commandments then are not peripheral but define Christianity. Both love of God and love of neighbor pertain to faith. In doing them, the third use of the law is fulfilled. This use is not an embarrassing appendage to the characteristic Lutheran definition of the law as divine accusation, but the glorious triumph of the law reaching its destined goal in the gospel.

The pericope of the rich young man elucidates this. He has heard the gospel, believed, and by his own admission renounced sin. Renunciation of sin (law), faith, and his determination to lead a moral life bring him to the edge of discipleship. In Mark 10:18 there is even the suggestion that he recognizes Jesus for who he really is. Faith and morality are not enough, but must be supplemented by his providing for the poor. Only then will he find treasure in heaven. This, however, the young man cannot do and goes away in sorrow. Providing for the neighbor (third use), which is the sign that he has understood who Jesus is and what he requires, proves to

[39] These references are not used in the Lutheran Confessions.

be more difficult than an external morality which refrains from overt evil (first use). The latter he has accomplished. In the Small Catechism, Luther touches upon this theme in saying that the Seventh Commandment requires that we financially advance our neighbor's lot (SC I,13). By helping the poor, the rich man would have done precisely that. Again, Luther, now in the Large Catechism: "We shall be richly rewarded for the help and kindness we show to our neighbor, as King Solomon teaches in Proverbs 19:17, 'He who is kind to the poor lends to the Lord, He will repay him for his deed'" (LC I,272). In loving the neighbor, one loves God. Love of the neighbor is the natural extension of faith, though it is not a reason for God justifying the sinner (Ap IV,152–154).

Though earlier confessions do not know the phrase *third use of the law* and there remain differences about its continued use in theology, the idea is included in the fundamental Lutheran belief that faith by itself necessarily produces good works. More significant than anything else is that Jesus identifies love of God as "the great commandment" (Matt 22:36–38). Love of the neighbor is not only next in importance, but "is like it" (v. 39). Together they comprise the law and the prophets.[40] Loving God and the neighbor are distinguished by love's objects and not by their emotional intensity. So 1 John 4:20–21: "We love, because he first loved us. If anyone says, 'I love God,' and hates his brother, he is a liar; for he who does not love his brother whom he has seen, cannot love God whom he has not seen. And this commandment we have from him, that he who loves God should love his brother also." When faith exists without loving the neighbor, it is only historical knowledge (Ap IV, 50–52). As trust, faith is immediately active in performing good works (third use).

At first glance a contradiction may exist between identifying the love of God and others as the content of the Scriptures (Matt 22:40) and asserting that Jesus is also (Matt 5:17; Acts 10:43). The Lutheran Confessions confirm this by recognizing the gospel as their chief content and only goal (SD XI,12). As long as the commands to love God and the neighbor are understood as unfulfilled Law (second use), the contradiction stands.

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[40] In the New Testament, the Greek word for *hang* is κρέμαμαι; κρεμάννυμι is used of physical hanging. A millstone is hung around the neck (Matt 18:6). Jesus is hung from a cross (Luke 23:39; Gal 3:13). The intention here is that the loving God and the neighbor provide the structural support for the Scriptures. Love is prior to the Scriptures and provides them with both their form and content. See Johannes P. Louw and Eugene A. Nida eds., *Greek-English Lexicon of the New Testament Based on Semantic Domains*, Second Edition, Vol. I: Introduction and Domains (New York: United Bible Societies, 1989), 221.

Commands to love God and neighbor, however, are trinitarian in origin. Love is the fundamental unity by which the three persons of the Trinity are bound to each other (John 15:9–10, 12–13; 17:24) and thus the determinative factor in motivating creation, incarnation, redemption, and sanctification. God's love in sending the Son for our redemption originates in who he is (John 3:16). In loving God, we are only assuming the same attitude he shows with us. Commands to love him are not moral abstractions but invitations to believe in him as a God who is love. He can be approached in love rather than in fear of wrath. The imperative to love God creates that love. This the law cannot do (second use). Loving God is not a level higher than faith, but describes faith as trusting in God. Arminianism, Methodism, and the Holiness groups see love as a level that perfects faith and is beyond it.[41] Understood in this way, love as something beyond faith informs what they think of sanctification. Love in this way is nothing else than law![42] This higher level of commitment is often called discipleship, a condition in which faith is said to be taken more seriously. This is a fiction of its own creation and only creates Pharisees.[43]

The term *loving* describes the emotional intensity with which one believes and trusts in God and helps the neighbor. Love of God requires all your heart, soul, and mind (Matt 22:37). These are not parts of a person but different descriptions of the inward self. Faith is never partial but complete and total. The God who by his demand for love creates that love is not anonymous; he is the God who raises from the dead (Matt 22:23–28) and comes as the Son of David (Matt 22:41–46). Loving God is nothing else than trusting in the God who reveals himself in Jesus, whom the church confesses in the creed and approaches in the Lord's Prayer. In loving the

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[41] Love in Wesley's thought is sanctification, which is more important than faith: ". . . faith itself, even Christian faith, the faith of God's elect, the faith of the operation of God, still is only the handmaiden of love. As glorious and honorable as it is, it is not the end of the commandment. God hath given this honor to love alone." John Wesley, "The Law Established Through Faith," *The Nature of Holiness* (Minneapolis: Bethany House Publishers, 1988), 73–74, Sermon 36.

[42] Donald W. Dayton argues that by making sanctification the central theme of theology, Wesley actually returns to Catholicism. Agreed! "*Law and Gospel* in Wesleyan Tradition," *Grace Theological Journal*, 12 (Fall 1991): 235.

[43] Wesley's much publicized conversion by reading Luther's *Commentary on the Romans* hides his dislike for the Reformer's opinion on reason and law. Wesley writes in in his journal on 15 June 1741: "How does he (almost in the words of Tauler) decry reason, right or wrong, as an irreconcilable enemy to the Gospel of Christ . . . blasphemously does [Luther] speak of good works and the Law of God; constantly coupling the Law with sin, death, hell, or the Devil! teaching that Christ delivers us from all alike;" quoted in Dayton, "*Law and Gospel* in Wesleyan Tradition," 237.

neighbor, the believer places him on the same level of importance as himself. Love that esteems the other person higher than oneself can only be divine and, in its perfect form, exists first in the God who begets and sends the Son. By that love God makes man his neighbor and provides the source and pattern for our loving him and our neighbor. "Greater love has no man than this, that a man lay down his life for his friends" (John 15:13). Christians put themselves at risk for the neighbor and so they become reflections of Christ, "who for us men and our salvation came down from heaven . . ." and "was crucified for us under Pontius Pilate." Here is the heavenly Samaritan who risks his life for stricken pilgrims. What Jesus requires of us, he himself does (Luke 10:25–37).[44] The command that we should also do as he did is not law, but a description of what the Christian in Christ actually is and does. Or better, it is what Christ is doing in us. Strange as it might seem, Jesus is lived under the third use of the law—the third use in the flesh. In the words of St. Paul, Christ is our sanctification.

Jesus identified love of God and neighbor not only as the law's greatest commandments, but also as the ones into which the whole law is assumed. The law in all its functions determines relationships between men with God and with each other. By assuming the entire law into love, Jesus showed that the law, in its first and final form, has no negatives. Love as the content of the law (Scriptures) is not a matter of arbitrary divine choice

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[44] Luke places the commands of loving God and the neighbor in the context of a lawyer asking Jesus about eternal life (10:29–37). When Jesus asks about the great commandments, the lawyer correctly responds: loving God and neighbor. Problematic for the lawyer is not the formulation of the faith in loving God and the neighbor, but the identification of the neighbor as the Good Samaritan. He is "the one who showed mercy on him." Jesus does not leave the conclusion up to the lawyer's good will, but requires similar behavior: "Go and do likewise." In a similar but not identical section in Matthew (22:34–40), Jesus identifies loving God and the neighbor as the chief commandments. Luke's pericope (10:29–37) resembles the one of the rich young man in all three synoptic gospels (Matt 19:16–22; Mark 10:17–22; Luke 18:18–23) because Jesus requires the interrogator to do something. The lawyer must show mercy to the stricken and the rich young man must give to the poor. A key in joining the pericopes of the lawyer of Luke 10:29–37 to the rich young man of Matthew 18:18–23 is what each must do. The lawyer must show mercy (Luke) and the rich young must be perfect (Matthew). This follows the pattern of Matthew 5:48 where the command to be perfect corresponds to the command to be merciful in Luke 6:38. God's perfection is his mercy. This quality—perfection or mercy—is required for believers (third use of the law). All three qualities—mercy, love, and perfection—originate in God and are found in believers (third use of the law). Perfection in Matthew does not mean moral perfection, although the idea of course is included, but contentment and satisfaction. God is satisfied with the world through the atonement and exacts no punishment but does good. So Christians as children of God do the same (third use of the law).

but reflects what God really is. In requiring love of us, God only asks us to become like him.[45] God loves the neighbor whom we are commanded to love. "In this is love, not that we loved God, but he loved us and sent his Son to be the expiation for our sins. Beloved, if God so loves us, so we ought to love one another" (1 John 4:10–11).

V. Elert on Law and Gospel

In reaction to Karl Barth's placement of the law after the gospel, Werner Elert went on to deny the third use of the law.[46] In analyzing Barth's inversion, Gerhard Forde surveys the German response to both theologians.[47] Elert remained in Lutheran bonds for his criticism that Barth did not keep the law and the gospel distinct. In Helmut Gollwitz's opinion,

> Elert starts from the false presupposition that wrath, judgment, and punishment have an eternal Law of retribution as their basis to have any validity. This would mean that God is wrathful because He is a God of Law, and if this is followed to its logical conclusion it would have to mean that Law of retribution is the fundamental standard by which man's relationship is regulated, and that it was given before and not after the fall as the original form of man's relationship between God and man was not one of love, therefore that the Gospel could not be the reestablishment of the original relationship.[48]

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[45] Louw and Nida note that while law (νόμος) carries the sanctions of society, commandment (ἐντολή) carries only the sanctions of the one issuing it. In submitting itself to God's command, Israel agrees to accept laws; *Greek-English Lexicon*, Vol. I, 425. The commands to love God and neighbor are over-arching principles. Laws can differ according to specific circumstances. In the section on terminology, it was discussed how the word *law* can be used of the Scriptures and even the gospel itself. There is good reason to conclude that command (ἐντολή) not be equated in every instance with commandments, that is, prohibitions and threats. In Matthew 28:20 where the verb is used, "teaching them to keep all things whatsoever I have commanded," the reference is to the teachings of Jesus in which the gospel predominates. In Matthew 5:19, with its warning about breaking "the least of these commandments," the reference seems to be not to the Ten Commandments but rather to the Old Testament Scriptures, which Jesus has come to fulfill (vv. 17–18).

[46] Werner Elert, *Law and Gospel*, Facet Books: Social Ethics Series, tr. Edward H. Schroeder (Philadelphia: Fortress Press, 1971), 38-43.

[47] Gerhard O. Forde, *The Law-Gospel Debate: An Interpretation of its Historical Development* (Minneapolis: Augsburg Publishing House, 1969).

[48] Helmut Gollwitz, "Zur Einheit von Gesetz und Evangelium," *Antwort* (Zürich: Evangelischer Verlag, 1956), 303, quoted in Forde, *The Law-Gospel Debate*, 152–153.

Gollwitz is right! In Lutheran theology the law's primary purpose is to reveal man's wretched condition (SA III,2,4), but the tension exists in man and not in God, whose nature is love. Making law, wrath, and vengeance part of God's essence before the fall contradicts his love, and also might make it difficult to distinguish Elert's position from Calvin's, where hate and love exist side by side in God. As we have said elsewhere, law and gospel can be read back into God in the same way.

VI. Gospel Over Law: A Resolution in Pieper

If there ever was a theologian of the gospel, it was Francis Pieper, who never tired of saying that the gospel is a word of God superior to the law.[49] This forced him to wrestle with how contradictory words could both claim to be God's word. The dilemma was a *crux theologorum*, a question which theologians are incapable of answering.[50] His argument is taken over from the one offered on election. This matter first appeared at the beginning of his first volume, thus it was not an incidental matter for him. He denied the claims of both the Calvinists, that the Gospel was not universally intended, and of the synergists, that man's response determined God's attitude.[51] Eventually, the synergists have little use for God at all, since man's will has taken the place of God's.

Pieper opposed any attempt to set down a higher principle from which both law and gospel are derived.[52] The Reformed and more recently Karl Barth have resolved the difference in favor of the law. Universalism resolves this in favor of the gospel. Though Pieper offers a disclaimer in looking for a higher principle, he does point to the gospel by describing it as a higher word of God. God is doing what he really wants to do in the gospel, while in the law he is doing only what he has to do. An answer is already present in the definition of law as *opus alienum*, God's foreign or strange work.[53] Condemnation and threat no longer belong to his essence. Gospel is never the *opus alienum*. This is basic to any doctrine of universal atonement and objective justification. Claiming that God still counts sin against the world denies both the atonement and justification. By Christ's atonement all mankind appears to God as righteous. This is the presupposition for the gospel, which the synergists do not recognize.[54]

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[49] Pieper, *Christian Dogmatics*, 3:232.
[50] Pieper, *Christian Dogmatics*, 3:249–250.
[51] Pieper, *Christian Dogmatics*, 3:247–249.
[52] Pieper, *Christian Dogmatics*, 3:249–250.
[53] Pieper, *Christian Dogmatics*, 3:235.
[54] Pieper, *Christian Dogmatics*, 3:248–249

The gospel informs man of something that has already happened and not something that is happening when the message is heard. In subjective justification "the Gospel, however, pronounces the unrighteous man righteous," but subjective justification has no life of its own; it makes objective justification personal, which is only a facet of the universal atonement.[55] Whoever denies objective justification reduces justification to the act of believing and does not believe in it at all. Logically, he denies the atonement and preaches that man is responsible for his sins. Such a person preaches salvation by the law, *opinio legis.*

Pieper recognizes that the discussion on the law and the gospel is really about justification. "The Christian doctrine of justification is virtually identical with the discrimination of the Law and the Gospel. *Moreover, the elimination of the Law from the article of justification must be absolute.*"[56] The judgment of all unrighteousness has taken place in the cross. For the hearer, God's condemnation of the world comes to him in the law. From this Pieper consistently and logically makes the gospel God's important and final word.[57] In order to keep the gospel free of condemnation, a characteristic that belongs to the law, he sees unbelief as sin against the law.[58] This view is not without difficulty because it makes the law the last or eschatological word of God in the judgment. This means that for unbelievers God reinstates the law. This would nullify the atonement and deny objective justification; however, these are fixed realities with God. If they were not, Christ would lose his place of prominence as the all-in-all. The answer to this dilemma lies in seeing unbelief as not one sin among others, but the final sin (and in a sense the only sin) by which the unbeliever cuts himself off from salvation. Pieper makes this clear in his locus on "Eternal Election," especially the section "No Election of Wrath or Predestination to Damnation."[59] For example, "the unbelief of the obdurate Jews is not traced to a predestination to unbelief or damnation, but to their opposition to the earnest and efficacious gracious will of God in the Word . . . ."[60] Their sins, especially their external ones, serve on the last day as evidence of their unbelief, their rejection of God's gracious invitation in the gospel. God's final verdict on them only confirms the

[55] Pieper, *Christian Dogmatics*, 3:229
[56] Pieper, *Christian Dogmatics*, 3:244; emphasis mine.
[57] Pieper, *Christian Dogmatics*, 3:226.
[58]Pieper, *Christian Dogmatics*, 3:233–234.
[59] Pieper, *Christian Dogmatics*, 3:494–501.
[60] Pieper, *Christian Dogmatics*, 3:495.

path they have chosen for themselves. The world which does not believe is convicted by the Spirit because of this unbelief (John 16:9).[61]

[61] Here Raymond E. Brown provides clarification. "The first element (vs. 9) in the Paraclete's forensic activity is to prove to the disciples that the world is guilty of sin—the basic sin which consists in refusing to believe in Jesus. . . . The Paraclete will focus on the expression of disbelief that culminated in putting Jesus to death, but those who are guilty are a much wider group than the participants in the historical trial of Jesus. Those participants are only the forebears of men in every generation who will be hostile to Jesus." *The Gospel according to John XIII–XXI*, The Anchor Bible 29A (Garden City, NY: Doubleday, 1964), 712. This is the greatest sadness, since they were included both in the atonement and the gospel's invitation.

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Changing Definitions: The Law in Formula VI

James A. Nestingen

There are a couple of key theological issues percolating through the dispute over the third use of the law. When they are isolated, they illustrate some of the key historical differences between Luther and Melanchthon, and beyond them, between Luther and the theologians who drafted Article VI of the Formula of Concord.

The first issue is the end of the law, an assertion that emerged early in the Reformation out of Luther and Melanchthon's consideration of Roman 10:4, where Paul states that "Christ is the end [τέλος] of the law, that all who believe may be justified." Luther and Melanchthon both picked up what had generally been either passed over or minimized by the tradition, the sense of termination that is also included in τέλος. In fact, from 1520 to 1530, this became a theme of the Lutheran reformers to the point that in the later Galatians commentary "the end of the law" in the sense of termination became a virtual christological title. Christ is the end of the law just as he is Savior and Lord.

For Luther the original force of the argument is as much theological as it is exegetical, very much along the lines of Paul's argument in Galatians 2:21, ". . . if justification comes through the law, then Christ died for nothing." The logic is devastatingly simple. Christ Jesus' justification of the godless is the first and therefore the controlling premise in the theological argument. So if Christ saves, the law cannot. If Christ is "the way, the truth, and the life," the law cannot be; if Christ has the last word, the law must fall silent before him. Christ's death and resurrection are, in effect, the first premises in every theological argument.

Characteristically, once the logic of the gospel has set this theme, Luther expands on it voluminously. So, for example, in one of his great sermons, *How Christians Should Regard Moses,* Luther personifies the law in Moses'

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name to declare, "Moses is dead."[1] Not one iota of Moses concerns us. "We would rather not preach again for the rest of our life than to let Moses return and have Christ be torn out of our hearts. We will not have Moses as ruler or lawgiver any longer."[2] Similarly, in the great Galatians commentary he can argue that the whole goal of the Christian life is to become ignorant of the law.

But for all of his expansiveness on this pole of the dialectic, Luther at the same time carefully set out the other pole: as Christ ends the law, he also establishes it. Christ Jesus stops the law by bringing to an end its characteristic functions in this age, besieged as the fallen world is by the powers of sin, death, and the devil. By the absolution, the oral or sacramental declaration of the forgiveness of sin, Christ silences the law's badgering and accusing. Then, freed from the relentless hounding of the law, the believer has a new sense of self in relation to God, the neighbor, and the earth—a free and merry conscience.

At this point, then, on the other pole of the dialectic, the law is reduced to terms. While it has lost its ultimate standing, it nevertheless retains its penultimate value. While it cannot justify, bestow life, or "contribute anything to righteousness," the law can clear some order in the chaos and, however tenuously, point the way toward justice and peace; it can also, when the Holy Spirit takes hold of it through the gospel, become useful in driving a person to the repentance that accompanies faith.

Thus for Luther, the way from law to gospel is marked by breach, a fundamental discontinuity, death, and resurrection. Left to itself, the law can only kill, showing the self to its end in death. But as the Holy Spirit takes hold of the law under the power of the gospel, joining the believer to Christ in a death like his, the faith which he creates shares in a resurrection like his. The gospel can never be confined to mere knowledge or a bit of assistance for the continuous self: it is the power of the resurrection itself breaking out where it always does, tearing open graves.

One of the most powerful statements of the end of the law in the early Reformation was set out by Melanchthon in the 1521 *Loci Communes.* The bulk of one whole chapter is devoted to what he calls "the Abrogation of the Law," the argument proceeding along the same lines as Luther's. So Melanchthon explicitly states that ". . . that part of the law called the

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[1] Martin Luther, "How Christians Should Regard Moses," in *Luthers Works, Vol. 35: Word and Sacrament I,* American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1960), 165; hereafter *LW* 35:165.

[2] *LW* 35:164.

Decalogue has been abrogated by the New Testament" and then follows with further explanation: "But our freedom consists in this, that every right of accusing and condemning us has been taken away from the law" and "Christ took away the curse of the law and the right it had so that even though you have sinned, even though you now have sin . . . yet you are saved. Our Samson has shattered the power of death, the power of sin, the gates of hell."[3] What was later termed "the new obedience" properly follows: "Those who have been renewed by the Spirit of Christ now conform voluntarily even without the law to what the law used to command."[4]

Against this background, developments later in the Lutheran Reformation stand out in bold relief. Antinomianism, the argument that the law had ended temporally and was therefore of no further significance to Christians, surfaced for the first time in 1527 and again between 1536 and 1539. Both times, the source was Johann Agricola. Though the initial conflict was between Agricola and Melanchthon, Luther took responsibility for dealing with the matter. While Luther was confronting Agricola, Melanchthon, on the other hand, began to move off in other directions.

Though he dismissed the 1527 conflict as a *pugnam verborum*, a "war of words," in the 1530s, Luther recognized that the situation had changed. As he once said, "The world is like a drunken peasant. If you lift him into the saddle on one side, he will fall off on the other side."[5] In his analysis early on, the problem was that the conscience was oppressed by the law. But now he said, writing in the early 1530s, "they have mastered the fine art of abusing their liberty," having moved from legalism to license.[6] Thus, without compromising the assertion of the termination of the law, Luther took even greater care in spelling out the law's establishment. This concern appears already in the careful exposition of the Ten Commandments in the Small and Large Catechisms but in a fully developed theological form in the Antinomian Disputations.

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[3] Philip Melanchthon, *Loci Communes*, tr. J. A. O. Preus (St. Louis: Concordia Publishing House, 1992), 15, 120, 122.

[4] Melanchthon, *Loci Communes*, 123.

[5] Martin Luther, *Luther's Works, Vol. 54:Table Talk*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1967), 111, n. 630; hereafter *LW* 54:111.

[6] Theodore G. Tappert, ed., *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Philadelphia: Fortress Press, 1959), 338.

Asserting the end of the law in the Disputations, Luther argues that it can only happen when in faith the sinner dies with Christ. "Indeed, in Christ the law is fulfilled, sin abolished and death destroyed. That is, when through faith we are crucified and have died in Christ, such things are also true in us" and "To one raised in Christ there is certainly no more sin, no death, no law—things to which he was subject while living" and finally, "Now in so far as Christ is raised in us, so far are we without law, sin, and death."[7]

The correlation of the law with sin and death as the powers of this age makes it impossible simply to write the law off conceptually or theologically, exposing such an effort as a play put on in an empty theater.

> Necessarily, therefore, in so far as they are under death, they are still under the law and sin. They are altogether ignorant and deceivers of souls who endeavor to abolish the law from the church. For that is not only stupid and impious, but absolutely impossible. For if you want to remove the law, it is necessary at the same time to remove sin and death.[8]

But with this, there is an important difference in Luther's argument in the Antinomian Disputations. While he still says, as earlier in the Reformation, that the law terminates in the conscience of the believer when it no longer accuses, now he also asserts that the law remains for all eternity.

> For the law as it was before Christ did indeed accuse us; but under Christ it is placated through the forgiveness of sin and thereafter it is to be fulfilled in the Spirit. Accordingly after Christ, in the future [the law] will remain, having been fulfilled, and then the new creature himself will be what [the law] in the meantime demanded. Therefore the law will never in all eternity be abolished, but will remain either to be fulfilled by the damned, or already fulfilled in the blessed.[9]

Thus, even though in this age the law is defined by its essential functions or offices, it cannot be reduced to the function. It points beyond itself, signifying what is to come eschatologically when Christ has put all of his enemies under his feet.

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[7] Martin Luther, *Luthers Werke: Kritische Gesamtausgabe*, Vol. 39, Part I (Weimar: H. Böhlau, 1926), 354-356 , Numbers 10–11, 36, 40; hereafter WA 35.I:354-356, 10–11, 36, 40.

[8] WA 35.I:354, 14–17.

[9] WA 35.I:356, 45–47.

This eschatological sense is rooted in the original Hebrew, in which the Commandments are set out in the future tense. Now, in a world under the siege of sin, death, and the devil, the future turns to imperative and so to indictment. But as Christ reclaims both creature and creation, there is coming a time when the Commandments will be fulfilled in the believer. It happens now proleptically, in bits and snatches. Then, when Christ has finally overcome all of his enemies, what we can only anticipate in hope will be the reality: the faithful will have no other gods before him, will exalt in his name, and enter into the final Sabbath rest of eternity with every human relationship restored in the forgiveness of sins. In this way, the gospel turns the law itself into promise, where the law signifies the shape of the life to come. On the other hand, to those stuck in their own self absorption, the gates of hell have already opened—the law's accusation continues relentlessly and for all eternity.

While Luther confronted the antinomian strife by further clarifying the dialectic, Melanchthon set off in another direction. His changes can be measured fairly closely by comparing the various editions of the *Loci Communes*. He put this volume through a whole series of revisions, substantially between 1525 and 1535 and even more dramatically, between 1535 and 1555.[10] In the 1533 edition, the chapter on "the Abrogation of the Law," which claimed such prominence in 1521, has been reformulated as a chapter on Christian freedom with the language of abrogation carefully qualified to pertain only to the curse of the law.[11] In the 1555 edition, Melanchthon limits abrogation to "freedom from two parts of the law of Moses, ceremonial and civil law" and then asks why the same term could not be used for the Decalogue. He answers that the Christian is free from the Ten Commandments ". . . so far as the meriting of forgiveness and of sins and justification by God are concerned . . ." but that, ". . . the law, which is called the Ten Commandments, or *legam moralem,* is the eternal unchangeable wisdom and righteousness in God, which he has imparted to us. As he created us to be like him in eternity, the law cannot be effaced, as writing on the wall, for the order that the rational creatures should be obedient to God stands forever."[12]

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[10] See Hans Engelland, "Introduction," in *Melanchthon on Christian Doctrine:* Loci Communes, *1555*, ed and tr. Clyde L. Manschreck (New York: Oxford University Press, 1965), xxiii.

[11] *Corpus Reformatorum: Philippi Melanthonis Opera Quae Supersunt Omnia*, Vol. 21 (Halle and Brunswick: C. A. Schwetschke,), 458ff; hereafter *CR* 21:458ff.

[12] *CR* 21:198.

The form of Melanchthon's later argument retains familiar characteristics, but the proportions have changed. The end of the law as termination remains in a strictly qualified form, but the emphasis has shifted to qualities of the law that place it beyond any real end—it is "the eternal, unchangeable wisdom and righteousness of God." With this, two other differences become evident. The term *eternal* is not used eschatologically, as with Luther, but structurally and ontologically to describe God's will in creation. Reduced to the penultimate by the gospel in the earlier argument as a provisional necessity in a fallen world, its true significance is to be found only in Christ's fulfillment of it, the law has in the later argument once again emerged to claim ultimate status. It is "eternal" in and of itself. At the same time, there has been a change of method. In Melanchthon's later work, the gospel is no longer the first premise in the theological argument, with the law defined accordingly; rather, the law as God's eternal and unchangeable righteousness has taken the theological priority and the gospel is defined accordingly.

These changes—the qualification of termination, the redefinition of the law's eternal character, and the methodological shift—are reflected in a couple of other contemporaneous developments in Melanchthon's overall treatment of the law. One appeared in the 1535 edition of the *Loci Communes*. This is the explicit introduction of the third use. There are earlier instances where Melanchthon uses the imperative to describe the good works that follow faith, even in Article VI of the Augustana. Now, however, the third use follows the developing redefinition: since the law is eternal, there must by the very term be a use specifically directed to the believer. The third use did not generate controversy until the 1550s, when it came under the attack of a group of parish pastors, among them Andreas Poach of Erfurt and Agricola's brother-in-law, Andreas Musculus.

The other development followed in 1536. It was a proposal, originally floated through Casper Cruciger, to describe obedience to the law as necessary to salvation. The language was carefully qualified to indicate that good works were not a cause of salvation but effectively a catalyst. Yet the impact of Melanchthon's developing redefinition of the law is manifest: when the law takes priority over the gospel as the all-cohesive structure of God's will in creation—"the eternal" and "unchangeable wisdom and righteousness of God"—it is impossible to conceive of salvation apart from obedience to the law.

Not surprisingly, given the differences emerging between Luther and Melanchthon, the new proposal came under direct attack. When he took up the ensuing conflict, Luther called the proposed phrase "the very

theology of Erasmus" and said "nothing could be more contrary to our doctrine."[13] By this time, it had become evident that Melanchthon was behind Cruciger's experiment. The two of them agreed to withdraw the phrase—Melanchthon after several conversations at Luther's table. But the force of the revised definition of the law remained unabated. With Luther gone, however, Melanchthon brought the argument for the law's necessity to salvation back once more in the Majoristic strife of the 1550s.

Luther's comment suggests one possible source of Melanchthon's movement on the doctrine of law. When Erasmus was dying in 1536, Melanchthon wrote him a letter saying that he "had attempted to follow him [Erasmus] in all that he had taught." In another comment, which Wilhelm Pauck took as programmatic, Melanchthon, toward the end of his own life, told his first biographer that he had striven, in everything that he had done, to contribute to the actual improvement of public life. The increased emphasis on the significance and value of the law may then reflect Melanchthon's humanism.

But there is an additional possibility. In the later 1530s and early 1540s, just as the most dramatic changes in the *Loci Communes* were underway, Melanchthon had undertaken a sweeping reappraisal of Aristotle. That by itself could account for the shift to a more structural understanding of the law, putting a premium on its eternal and all-cohesive qualities.

With this consideration of the end of the law, there is a second theological issue that bears on the dispute over the third use: the *simul*. Again there is a strategic difference, especially between Luther and Formula VI. Luther's concept of *simul iustus et peccator* is worked out, like all of his theology, christologically. His goal, as the Apostle Paul put it, was literally to "take every thought captive to serve Christ" (2 Cor 10:5). So as Luther proclaims him, Christ Jesus is not an idea or an ideologue but the living presence at work in his word to justify the godless and raise the dead.

The Small Catechism provides one of the best examples. Christ's work is not a distant abstraction but a concrete, accomplished reality: "he has saved me, a lost and condemned person, bought and freed me . . . " (SC II,ii,4). In the same way, the verbs that give the explanation of the third article of the Creed such movement are all cast in the present perfect: the Holy Spirit "has called . . . has enlightened . . . has sanctified . . . and has

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[13] Friedrich Bente, *Historical Introductions to the Lutheran Confessions* (St. Louis: Concordia Publishing House, 1965), 113.

kept me in the true faith" (SC II,iii,6). Since all of this is the work of the triune God who justifies his enemies, the work is complete in itself even as it is now continuing.

Yet at the same time, what is now realized goes on into the future. So the explanation of the second article concludes with the words, "All this he has done that I may be his own" (SC II,ii,4). And the use of the present perfect in the third article explanation indicates that what has begun continues in a way that as justified the believer remains a sinner who confesses: "I believe that I cannot by my own understanding or effort believe in Jesus Christ my Lord or come to him" and who therefore depends on the ministry of the church, in which "day after day, he fully forgives all my sins" until the last day, "when he will raise me and all the dead" (SC II,iii,6).

Thus, for Luther the *simul* is both totally complete (*totius, totius*) and partial and awaiting completion (*partim, partim*). But the incompleteness does not, therefore, devolve to us, as though sanctification were something to be sought and achieved. Rather, as in the statement on the eternal character of the law in the Antinomian Disputations, what is now begun will be completed eschatologically by the work of the Holy Spirit. Thus, in the Large Catechism, Luther writes: "Now we are only halfway pure or holy. The Holy Spirit must continue to work in us through the Word, daily granting forgiveness until we attain to that life where there will be no more forgiveness. In that life we are only perfectly pure and holy people, full of goodness and righteousness, completely freed, from sin, death and all evil, living new, immortal and glorified bodies" (LC II,iii,58).[14]

In the Antinomian Disputations, Luther summarizes the whole christological argument in a pair of theses: "Insofar as Christ is now raised in us, so far are we without the law, sin and death. Insofar as he truly is not yet raised in us, so far are we under the law, sin and death."[15] Here is the *simul* in a nutshell. The argument is worked out of Christ's justifying work, not from the law or observations about the current state of human sinfulness. Christ Jesus at one and the same time establishes the totality and exposes the partiality, taking responsibility through his Spirit for both.

Against this background, the differences in Article VI of the Formula of Concord are striking. As the work of a committee, the article reflects a number of hands. Jakob Andreae with the Swabian Concord provided the first fourteen paragraphs of the Solid Declaration, Andreas Musculus who

[14] Tappert, *The Book of Concord*, 418.
[15] WA 35.I:356,40-41.

had been involved in the later antinomian conflict provided the substance of paragraphs fifteen to nineteen, and David Chytraeus the last paragraphs, twenty to twenty-five. Though the hands are individual, there is nevertheless a clear consensus among them concerning the law that reflects the shaping influence of Melanchthon. As Willard Dow Allbeck observed long ago, while the Formula attempts to recover Luther's theological conclusions, the method employed is Melanchthon's. This is nowhere more evident than in Article VI.

So the language of the end or abrogation of the law, so important to Luther and the earlier Melanchthon, is conspicuously absent. The law has claimed priority as the controlling assumption in the argument and so cannot be spoken of as having been abrogated. Thus Andreae, in paragraph four, acknowledges the justifying work of Christ but immediately sets it in the context of the law: ". . . although Christians who believe faithfully have been truly converted to God, and have been justified are indeed freed and liberated from the curse of the law, they should daily practice the law of the Lord as it is written in Psalms 1 and 119, 'Blessed are those . . . whose delight is in the law of the Lord, and on his law they meditate day and night.' For the law is a mirror that accurately depicts the will of God and what pleases him" (SD VI,4). Musculus uses similar terms in paragraph fifteen, ". . . the word 'law' has one single meaning, namely, the unchanging will of God, according to which human beings are to conduct themselves in this life" (SD VI,15). Chytraeus brings this back in paragraph twenty-one: "the law of God prescribes good works for believers, so that it may at the same time show and indicate, as if in a mirror, that they are still imperfect and impure in this life" (SD VI,21).

These references to the law as a mirror of God's will bring forward into Article VI the definition of law provided in Article V, which closely parallels Melanchthon's later definition: "We therefore unanimously believe, teach and confess that in its strict sense the law is a divine teaching in which the righteous, unchanging will of God revealed how human beings were created in their nature, thoughts, words and deeds to be pleasing and acceptable to God" (SD V,17). The law is no longer defined functionally in light of the gospel but structurally and cohesively as the definitive expression of God's will.

In effect, law and gospel have traded places. Whereas in the earlier Lutheran argument, the gospel as the ultimate word rendered the law penultimate, now in the Formula, the law is set forward as the ultimate

expression of God's will and the gospel becomes effectively penultimate in that context—it provides what the law demanded but could not affect. Just as in Melanchthon's later work, an eternal law, by the very definition ascribed to it, cannot end but must necessarily continue in its claims. The third use follows as a necessary consequence of the way the law has been redefined.

A similar shift occurs with the *simul.* Of the three authors, Musuclus comes the closest to Luther's original language of an accomplished reality in paragraph seventeen: "However, when people are born again through the Spirit of God and set free from the law (that is, liberated from its driving powers and driven by the Spirit of Christ), they live according to the unchanging will of God, as comprehended in the law, and do everything, insofar as they are reborn from a free and merry spirit" (SD VI, 17). This, however, is really, as Robert Kolb notes in the new edition of the Book of Concord, Musculus' interpolation of his own theology into the text.[16]

For in fact, the *totius, totious* of Luther's *simul isutus et peccator* has, in the overall argument of Article VI, for all practical purposes dissolved into the *partim, partim.* Thus, in paragraph six, Andreae treats the totality as a hypothetical possibility: "indeed, if the faithful and elect children of God were perfectly renewed in this life . . . they would need no law . . ." and then continues to state emphatically the partiality, in paragraph seven: "Since, however, believers in this life are not perfectly, wholly *completetive vel consummative* [completely or entirely] renewed—even though their sin is completely covered by the perfect obedience of Christ so that this sin is not reckoned to them as damning, and even though the killing of the old creature and the renewal of their minds has begun—nonetheless, the old creature continues to hang on their nature and all of its inward and outward powers" (SD VI,6–7).

Of the other two, Musuclus preserves a little more tension in the dialectic, as in paragraph eighteen. Since the Spirit and the flesh continue to battle it out, believers live in contention: ". . . they are never without the law, but at the same time they are not under the law but in the law; they live and walk in the law of the Lord and yet do nothing because of the compulsion of the law" (SD VI,18). Chytraeus resolves the tension

[16] Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church,* tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, and Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 590, n. 169.

completely: "For the old creature, like a stubborn, recalcitrant donkey, is also still a part of them, and it needs to be forced into obedience to Christ not only through the law's teaching, admonition, compulsion and threat but also often with the cudgel of punishments and tribulations until the sinful flesh is stripped away and people are perfectly renewed in the resurrection" (SD VI,24).

Not surprisingly, as the totality dissolves into partiality in the *simul*, the verbs shift accordingly. In the older Lutheran argument, as in the Small Catechism's explanation, God is the subject of every verb. Both Andreae and Musculus take some pains to maintain this priority. Acknowledging the law cannot create what it requires, Andreae describes the Spirit's use of law and gospel to effect the new life in paragraphs ten and eleven. Similarly, Musculus repeatedly comes back to the work of the Spirit of God (SD VI,17). With that said, the purpose of the law in its third use is to instruct and to engage the self in the process.

In fact, the sequences of uses, from the external discipline of the political use to the accusation and exposure of the second use and then from the gospel to the third use has the character of a process of moral rehabilitation, from the partial toward the complete, or to pick up Gerhard Forde's colorful phrase, an exodus from vice to virtue. Consequently, the whole argument requires the kind of distinction Musculus makes when he speaks of "the difference between two different kinds of people," those who are not reborn who remain under the law alone and "the people who are born again" (SD VI,16-17) and who are therefore on the way.

A couple of conclusions can be drawn from this analysis. First, the changes in Melanchthon's definition of the law, whether they are attributed to Erasmus or to his developing Aristotelianism, result in a decisive recasting of the dialectic of law and gospel. Christ's termination of the law, so central to the earlier Lutheran witness, has been reduced to a theoretical end in which the law continues as unrequited demand. Second, the totality of Luther's *simul* resolves into a partiality in which the believer strives, with the assistance of the Spirit to achieve further what has been begun. The discontinuity of law and gospel has been ironed out into a continuous process of moral rehabilitation.

These conclusions call for a careful reconsideration of Article VI of the Formula. There can be no doubt about the necessity of continued faithful proclamation of both law and gospel to all and sundry. The contemporary experience of the church, whether in the antinomian reduction of the law to mere relative value or in the church growth movement's unease with

the absolution, manifests the aimless drift that sets in when the law's voice is silenced. Article VI can under no circumstance be simply set aside. At the same time, however, the faithful proclamation of the law calls for the continuing critical theological reflection on the distinction of law and gospel in our own time and situation. This is the enterprise the Formula began, carefully reassessing Melanchthon's later conclusions. Faithful subscription to the Formula now involves continuing the project, extending it to Melanchthon's theological method, and then moving in the same direction as the authors of the Formula, going back to Luther and, with him, to the biblical text.

Luther himself points the way in a thesis from the Antinomian Disputations quoted in the Formula: "Therefore the law (and likewise the gospel) is to be taught without distinction to the pious just as to the wicked."[17] Instead of sorting the congregation out into those who require first, second, or third use, the preacher is called to declare the biblical text and to proclaim both law and gospel in their fullness: the law in its requirements and accusations as the text demands; the gospel in its power to actually forgive and raise to newness of life. In such proclamation, under the power of the Holy Spirit, the law comes to its one, true, and only end: Christ Jesus himself.

[17] WA 35.I:356,42.

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Beyond the Impasse:
Re-examining the Third Use of the Law

Mark C. Mattes

If the law is a disciplinarian leading us to Christ (Gal 3:24), then what becomes of the law for us once we are in Christ? Is the Christian wholly lawless? The wider concern here is how law and gospel, in proclamation and pastoral practice, are distinguished but not separated. What is clear is that as Christ sits in the conscience of the new being through faith, it is free from the accusations and coercive nature of the law.[1] Faith alone fulfills the law because it alone permits sinners to render the honor to God, which

[1] In his 1535 lectures on Galatians, Luther writes: "Now if it is so dangerous to deal with the Law, and if this fall was so easy and so great, as though it had been all the way from heaven to hell, let every Christian learn diligently to distinguish between the Law and the Gospel. Let him permit the Law to rule his body and its members but not his conscience. For that queen and bride must not be polluted by the Law but must be kept pure for Christ, her one and only husband; as Paul says elsewhere (2 Cor 11:2): 'I betrothed you to one husband'. Therefore let the conscience have its bridal chamber, not deep in the valley but high on the mountain. Here let only Christ lie and reign, Christ, who does not terrify sinners and afflict them, but who comforts them, forgives their sins, and saves them. Therefore let the afflicted conscience think nothing, know nothing, and pit nothing against the wrath and judgment of God except the Word of Christ, which is a word of grace, forgiveness of sins, salvation, and life everlasting. But it is really hard to do this. For human nature and reason does [*sic*] not hold Christ firmly in its embrace but is quickly drawn down into thoughts about the Law and sin. Thus it always tries to be free according to the flesh but a slave and captive according to the conscience." Martin Luther, *Luther's Works, Vol. 26: Lectures on Galatians, 1535, Chapters 1–4*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald and Helmut T. Lehmann (St. Louis: Concordia Publishing House, 1961), 119–120. Elsewhere he writes: "To preach Christ means to feed the soul, make it righteous, set it fee, and save it, provided it believes the preaching." Martin Luther, "The Freedom of the Christian," in *Luther's Works, Vol. 31: Career of the Reformer I*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald and Helmut T. Lehmann (Philadelphia: Fortress Press, 1957), 346. Francis Pieper notes: "For the Christian according to his new man the law is completely superfluous not only in part, but in its every *Usus*;" see Jonathan G. Lange, "Using the Third Use: Formula of Concord VI and the Preacher's Task," *Logia* 3 (January 1994): 21 n. 20. For the reference in German, see Franz Pieper, *Christliche Dogmatik*, Vol. III (St. Louis: Concordia Publishing House, 1920), 279.

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is his due, and the appropriate care to fellow sinners, which is their due. Faith alone gives all the glory to God for his works. The gospel is pure consolation for the troubled conscience struck down by the law's demands. In light of the gospel, one function of the law reveals itself to be a tyrant (Romans 7), akin to those others that God liberates us from in Jesus Christ: wrath (Romans 5), sin (Romans 6), and death (Romans 8).

The Christian, of course, is not wholly a new being. True enough: we are one hundred percent renewed in Christ, but we are also one hundred percent sinful before a righteous and holy God—in all of our thoughts, words, and deeds. The perennial question, in light of properly distinguishing law from gospel, is whether or not there is another use of the law for the Christian, distinct from its civil and theological uses. Does the law remain a guide for the Christian? The discussion of the role of the law in the Christian life, especially when done in light of the teachings of Johann Agricola (ca. 1494–1566), is long and multi-faceted. The historical occasions of the antinomian dispute are beyond the confines of this study. Suffice it to say that, in Jonathan Lange's words, Articles V and VI of the Formula of Concord are closely tied together.

> Article V answered the challenge of a brand of Antinomians who taught that repentance should not be preached from the law but from the gospel (Ep V 1). The resulting thrust of Article V is to demonstrate that, strictly speaking, law preaching works repentance and gospel preaching does not. Article VI answers the challenge of a later variety of Antinomians. These claimed that good works are not to be taught by the law but by the gospel (SD VI 2). The burden of Article VI, therefore, is to assert that good works for the Christian are normed by law and not gospel. Taken together, these articles defend the preaching of the law in the Christian congregation since this law preaching both works repentance (Article V) and instructs in righteous living (Article VI).[2]

However, with the rise of consumerism, urbanization, instantaneous information and communication, and the power of various ideologies to manipulate whole populations in contemporary society, sin takes on even more insidious shapes in people's lives than in previous times.[3] We are called to think through the issues of antinomianism again on a new basis.

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[2] Lange, "Using the Third Use," 19.

[3] See David Wells, *No Place for Truth, Or, Whatever Happened to Evangelical Theology?* (Grand Rapids: William B. Eerdmans Publishing Co., 1993). See also Mark C. Mattes, "Technology, Truth, and Ministry: David Wells on their Relationship," *Lutheran Forum* 34 (Summer 2000): 34–38.

This present paper will respond to Scott R. Murray's recent defense of a third use of the law as a guide for the Christian entitled *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism*.[4] This response will seek a path that recognizes that the law has come to its end in Christ for the believing conscience and that as at an end in this arena it is for the first time established for shaping the political and communal landscapes. With this endeavor, the impasse between the affirmations that Christ is the end of the law for faith versus that the law is a guide for Christian life can be overcome.

Murray's work was motivated initially by what he perceived as an ethical libertinism in the ELCA's human sexuality studies of the early 1990s. Murray's goal is to identify the influence of such libertinism on both the LCMS and the ELCA since 1940. Murray is quite correct to note that the ELCA labors under a terrible weight of an antinomianism with respect to what many regard as private matters. It is important to note, however, that such libertinism in the ELCA is configured within an over-riding legalism, or rigorism, with respect to what many regard as issues of justice in the proposed ELCA sexuality statements. The ELCA, like many in American culture, deals with what might be termed an *inverted golden rule*: Do not infringe upon another's autonomy even as you would not want others to infringe upon your own.[5] In its Epicurean form, it reads: Do not infringe upon others' quest for pleasure, even as you would not want others to infringe upon your own. In the inverted golden rule, the 1970s libertinism of "do your own thing" operates along with the rigorism of defending perceived victims, identified in this case as sexual minorities.

For Murray, antinomianism results from a rejection of a third use of the law, which allegedly posits that the law has no bearing upon the Christian. "If there are no rules, how can the Christian know what does please God?"[6] What, for Murray, is the third use of the law? The third use "gives direction for the impulses of the Christian to do good works."[7] It is "the description of how the Law functions under the Gospel."[8] It is to be distinguished from the first use as "for unbelievers for whom threats of punishment can coerce only to outward obedience" and the second use,

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[4] Scott R. Murray, *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism* (St. Louis: Concordia Publishing House, 2002).

[5] See Mark C. Mattes, *The Role of Justification in Contemporary Theology* (Grand Rapids: William B. Eerdmans Publishing Co., 2004), 101 n. 54.

[6] Murray, *Law, Life, and the Living God*, 72.

[7] Murray, *Law, Life, and the Living God*, 14.

[8] Murray, *Law, Life, and the Living God*, 56.

"the distinctively theological use of the law that lays bare human wickedness and makes clear the need for a Savior."[9]

Luther used the expression "three-fold use of the law" (*triplex usus legis*) in only one place, in his exposition of Galatians 3:23–29 in the 1522 *Weihnachtspostille*.[10] However, our concerns should not rest in differences over terminology. Terminology, like all other matters of the grammar of doctrine, is accountable to law and gospel as conveyed by Scripture. Murray's most important insight about antinomianism is echoed from Gerhard Friedrich Bente (1858–1930) that "the cocoon of antinomianism always bursts into antigospelism."[11] The antinomians always concoct new maxims, principles, and rules by which to live. Ironically, the quest for lawlessness also results in a gospel-less situation.

I. The *Simul* and the Role of Law

For the sake of clarification, it is important to realize that the polarity which distinguishes the third use of the law from the first is the polarity between Christians and non-Christian, not old and new being, or the inner man, as it is referred to in the Formula.[12] The new being walks by faith and does good works spontaneously. The old being needs constant education and goading. There are three errors inherent in this approach: 1) old and new beings are on a continuum; or 2) the new being called forth by grace is a possibility latent in the old; or 3) the new being somehow no longer needs to contend with the old. Instead, we as believers are simultaneously old and new. Because of this *simul*, the importance of law in catechesis and preaching, particularly in our time, which, due to the all-

[9] Murray, *Law, Life, and the Living God*, 13–14. He provides six reasons why the third use of the law must not be neglected in our day: 1) ecclesiastical conflicts have included battles over the applicability and meaning of the third use of the law; 2) divine direction in the law for the believer remains a blessing; 3) antinomianism is detrimental to the gospel; 4) legalism obscures the gospel; 5) the third use needs to be applied to today's concerns; and 6) today's theologians who reject the third use need a rejoinder.

[10] Martin Luther, *Luthers Werke: Kristische Gesamtausgabe*, Vol. 10, pt. I (Weimar: H. Böhlau, 1907), 1 lines 449ff; WA 10.I:1,449ff.

[11] See Eugene F. Klug and Otto F. Stahlke, *Getting into the Formula of Concord: A History and Digest of the Formula* (St. Louis: Concordia Publishing House, 1977), 47–48.

[12] See Lange, "Using the Third Use," 19: "The inner man, on the other hand, is a designation employed by the Formula to speak of the Christian only insofar 'as he is born anew [and] does everything from a free and cheerful spirit' (SD VI,17). The inner man does not refer to a substance altogether different from the Christian, but it narrows the focus to only the saintly aspect of the Christian *in concreto*. For this reason later dogmaticians have dubbed the inner man as the Christian *qua* Christian."

encompassing shape of life under the condition of *autopoiesis*, needs an appropriate context.[13]

The Christian is both old and new simultaneously. We are not old and new partly but wholly. As prone to self-righteousness, the old being always thinks that the law can be taken into one's own hands for some kind of self-inflation and self-preservation. And, this is where the law is deadly for the old being. Hence, the potential problem with talk of a third use is not the law but the user. When the user is the Christian, then even the use can get tangled again in righteousness *coram deo* and the person can wind up before the judgment seat of God rather than the mercy seat. Both the first and the third uses of the law are subsumed by God in Christ who uses the law both to preserve order, guide social well-being, and end the old sinner (although that comes at the overlap with the gospel in proclamation and absolution).

The confessional basis for the third use of the law seems to hinge on giving a direct answer to the anxiety arising from antinomianism: Do Christians still need the law? The confessional answer to this question is: Yes, precisely because as simultaneously saint and sinner the Christian contends with the old being.[14] True, we acknowledge with Luther in *The*

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[13] Reinhard Hütter describes the term *autopoiesis* in the following way: "Moreover, if we want to grasp the sweeping theological invention of *Veritatis splendor*, we need to understand the claim that is encapsulated in the modern notion of freedom. It is the freedom of the self that demands a position of sovereignty in relation to her or his body and the natural world—in short, the freedom of the *Promethean self*. It is the self for whom freedom has ultimately come to mean autopoiesis, self-creation: I am genuinely free only if my identity is the creation of my own will. Everything that might bind me, that might restrict me, that might direct me without myself having chosen the direction is regarded by the Promethean self as estranging and oppressive—be it bodies, laws, traditions, conventions or something as simple as taxes." See "(Re-)Forming Freedom: Reflections 'After *Veritatis splendor*' on Freedom's Fate in Modernity and Protestantism's Antinomian Captivity," *Modern Theology* 17 (April 2001): 120.

[14] Any talk of the law as a guide must acknowledge also that the Christian is both righteous and condemned. Lange notes, "With the claim that the 'Third Use' is just that form of law preaching that carries no curse or accusation and is used to instruct a Christian in good works, Article VI of the Formula is often trumpeted as the confessional *sedes* for this idea. In reality, the Formula does not support this notion nearly as readily as do Calvin's *Institutes*. The Formula teaches, '[The Holy Ghost] exhorts them [the regenerate] thereto, and when they are idle, negligent, and rebellious in this matter because of the flesh, He reproves them on that account through the Law . . . He slays and makes alive; He leads to hell and brings up again' (SD VI,12). Compare this to John Calvin who teaches, 'the law is an exhortation to believers. This is not something to bind their consciences with a curse, but to shake off their sluggishness, by repeatedly urging them, and to pinch them awake to their imperfection' In the Formula,

Freedom of the Christian that we can make some progress in this life. "As long as we live in the flesh we only begin to make some progress in that which shall be perfected in the future life."[15] But this is never a righteousness that inflates or potentiates the ego before God (*coram deo*) but only one that seeks service to the neighbor and creation. Our passive, receptive righteousness before God opens active righteousness in the world (*coram mundo*) so that we are responsible to others in our vocations, "according to the rule of God's word" (*ex praescripto Verbi*).[16] Surely our progress in the new life entails that we grow in our understanding of how pervasive sin captivates us and how fully our wills are bound.

Luther's original response to lawlessness and doctrinal laxity, the impetus for the writing of the Small Catechism and, thus, for every other confession, must be brought back to a central place. The doctrine of the *simul iustus et peccator* must always be acknowledged in pastoral preaching and practice.

II. Law as Guide

What appears most troubling for Murray is the misinterpretation of law and gospel that would posit the following: If the law is accusing, as is clearly defined in its second use, then it is not properly informative. That is, if the law accuses, then it *only* accuses, and never guides. Murray appeals to David Yeago as offering a corrective to ELCA antinomianism.[17] Yeago identifies the antinomian problem as playing off the gospel as good news from that of the law by affirming that the gospel terminates the law, which for Yeago is really in fact bad news because it lends itself to the ethical chaos that we currently see in our society. Ethical chaos in society, however, is not due to the preaching of Christ as the *finis* (end) of the law for faith but due to sin and contemporary American culture's inability to articulate a common good, other than the prowess of the market economy. Current society wants nothing to infringe on the liberties of individuals seeking their own perceived individual good, provided that, as John Stuart Mill put it, no harm is done to others.[18] More accurately analyzed, the false

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the law reproves, kills and condemns the Christian while in the *Institutes*, the law only shakes, urges and pinches the Christian." "Using the Third Use," 21.

[15] *LW* 31:358.

[16] See Klug and Stahlke, *Getting into The Formula of Concord*, 48.

[17] Murray, *Law, Life, and the Living God*, 178–185.

[18] "The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental or spiritual. Mankind are greater gainers by suffering each other to live as seems

gospel of contemporary North America is not that you may do as you please but that you must fulfill yourself. For many in our congregations, unfortunately, this is the gospel. This fake gospel can be heard in the pulpits of both right-wing Evangelicals and left-wing mainline Protestants. For the former, if we accept Jesus as Lord and Savior, then we can actualize ourselves in a purpose-driven life. For the latter, Jesus is the clue to spirituality, which helps us to live serenely in an impersonal, market-driven world.

Yeago, however, does not provide an evangelical answer to the North American problem of antinomianism. This is because Yeago embraces Thomistic presuppositions that are incompatible with evangelical faith.[19] With his Thomistic turn, grace fulfills the law in us, by means of a form of cooperation, mimetic participation in the divine life, thus in effect making the law itself God's plan of salvation.[20] What needs to be said in response to Yeago is that the law in the penultimate place need not entail antinomianism. Neither is the law God's form of salvation for the Christian. Christ is alone.

Whether or not the view that the law only accuses and never guides is actually taught by all those who reject a third use of the law will not be dealt with here. In the Confessions, it is clear that the law is informative of God's will for old beings who are epistemically blinded by sin. It is also confessionally clear in the Large and Small Catechisms that, as believers, we can look at the law as informative and not solely accusing. Harmonizing the second use with this latter truth, we can affirm that although the law always accuses (*lex semper accusat*), it does not only accuse. It also informs, though, given our sinful nature, it never informs as a neutral guide. The distinction between information and accusation is never tidy. Hence, Luther in the Large Catechism said, "Here we can throw out a challenge: Let all the wise and holy step forward and produce, if they can, any work like that which God in these commandments so earnestly requires and enjoins under threat of his greatest wrath and

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good to themselves, than by compelling each to live as seems good to the rest." John Stuart Mill, *On Liberty* (Amherst, NY: Prometheus Books, 1986), 19.

[19] See David S. Yeago, "The Thomistic Turn in Evangelical Catholic Ethics," *Lutheran Quarterly* 16 (2002): 65–100.

[20] Perhaps, rather than seeing the law as vindicated in the eschaton, we do well to acknowledge that God is vindicated. His promise of resurrection from the dead will then be made good. Whether or not law and gospel are one in the *eschaton* is a speculation beyond human capacity to solve.

punishment" (LC I,333).[21] The law is a lion ever on the prowl. Even if the antinomians seek to knock out all of its teeth, it can still gnaw you to death. For the old being, law remains deadly.

If more than a first use of the law is required to harmonize the law's accusing and informing functions, it would be solely to make clear the answer to the question raised above: Does the law apply to the Christian? The talk of uses of the law, while helpful, is limited in its helpfulness because we are speaking of one reality, law, but this same law has different effects upon sinners, both believers and non-believers. These different effects, which can be simultaneous, include accusing, instructing, goading, and even as offering providential grace (in that the flourishing of created life depends on social order in church, home, and government), given where an individual stands, at any given time, and even simultaneously, in relation to God. Too often, the problem, more specifically, then comes in losing track of the user by focusing on use. Too often we seek to guarantee the continuity of the old being rather than honor an anthropology that harmonizes with the *simul*. In this latter anthropology, there is no continuity between old and new beings. This is because the new being lives from faith in Jesus Christ alone.

III. Third Use in Relation to the First

The bulk of Murray's work is presented as a survey of theological attitudes of selected North American Lutheran theologians about the third use of the law from 1940 to 1998. Murray contends that rejection of the third use of the law goes hand in hand with theology's accommodation to an antinomian culture. We might identify such antinomian culture as contemporary, postmodern Epicureanism which seeks pleasure within moderation, provided, in its Utilitarian formulation, that no harm is done to others. Religious existentialism contributed to this cultural blight by placing the project of self-realization, as a salvific goal, at the front and center of theological inquiry, in place of God's commands and his word, that is no less than his only begotten Son, Jesus Christ.

Murray tends to misinterpret Gerhard Forde's rejection of a third use of the law as an outworking of existential premises.[22] This, however, is

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[21] Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, and Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 431 par. 333.

[22] "From the perspective of the 'third use', you may indeed be saved by grace, but then you have to get really serious and attend to your sanctification. The law may have

inaccurate, especially given Forde's constant contention, following Luther, that antinomianism is a "play staged in an empty theater,"[23] Forde's discussions of boundaries in sexual ethics[24] (the very issue that sparked Murray's study), and Forde's rejection of Bultmann's self-authentication of the ego at the center of theological inquiry.[25] Forde helps us understand that preachers must take into account that, despite this culture's assumptions about itself, it is all law disguised behind the mask of autonomous, consumerist liberty. If anything, Forde believes that his quest to distinguish properly law and gospel actually situates the law in its proper place for human well-being.[26] Forde rejects a third use because he

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ended as a coercive force or an accuser, but now it comes back in a third way. The devil's real playground is where Christians are. Hence, the law is said to be a 'guide for the believer'. The lion of the law may indeed have lost his teeth, but now you just get gummed to death! In other words, you may indeed have gotten saved without effort, but now comes payback time. There is no free lunch. Or as the contemporary favorite rejoinder has it, grace does not come cheap." Gerhard O. Forde, "Luther's 'Ethics,'" in *A More Radical Gospel: Essays on Eschatology, Authority, Atonement, and Ecumenism*, ed. Mark Mattes and Steven Paulson (Grand Rapids: William B. Eerdmans Publishing Co., 2004), 145. Forde exposes the notion that if the law is used as a guide for greater mimetic growth into the divine, sanctification seen as our developing our potential in being divine-like, then law and gospel are not properly distinguished. However, if we see law is focused on honoring God for his own sake and loving our neighbors as ourselves, then the gospel, and only the gospel, can properly establish the law. Given sinful human nature, the law can never secure its own proper place for establishing order because the old Adam will always misconstrue it as salvific. As such, it does its work of slaying the old Adam. The third use of the law, as described in FC VI, is not radically different from the first use, but an acknowledgement that the believer contends daily with the old being, for whom law is never suspended. From that excess of generosity received from God, one can positively appropriate law as setting appropriate boundaries and goals for the well-being of others.

[23] See Gerhard O. Forde, "Fake Theology: Reflections on Antinomianism Past and Present," *Dialog* 22 (Autumn 1983): 246–251.

[24] See Gerhard O. Forde, "Law and Sexual Behavior" *Lutheran Quarterly* 9 (Spring 1995): 3–22.

[25] See Gerhard O. Forde, "Bultmann: Where Did He Take Us?" *Dialog* 17 (Winter 1978): 67–80.

[26] "The gospel is the end of the law because and in the same way that the world to come is the end of this world. It is the end in the sense of goal or aim. The law ends because in the gospel its goal is reached. But this does not mean doing away with law by erasing or destroying it. Just as hope in the world to come, the true end, and the goal of existence, does not compete with or destroy this world, so also the gospel does not compete with or destroy the law. Hope in the world to come creates the faith and patience to live in this world; it gives this world back to us by relieving us of the burden of our restless quests. Freedom from the world makes us free for it. Just so faith in the gospel does not despise the law or destroy it, rather it places the law for the first time on

does not see this formulation as offering anything that is not already in the first use.

There can be no question that Murray's chief concern is that Christians are not to be "conformed to this world" but are to be "transformed by the renewing of their minds" in Christ (Rom 12:1-2). I suspect that he worries about a church too accommodated to a culture that is narcissistic, grounded in an individualism that violates life-giving community, wise governance, and healthy authority. While ethics as such cannot solve the problems of ethics—these problems are rooted ultimately in a question of our ultimate trust—there is no reason to neglect or underplay the quest to establish healthy boundaries for the flourishing of communal living. Surely nurturing these three virtues would enhance the life of a congregation. As this is the case, the issues that Murray raises are of the utmost importance.

Forde's insight that antinomianism is often covertly some species of nomianism needs to be maintained, not only in theology but especially in preaching. Where the law is viewed as potentiating the self before God, or even an idol for that matter, its accusatory function will be in force. Preachers need to discern this role of the law in their congregations and communities in order to distinguish properly the law from the gospel. Doctrinally, this entails that sanctification ought not, therefore, to be construed as any form of self-potentiating *coram deo*. Sanctification is not growth in spirituality but in God's claim-making progress in all aspects of our lives.

There is no conflict between the affirmations that 1) the law accuses, indeed, always accuses the old being, and that 2) the law structures or guides life in the political realm, the first use, and even guides Christians as old beings, the third use, by providing a tolerable order for social health in the church, the home, and the political realm. Christian community is shaped by both law and gospel in preaching, the sacraments, catechesis, the consolation and conversation of the brethren, and the interpretation of Scripture in light of its great commentators. As promise, the gospel shapes us by establishing a foundational trust in God apart from which no healthy community can be had. The law establishes those parameters that tell us to honor God for his own sake and the dignity of others for their sakes.

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a solid basis. Because its goal is given, it is no longer our enemy. Because we need not fear it, we can begin to see its proper use." Gerhard O. Forde, *Where God Meets Man: Luther's Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg Publishing House, 1972), 110.

Were we to walk solely from faith, apart from any intrusion of the old being, we would spontaneously do these two tasks as if creation were unsullied by the fall. The quest for a shape, structure, or order of communal life and catechesis for the sake of providing a healthy identity for Christians in their engagement with one another and the world is an important task in the affirmation of the third use of the law today. However, as radical as the quest might be to secure the church as a kind of counter-culture to contemporary individualism, and as valuable as that task might be, it is even more radical to preach the gospel as sheer gift to a culture driven by self-justification.

With respect to the new being, the law brings us to Christ. *Ex post facto*, in Christ, as a "perfectly free lord of all subject to none," with all the attendant rights due to a noble (1 Pet 2:9), one can look back at the law through faith in Christ with the love that meditates on the paths of God. Luther writes, "It is the mode and nature of all who love, to chatter, sing, think, compose and frolic freely about what they love and to enjoy hearing about it. Therefore this lover, this blessed man, has his love, the Law of God always in his mouth, always in his heart and, if possible, always in his ear."[27] According to the Large Catechism, through faith we, as redeemed, can even come to delight in the law, since in our agreement with God, even against ourselves, we agree that all God's ways are holy and good.[28] This Hebraic evaluation of the law ("the law [torah] of the LORD is perfect, reviving the soul; the decrees of the LORD are sure, making wise the simple . . ." [Psalm 19:7]) could be interpreted as the first use of the law from the perspective of redemption, although this view extends the valuation of the law in FC VI. [29] As redeemed, that is, as new beings, we

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[27] Martin Luther, *Luther's Works, Vol. 14: Selected Psalms III*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (St. Louis: Concordia Publishing House, 1958), 297–298.

[28] "Therefore the Ten Commandments do not succeed in making us Christians, for God's wrath and displeasure still remain upon us because we cannot fulfill what God demands of us. But the Creed brings pure grace and makes us righteous and acceptable to God. Through this knowledge we come to love and delight in all the commandments of God because we see here in the Creed how God gives himself completely to us, with all his gifts and power, to help us keep the Ten Commandments: the Father gives us all creation, Christ all his works, the Holy Spirit all his gifts" (LC III,ii,69). Kolb and Wengert, *The Book of Concord*, 440 par. 69.

[29] This insight, which I have been contemplating for the last three years, is described and defined better by Piotr J. Malysz, "The Third Use of the Law in Light of Creation and the Fall" in *The Law in Holy Scripture*, ed. Charles A. Gieschen (St. Louis: Concordia Academic Press, 2004), 234: "The third use of the Law is none other than the first use without the latter's plaguing vagueness and hostile undercurrents, without its alien

see everything in the world, including the law, in a new light. The paths that lead to honoring God for his own sake and securing our neighbors' good are secured and upheld in that faith that restores us to creation.

We ought never to delight in our own righteousness. However, we can delight in the justice that God seeks for the potential victim (including the unborn, the sick, poor, and elderly) and in the good order that creatively sustains a healthy community. In the noble, indeed royal, freedom of the Christian we may, according to Luther, even seek to develop new Decalogues for serving our neighbor, if need be.[30] Such ethical inventiveness, however, is never arbitrary or self-serving. It is always tied to creation and the fostering of good order and a healthy community in and as creation. Christian freedom must be radically disassociated from the freedom of Kant, Stoicism, Epicureanism, or Utilitarianism, especially in the contemporary forms of these theories.

Christian freedom results, as good fruit from a good tree, in that descent which allows us to be "Christ to our neighbor"[31] such that we share in and as God's providential outworking in creation, God's "channels"[32] in the world. In light of Christ, the law is reconfigured not as the *crux* of our unique identity with respect to a non-Christian world but as a form of service others. With the baptismal metaphor of death and resurrection, the Christian life is best understood not as a *transitus* from vice to virtue but from virtue to grace. The law is relativized, suspended, in the relation of the believer as believer to God (and only in this relation), since it is

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character. It is a return to creation in its primeval beauty, with order being maintained not merely externally but also internally through the bond of love and trust between a self-giving God and a reciprocating and socially and vocationally self-giving man. This radical change has been made possible by the reality of redemption. God's continued self-giving reached its apex and most perfect manifestation in his offering of himself to man in the most intimate of ways—by becoming man and sharing in humanity (Heb 2:14)." Where there is creation, there is order. God's creation *ex nihilo* includes the domestication of that *tohu wabohu* present in the beginning. Order is never injurious to freedom when one through faith seeks to evaluate and sustain healthy order as service to the neighbor.

[30] Martin Luther, "Theses Concerning Faith and Law," in *Luther's Works, Vol. 34: Career of the Reformer IV*, American Edition, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1960), 112. See also in German WA 39.I:47.

[31] Martin Luther, *Luther's Works, Vol. 31: Career of the Reformer I*, American Edition, Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1957), 371. See also in German WA 7:69.

[32] Kolb and Wengert, *The Book of Concord*, 389 par. 26; LC I,26.

through Christ that our conscience relates to God. Given that the Christian is both new and old being, the law remains for the old being as a goad and guide. It is not a pattern of mimetic participation in the true, beautiful, or good, nor a way by which to establish the autonomy of the enlightened self. Nor is it a basis by which to establish an ideal community on earth, whether dreamed of by either the political left or right. Rather, it sets healthy boundaries for the old being so that God's creation might be honored.

IV. Lutheran Antinomians

Prior to examining the understanding of law in modern American Lutheranism, Murray offers a basic overview of the interpretation of the relation between law and gospel for Luther and the early Protestant confessors as well as influential views of law in the nineteenth century. He demonstrates that Luther affirmed that the law is important for the Christian in his expositions of the Ten Commandments, as well as his hymnody and preaching on them. He identifies the importance of the LCMS father, C. F. W. Walther (1811-1887), and his classic *The Proper Distinction Between Law and Gospel*, which focuses on the accusing nature of the law, not its third use, in order to help budding preachers distinguish but not separate law and gospel. "It (the law) conjures up the terrors of hell, of death, of the wrath of God. But it has not a drop of comfort to offer the sinner. If no additional teaching, besides the Law, is applied to man, he must despair, die, and perish in his sins. Ever since the Fall the Law can produce no other effects in man. Let us ponder this well."[33] With these words, Walther's concern for the accusatory nature of the law is clear. A specific discussion of the third use of the law in *Law and Gospel* is notably absent, not because Walther himself did not accept a third use, but because his concern was uniquely pastoral, attempting to help preachers in the art (for Luther, the highest art) of distinguishing law from gospel for the sake of delivering the promise in preaching.[34]

When considering the entire twentieth-century debate in North America, Walther's work is more important than what Murray seems to imply. Many, but not all, of the so-called antinomian, Valparaiso theologians, as

[33] C. F. W. Walther, *The Proper Distinction between Law and Gospel: Thrity-nine Evening Lectures*, tr. W. H. T. Dau (St. Louis: Concordia Publishing House, 1929), 14.

[34] Walther, *Law and Gospel*, 46. For Luther's sermon that describes the proper distinction between law and gospel as the highest art, see John T. Pless, *Handling the Word of Truth: Law and Gospel in the Church Today* (St. Louis: Concordia Publishing House, 2004), 115-128. Pless's volume is an insightful, pastorally sensitive interpretation of Walther's insights for today's clergy and congregations.

he labels them, such as the early Jaroslav Pelikan, Martin Marty, Richard Caemmerer, Edward Schroeder, Robert Bertram, Walter Bartling, the young Walter Bouman, and others, had a tendency, in their perspectives, to play the freshness of Walther's approach to theology off what they saw as the dead, repristinating work of the dogmatician Franz Pieper (1852–1931). Of course, this is hardly accurate, since Walther himself endorsed the repristination of the Orthodox fathers and positioned Pieper as his successor. Nevertheless, there can be no doubt that Walther was seen by some progressive LCMS theologians as a deliverer from repristinating dogmatics. In this regard, could not Caemmerer's contention that new life is not simply "conformity to code" be, in its own way, a dig at not only Pieperianism but also the alleged confessional rigidity by some in those synods connected to what had been the Synodical Conference?[35] Admittedly, this is conjectural. Yet, given the Valparaiso theologians' attempt towards developing a theology that would correspond to a lively use of the gospel, it might not be off the mark.

Murray notes, quite helpfully, that many of the Valparaiso theologians finally could not live with the freedom from the law that they sought. Hence, they invented legal intrusions upon the gospel. For many of these thinkers, then, the gospel has imperatives—*paraklesis*, *parenesis*, and encouragement—all of which confuse law and gospel.[36] Murray tends to set the Valparaiso theologians in opposition to those he terms *Missourians*, who sought to do theology along the lines of the repristinating methods of Pieper. However, given the history involved, should this best be seen not as non-Missourians versus Missourians, but instead as camps within Missouri itself—two conflicting interpretations of the heritage of Walther, thereby acknowledging the complexity of theological positions that existed (and still exist, to some degree) within Missouri?

While Walther was seen as a voice by which to legitimate antinomian views about the law, it was the influence of Werner Elert on the LCMS and, to a lesser degree, some predecessors of the ELCA for whom talk of a third use of the law was deemed unnecessary. David Scaer notes of Elert that "his 'law-gospel' principle hung suspended in theological thin air, almost in the same fashion as the Erlangen theology a century before."[37]

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[35] Murray, *Law, Life, and the Living God*, 49.

[36] Murray, *Law, Life, and the Living God*, 145.

[37] Murray, *Law, Life, and the Living God*, 68. Scaer notes elsewhere: "In the face of Barth's redefinition of the Gospel as ultimately an imperative, which Elert rightly saw as a confusion of Law and Gospel, Elert determined to maintain the traditional definition that required their separation, and that separation was at the heart of Lutheran

For Scaer, Elert is a Lutheran-Barthian specifically because law and gospel float like a historicity above history, a principle divorced from concrete encounters with biblical texts.[38] Undoubtedly, a major concern for Scaer is the status of biblical authority in Elert. In Scaer's view, the law-gospel contrast for Elert takes on an authority which ought to be reserved to Scripture alone. It is abstracted from Scripture, which ends up having a kind of lesser authority. Here, Scaer has insights which need to be heard. In Elert, God's encounter with people is configured largely in personalistic terms as an I-thou relation with God, oblivious that God's encounter is especially mediated sacramentally—socially and linguistically—through Scripture and indeed all creation, a deeply external, physical word. God "speaks to the creature through the creature" as Johann Georg Hamann (1730–1788) put it. This existential I-thou encounter, apart from an earthly, cultural, historical, linguistic mediation, is the Barthianism (a Hegel-like preference for pure, systematic, totalizing thought over the sensuality that is the stuff of life and whose excess subverts any attempts toward systematic totalization), if you will, in Elert that needs to be countered.

Hence, the young Walter Bouman's contention that "law and gospel functions to shape Lutheran theology, not Lutheranism's approach to the Bible. The Bible norms Law and Gospel, not the opposite . . ." is artificial.[39] It is not that the Bible must be interpreted through the lens of law and gospel, but that there is a *communicatio idiomatum*, we might say, between Scripture and law and gospel. The Scripture that thoroughly interprets us and the world does so in terms of demands that put to death old beings and the divine promise that raises the dead. The doctrine by which the church stands or falls interpenetrates Scripture and Scripture interpenetrates the chief article. This is because Scripture is about Jesus Christ, and him crucified, who forgives sinners. Without this christological reference, both Scripture and the chief article become ossified, rather than means that deliver Christ, make Christ active, through proclamation. All theology is Christology, or at least it ought to be, particularly as Christology is only relevant when it serves to deliver Jesus Christ as gift in preaching to condemned sinners. In this regard, we should note that it is Scripture alone that properly interprets the entire

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theology. Elert's approach, however, allowed others to take the next step and deny a positive understanding of the Law in life." "Law in a Law-less World," in *The Law in Holy Scripture: Essays from the Concordia Theological Seminary Symposium on Exegetical Theology*, ed. Charles A. Gieschen (St. Louis: Concordia Academic Press, 2004), 197.

[38] Murray, *Law, Life, and the Living God*, 137.

[39] Murray, *Law, Life, and the Living God*, 182–183.

world and, not surprisingly, it is through the world, along with Scripture, by which God addresses us in hiddenness, wrath, mercy, and providential grace. The proper distinction between law and gospel is simply the doctrine of justification pastorally understood and applied.

V. Intrusions of Secular Politics

Murray certainly puts his finger on some important questions. How will we as Lutherans respond in light of the current culture's tendency to pair nomianism and antinomianism in certain specific ways by both the political left and right? The political left tends to be libertine or antinomian with respect to private lives, particularly sexual practices, while quite legalistic or nomian with respect to economics (presumably for the sake of those with the least economic power). In contrast, the political right tends to be legalistic or nomian with respect to sexual ethics and libertine or antinomian (*laissez faire*) with respect to economics.[40] Unfortunately, both the political right and left tend to soteriologize politics—if we could get the right political system, we would be saved, that is, have heaven on earth. In the modern world, both the political left and right are, unfortunately, millenarian.[41] In contrast, the genetics or inner logic of Lutheran theology tends towards amillenialism, rejection of any ideal community on earth. It would seem that both the political right and left tend to play off either greed (disordered economics) or lust (disordered sexuality). Do not we, as Lutherans, think that both greed and lust should be challenged (and even on the basis of the law, no less)?

Additionally, our culture seems to be quite driven towards self-expression in both economics and sexuality. There can be no doubt that Forde is right when he contends that we are not free but bound to the goal of self-expression. We quickly idolize such matters. As such, Enlightenment views of human freedom as autonomy are tantamount to a form of the bondage of the will. We are bound to wrestle a meaning from ourselves, from our interpretations of the ultimate, for ourselves. This we do to legitimate our behavior or validate our perspectives. As such, we are caught in our own trap. More than anything, we fail thereby to fear, love, and trust in God above all things, which would unleash love for neighbor, with specific consequences for how we configure or evaluate economics and how we approach the family. ELCA antinomians are really nomians of contemporary configurations of both economics and sexuality, given

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[40] See Jean Bethke Elshtain, *Democracy on Trial* (New York: Basic Books, 1995), 4.

[41] See Robert H. Nelson, *Economics as Religion: From Samuelson to Chicago and Beyond* (University Park, PA: Pennsylvania State University Press, 2001), 31.

their very specific secular soteriological construals of economics and sexuality. When we turn from Christ as savior, we will substitute other means for salvation and create false idols. The Valparaiso theologians and many others in the ELCA that Murray eschews have attempted to reinterpret the law-gospel distinction in light of their prior, secular political commitments, which tend to be of the left, described above. As should be clear, however, secular politics must be evaluated more in light of Scripture and the chief article.

Undoubtedly, whether found in either the political left or right, antinomians fear limits to self-expression while nomians fear chaos. Anxiety is exaggerated concern, and this is true for either the political right or left. However, for all such exaggeration, legitimate concerns may indeed be at stake. As created by God, human life, if it is to flourish, must find itself balanced between both order and freedom.[42] Surely this is the case in those three estates in which God does people-making: the church, the family, and the political realm. The gospel restores and renews a healthy community in these three estates. The gospel is a divine promise given in Scripture, in proclamation, in creation itself (for instance, the rainbow as a sign of God's promise). It is a word that does what it says and says what it does. What it does is build assurance with respect to God. This is not as old creatures but new. This is not as partially but as wholly new on account of Christ. The ultimate matter of our standing in the universe is settled. Our *telos* has arrived. We sinners are claimed as God's own in the atoning, sacrificial death and victorious, bodily resurrection of Jesus Christ. God is for us. The gospel affirms that even our sin, God's wrath, or God's own hiddenness cannot separate us from the love of Christ. The gospel gives genuine freedom, liberation from incurvation, offering the only secure basis for freedom and risk-taking. It restores us to creation as it is meant to be. As redeemed, we are sent into the world, which needs order and stability, so that children, the aged, the handicapped, the mentally distraught, the unborn, and all others who are vulnerable might be allowed to be, along with the rest of creation.

VI. Christ as the End of the Law

Christ is the end of the law for faith, both as *telos* and *finis*. However, Christ is the end of the law only for faith. Outside Christ there is law, as accusing, as providing order—and thus as instructive. Indeed, God's providential grace operative in creation is likewise operative as law,

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[42] See Amitai Etzioni, *The Spirit of Community: The Reinvention of American Society* (New York: Touchstone, 1993).

sustaining life and vocation. At its best, the academy, the guild of scholars generating the disciplines that establish the canons of knowledge, resonates with such providential grace in creation. Lutherans will always acknowledge that the most important aspect of law is that, *coram deo*, it is not for the sake of actualizing self-potential before God, but to lead us to Christ where we reach an end as sinners and are created anew. Our potentialities and possibilities are reconfigured in terms of service in light of the new life, which is itself perceived as a donation, a comprehensive aesthetic, as Oswald Bayer puts it, promised in Christ (inclusive of but far more than ethics).[43] We are free from *ambitio divinitatis* in faith and are, thus, freed from the incurvation in which potentiality and possibility feeds self-security, self-trust, and finally narcissism.

Gerhard Forde has helpfully distinguished covert from overt antinomianism. Covert antinomianism, in contradistinction to overt antinominianism, reduces the law to size, thinking that the law can be made manageable. It is finally a way by which the self can potentiate itself—seen for example in some variations of contemporary Evangelical Catholicism, Catholicism lite—with no burden of poverty, chastity, or obedience. By contrast, our Lord promises that his yoke is easy and his burden is light (Matt 11:28-30). We should not appeal to the Augustinian *caritas* ladder approach that Yeago seeks to restore. The answer to current antinomianism in wider culture is not nomianism. It is not to re-Romanize the church. Rome is far too sectarian to convey adequately the catholic truth of the gospel. Rather, it is to proclaim law and gospel—distinguished not separated—such that incurvated nature is returned to creation on creation's terms, even with all its ambiguity and messiness, recognizing that God's artistry is crafted through this ambiguity. In Christ alone, not in law, not even in a visible church, there is new creation. And that new creation opens the old creation in new ways, such that we can hear and discern God's address in it—his word of promise spoken in every grain of wheat, "I will provide," or in the rainbow, "I will protect you through the rhythms of life" (Gen 8:21-22) and in one's neighbor, whom one should love as oneself, and who also serves us.[44] Eschatology, by its very nature, sets limits to ontology, subverting our ability to transform faith into sight, either as *contemplatio* or *actio*, *theoria* or *praxis*.[45] Non-self-justifying

[43] Oswald Bayer, "Justification as the Basis and Boundary of Theology," *Lutheran Quarterly* 15 (Autumn 2001), 276.

[44] WA 31.I:443.

[45] See Gerhard O. Forde, "The Apocalyptic No and the Eschatological Yes: Reflections, Suspicions, Hopes, and Fears," in *A More Radical Gospel: Essays on Eschatology, Authority,*

thinking and doing is first opened by faith, the receptive life *coram deo*, the *vita passiva*. Good fruits result from a good tree.

In contemporary North America, our greatest conformity to the world is our translation of all transactions into monetary units with the supposition that no one has a right to interfere with the quest for one's own self-defining.[46] In such nihilism, religion is accorded a place as a way to cope with societal stress. The command from Mt. Sinai needs to be heard in all its clarity and deadly potency: "You shall have no other gods before me" (Exod 20:2). The law is no private matter; it is rather the word of the Lord of all creation. We do not determine our own good for ourselves. God is our good. And God establishes law, even if it is penultimate with respect to salvation.

What North Americans do not have and cannot understand is a community fed by grace that is not synthesized to one of their desires. The church, then, embodies its counter-cultural identity sacramentally in the gospel. The sacraments run counter to Gnosticism because God nourishes us communally, that is, bodily. Contrary to North American Gnostic individualism, which reshapes relationships within utilitarian matrices, God is shaping us in the three estates. No more important work can currently be done than to build up congregations as missional bodies, whose identities are thoroughly grounded in and sustained by word and sacrament. The evangelistic voice of Wilhelm Löhe (1808–1872), whose missionary zeal helped to establish theological education here in Fort Wayne, continually needs to be heard today in this regard.

For the Solid Declaration's position on the law in the life of the believer, the believer is not under law but in the law. The understanding of law in the believer's life here arises out of the *simul iustus et peccator* doctrine. If one contends for antinomianism, either covert or overt, one pretends that the old is totally gone, though through God's power its effect is lessening day-by-day. If one contends for nomianism, one pretends that the newness of God's work is of no avail. In this regard, the problem ever with ethics (*praxis*) as self-justifying behavior is that it, like theory (*contemplatio*), wants faith to be transformed into sight. Does faith work?[47]

Atonement, and Ecumenism, ed. Mark C. Mattes and Steven Paulson (Grand Rapids: William B. Eerdmans Publishing Co., 2004), 17–32.

[46] See Craig M. Gay, *Cash Values: Money and the Erosion of Meaning in Today's Society* (Grand Rapids: William B. Eerdmans Publishing Co., 2003).

[47] Incidentally, this was the title for the 1998 ELCA Convocation of Teaching Theologians, which met in Techny, Illinois.

If it does, then perhaps the church can have a longer lease on life in the world. It is so difficult for us not to translate things into their viability for human potential, particularly in the modern world where we, like Atlas, hold all on our shoulders, a form of practical atheism, one might say.[48]

The purpose of the law is, shockingly, summed up in the first commandment: an end to our human potential *coram deo* and liberating of our potential to do good *coram mundo* and an end to that very law—in faith alone! In the *Treatise on Good Works* (1520), Luther is clear that if every one had faith, we would need no more laws. He points out that there are four types of people with respect to law: 1) those who need no law, because they are confident that God's favor rests on them; 2) those who abuse freedom—they need *teaching* (guidance) and warning; 3) the wicked who need restraint; and 4) the childish who need coaxing for their growth. Luther is adamant: good works cannot be done apart from faith. Ironically, it is faith alone that would permit the fulfilling of the law, not our doing of works. Faith subsumes all under the first commandment. The first commandment is fulfilled only by faith and not works—it opens the horizon for the fulfillment of the other commandments.

If the law is eternal, it is because in the first commandment both law and gospel are given.[49] In that commandment both claim ("I am the Lord your God") and demand ("You shall have no other gods before me") are expressed. But it is faith alone that fulfills this command. The law's primary function is to do its alien work—kill self-righteous sinners—so that the gospel can do God's proper work of raising the dead. What could be more delightful to repentant sinners than to receive this gift of new life? We need to hear that eternal gospel (Rev 14:7), proclaimed by that unique

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[48] See Oswald Bayer, *Schöpfung als Anrede: Zu einer Hermeneutik der Schöpfung*, 2nd ed. (Tübingen: Mohr-Siebeck, 1990), 147.

[49] An alternative position with respect to the question whether the law exists in eternity, which needs serious consideration, is that of Steven Paulson. "Luther was even bolder with the law 'after Christ'. The law did not disappear like smoke in this air: 'the law in all eternity will never be abolished but will remain either to be fulfilled in the damned or already fulfilled in the blessed.' Right there is the difference between being in heaven and being in hell—in hell the law remains forever ahead of you as something that needs yet to be done (like Sisyphus rolling his stone up and down without end); in heaven the law is past. In both cases the law has been completely historicized, and so you are always either ahead or behind it. For Luther, that spelled the end of the great theological attempt to describe life as the vision of God's great structure of being according to 'laws'—an attempt that was nearly perfected by Thomas Aquinas's beatific vision." Steven D. Paulson, *Luther for Armchair Theologians* (Louisville: Westminster/John Knox, 2004), 129.

ἄγγελος (Luther), and shared with the world in the office of word and sacrament ministry. Saved, we are returned to this world, free from self-justification, and eager to serve our neighbor, as we would do naturally, had there been no fall. God welcomes our assistance in the demise of the sinful being, but demands utter passivity from us in regard to the proper work of raising the dead.

VII. Conclusion

What needs to be acknowledged in the question of the relation between law and gospel in the believer's life is that Christ as the end of the law and the gospel as offering an eschatological limit to the law do not entail that the law has no bearing upon the believer's life, but that the law is, first of all, actually and finally established in a non-soteriological fashion, that is, as a way for service to the neighbor and not as the old being's quest to serve as its own deity for itself. The law does not belong in the conscience, but it does belong over our members as St. Paul says—the old being with its greed, lust, and other such vices. There are two kinds of righteousness established in the law-gospel distinction, as Charles Arand and Robert Kolb have noted.[50]

We can be grateful for the insights that Scott Murray offers in his work and my hope is that this response to his work can further a shared concern that appropriate catechesis can foster the well-being of both congregations and forgiven sinners in the midst of contemporary society which chronically insinuates its hostility to the gospel upon us. May God grant us strength as we partner together in this task to build up congregations as healthy communities of word and sacrament, shaping a people who are in, not of, the world.

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[50] See Robert Kolb, "Luther on the Two Kinds of Righteousness: Reflections on His Two-Dimensional Definition of Humanity at the Heart of His Theology," *Lutheran Quarterly* 13 (Winter 1999): 449–466, and Charles P. Arand, "Two Kinds of Righteousness as a Framework for Law and Gospel in the Apology," *Lutheran Quarterly* 15 (Winter 2001): 417–439.

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Looking into the Heart of Missouri:
Justification, Sanctification, and the Third Use of the Law[1]

Carl L. Beckwith

Robert Jenson comments in the prolegomena to his *Systematic Theology* that those who devote their scholarly efforts to historical theology pursue only academic interests. Whereas those concerned with the church demonstrate how the theological labors of our fathers in the faith, and especially how the historical narratives that gave rise to their theological constructions, relate to the continued proclamation of the gospel today. When we use these historical resources to attend to the issues facing the church, we are doing, in the words of Jenson, pastoral or systematic theology, which, he modestly asserts, is the only type of theology of conceptual importance.[2]

What makes Scott Murray's monograph so impressive is that he competently addresses both the historical debates in American Lutheranism on the third use of the law and how those debates relate to the proclamation of the gospel today. He begins with a discussion of the Formula of Concord and the historical circumstances that gave rise to article six and ends the monograph arguing that some ELCA theologians have moved closer to the Missourians on the third use of the law. The historical and systematic concern of Murray's monograph is for me the most attractive feature of the book. Put simply, he identifies the problem, shows you how it has developed in American Lutheranism, and tells you why it is important for the church today. To borrow Jenson's phrase, Murray is doing something of conceptual importance for the church.

Since I have already written a positive review of Murray's monograph, I will use this opportunity to examine critically two aspects of his argument

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[1] This article is a response to Scott R. Murray, *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism* (St. Louis: Concordia Publishing House, 2002).

[2] Robert W. Jenson, *Systematic Theology – Vol. 1:The Triune God* (New York: Oxford University Press, 1997), 21–22.

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that will serve better, I hope, to situate our present theological reflection on the place of the third use in the life of the believer.[3] For starters, Murray's brief discussion of the theological context of the third use for the Reformers, specifically his discussion of the Formula, does not seem sufficient for framing the subsequent debates on the *tertius usus*. So much of the twentieth-century debate recounted by Murray focused on Luther and Melanchthon, and whether Melanchthon recast Luther's theology. What is not discussed enough, however, is how the Concordists, who were by no means sympathetic to the extreme Phillipists, understood the place of the third use in Lutheran theology. Martin Chemnitz, in particular, has quite a bit to say on the third use and, it should be emphasized, saw no discontinuity between Article VI of the Formula of Concord and Luther.

The first part of my essay, then, will look at how Chemnitz addressed the issue of the didactic function of the law in the life of the believer and the issues involved in such a discussion. By broadening the historical foundation at the beginning of Murray's monograph, we will better prepare ourselves to address his argument that some ELCA theologians and Missourians share a common approach to the third use. I am particularly interested in Murray's use of David Yeago and his, perhaps deliberate, reluctance to discuss Yeago's appropriation of the doctrine of *theosis* to express the Lutheran understanding of salvation. The second part of my essay will review Yeago's position and show the direction other ELCA theologians sympathetic to Yeago's work are going with *theosis*. We will see, I hope, the need for an expanded historical and theological foundation, particularly as expressed by Chemnitz, in the current discussions on the third use, one that has already been expressed by Chemnitz.

The key to these debates on the third use is determining the theological perspective of the particular writers working on this issue. Does the author think we are dealing with an isolated article of faith expounded in the Book of Concord that may or may not reflect the theology of Martin Luther himself—the question that guided so much of the twentieth-century debates recorded by Murray—or are we dealing with an article of faith intimately related to every other article of faith, embedded in a soteriological narrative, received by the church, and proclaimed in her word and sacrament ministry? The answer to this question assumes a particular theological perspective. Either you think the Bible is normative

[3] See Carl L. Beckwith, "Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism," *Pro Ecclesia* 12 (Summer 2003): 366–368.

for every generation because it is nothing other than God's eternal word or you think that the social structures and symbolic world of the biblical authors determines the text in such a way that parts of that revelation are no longer eternally binding. Let me demonstrate this with Murray's monograph and you will see that Missouri has not always been successful in maintaining this proper theological perspective. I will then propose that one chief reason is that we, like the prodigal son, have abandoned our theological home and need to return to our theological roots if we are to be successful in maintaining the faith of our fathers and in proclaiming the gospel in the confused theological climate of our day. Put simply, we must include fathers such as Martin Chemnitz in these discussions if we wish to know why we make the theological arguments we do. With respect to the third use, if we fail to understand the why, we will see it as an isolated article of faith, divorcing it from the soteriological narrative in which it is embedded and risk compromising, I submit, the very article of faith on which the church stands.

I. Law, Life, and the Living God

In the second section of Murray's book, he reviews the ambiguous place the law was given by Missourians, influenced by Werner Elert, and his insistence, following the Apology, that the law always accuses, *lex semper accusat*. This theology, which ultimately rejected any eternal significance to the law and was associated with the theological faculty at Valparaiso University, attributed parenetic purposes to the gospel, subsuming the law under the gospel. Their denial of a third use of the law led, argues Murray, "to a redefinition of the Gospel to include legal concepts."[4] Such a redefinition means that the gospel is no longer the gratuitous promise of God to the anxious sinner. These theologians sought to retain a place for moral reflection and responsibility in the Christian life and promoted the gospel, as the social-gospel movement of the late nineteenth century had done, as the proper guide for a person's ethical life. More disastrously, however, they rejected the notion that God's law provided an eternal and absolute ethical standard for the Christian. This denial, as we see today, leads only to moral relativism and the invention of personal ethics with its emphasis on love. As such, love, which is a motive that is only properly

[4] Scott R. Murray, *Law, Life and the Living God: The Third Use of the Law in Modern American Lutheranism* (St. Louis: Concordia Publishing House, 2002), 114.

ordered by faith, as St. Augustine rightly argues, is instead promoted as an unintelligible and undefined ethical rule.[5]

The Valparaiso theology was answered by such theologians as David Scaer, John Warwick Montgomery, and Kurt Marquart, to name only a few. These scholars rightly saw how disagreement over the third use threatened nearly every other article of faith—an observation that cannot be emphasized enough. The interrelatedness of the articles of faith had been acknowledged by the medieval schoolmen, particularly Thomas Aquinas,[6] but it was Martin Luther who first observed that when any article of faith is attacked or compromised, the article of justification is necessarily distorted.[7] The attack on the third use of the law was keenly observed by these writers for what it was: a blurring of the law-gospel distinction which necessarily distorts the articles of justification and sanctification. Put another way, the debates over the *tertius usus* were never a simple disagreement over a single article of faith. Again, as Thomas put it, if you reject one article of faith, you compromise the other articles. Or, as Luther more aptly puts it, if you distort one article, you compromise, in some way, the article of justification. It is this theological perspective, held by Thomas, Luther, Scaer, Marquart, and others, and understood especially well by the chief contributors to the Formula of Concord that should, I submit, frame the discussion on the *tertius usus*, and our theological discussions today.

My first concern with Murray's monograph, then, is the brevity of his historical survey of the *tertius usus* among the Reformers and how that historical awareness contributes to theological reflection today on the third use of the law. Let me briefly outline my point by appealing to Martin Chemnitz and his understanding of this issue. We will see that a proper understanding of the third use provides for Chemnitz not only a conceptual framework through which to view the theological struggles on the article of justification from the early church to his own day but also secures for him a proper understanding of the article of justification itself.

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[5] This is perhaps most clearly seen in the prologue of Augustine's *Enchiridion on Faith, Hope and Love*; see Augustine, *The Enchiridion on Faith, Hope and Love*, ed. Henry Paolucci and J. F. Shaw (Chicago: Henry Regnery Co., 1961).

[6] See Thomas Acquinas, *Summa Theologiae*, Vol. 1 (Blackfriars, NY: McGraw-Hill Book Company, 1964), 28–33; *Summa Theologiae* I,8.

[7] See Martin Luther, *Luther's Works – Vol. 26: Lectures on Galatians, 1535, Chapters 1–4*, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (St. Louis: Concordia Publishing House, 1963), 283; Martin Luther, *Luthers Werke: Kritische Gesamtausgabe*, Vol. 6 (Weimar: H. Böhlau, 1888), 827.

As we will see with Chemnitz, if you get the *tertius usus* wrong, you will get the *articulus stantis et cadentis ecclesiae* wrong too.

II. Martin Chemnitz (1522–1586)

De Operibus Renatorum

Martin Chemnitz's earliest and most thorough discussion of the third use of the law is found in a small treatise, *De Operibus Renatorum*, written around 1565 against the then false teaching of Andrew Musculus. Chemnitz uses eight questions to organize his treatise on the works of the regenerate. Question three reads, "Must the law be placed before the regenerate as the norm and rule for good works (*norma et regula bonorum operum*) in which God wills that we exercise our obedience [to him]?"[8] Put another way, does the law have a didactic use, a third use, that guides the believer in the life of obedience by giving a particular form or order to the moral life? For Chemnitz, everyone acknowledges that the Holy Spirit renews the heart and causes us to will and to give obedience to God. The disputed question is where believers look for this form or order of the moral life. Chemnitz asks, "Does God will that the regenerate by their own private council and intention or out of human traditions invent religions of their own choice and peculiar works which they present to God as their obedience?" The answer, Chemnitz emphatically states, is "absolutely not!"[9] The believer does not invent his own code of ethics, which, as we see in our own day, leads to moral relativism, but the believer looks instead to God's eternal law. After quoting *CA* XX on faith and good works, Chemnitz offers the following gloss: "The law must be placed before the regenerate so that it may teach certain works in which God wills that we exercise our obedience [to him]."[10] Again, the law is the *norma et regula bonorum operum*.

The law not only has a civil use for the unregenerate and an accusatory or theological use to reveal sins but also, notes Chemnitz, a particular use that guides believers in their life of new obedience or sanctification as they

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[8] Martin Chemnitz, "De Operibus Renatorum," in *Loci Theologici: quibus et loci communes D. Philippi Melanchthonis perspicue explicantur, & quasi integrum Christianae doctrinae corpus, Ecclesiae Dei sincerè proponitur* (Frankfort and Wittenberg: Sumptibus haeredum D. Tobiae Mevii, & Elerdi Schumacheri, 1653), 36b: "Tertia Quaestio: An lex proponenda sit renati ideo, ut sit norma et regula bonorum operum, in quibus Deus vult nos exercere odedientem?" I use throughout the facsimile edition published by the Lutheran Heritage Foundation in 2000.

[9] Chemnitz, "De Operibus Renatorum," 37a.

[10] Chemnitz, "De Operibus Renatorum," 36b.

"delight in the law of God" (Rom 7:22) and "meditate on it day and night" (Ps 1:2). Moreover, continues Chemnitz, "those who have been justified have been freed from the accusation and condemnation of the law through faith for the sake of Christ."[11] As such, just as the civil use has no place among the regenerate *qua* regenerate, so too, concludes Chemnitz, "the law, insofar as we are dealing with the new obedience, does not apply to the regenerate with its inflexible precepts."[12]

Chemnitz, of course, is not suggesting that the life of new obedience or sanctification is perfect in this life such that the second use of the law is of no effect in the life of the Christian. In fact, question two of *De Operibus Renatorum*, begins, "In the teaching of the Church concerning good works, we must diligently emphasize and teach from the Word of God that this renewal, which must take place, as we have said, or this new obedience which is begun in the regenerate through the Spirit of renewal, is not in this life perfect, complete, or absolute in all respects and hence in itself pure and whole."[13] For Chemnitz, the discussion of the third use belongs to a discussion of our sanctification or renewal by the Holy Spirit. The regenerate find the form and order of the moral life by returning to God's eternal law. Our renewal, however, is never perfected in this life as we continue to cling to our sin. Chemnitz's point nicely demonstrates the Lutheran anthropological commitment to the *simul iustus et peccator* and echoes the Apology's assertion that the "incipient fulfillment of the law" done by faith in Christ is the only exception to the *lex semper accusat*.[14]

Chemnitz's brief treatise succinctly lays out his understanding of the third use of the law. The more pressing question, however, is why we should be so concerned with a discussion of the good works of the regenerate. Put another way, why even write a treatise that deals exclusively with the life of new obedience or sanctification? For the answer to this question, we need to look briefly at Chemnitz's *Loci Theologici*.

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[11] Chemnitz, "De Operibus Renatorum," 39b.

[12] Chemnitz, "De Operibus Renatorum," 40a.

[13] Chemnitz, "De Operibus Renatorum," 33b.

[14] Ap IV,166; Theodore G. Tappert, ed., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Jaroslav Pelikan, Robert H. Fischer, and Arthur C. Piepkorn (Philadelphia: Fortress Press, 1959), 130: "All the Scriptures and the church proclaim that the law cannot be satisfied. The *incipient* keeping of the law does not please God for its own sake, but for the sake of faith in Christ. *Without this*, the law always accuses us" (emphasis mine). The key phrase here is "for the sake of faith in Christ." Outside of faith, which is to say, outside of a right relationship with God, no work is good or pleasing to God as its motivation is no longer ordered by the Spirit because of faith in Christ but rather ordered by our own sinful will.

Loci Theologici

If you understand what is taught in Scripture about the new obedience of "those in Christ" (2 Cor 5:17), you will understand the meaning and relationship between the divine law, justification, and good works. That is, if you fail to understand what is taught in Scripture about new obedience, you will distort the chief article of the Christian faith, the article of justification. Chemnitz explains, "At all times, both in antiquity and now, the doctrine of perfect obedience which the law of God requires has been distorted by various errors and this distortion has always brought with it great harm to the article of justification."[15] This has happened at all times, notes Chemnitz including, our times. This begs the question: How does the failure to understand the third use of the law do great harm to the article of justification?

After making this bold statement, Chemnitz offers a brilliant historical survey. In Scripture, Christ rejects the Pharisaic emphasis on the external performance of the law by showing that the law demands an inner transformation. In the early church, the law was distorted by the theological anthropology of heretics who taught that some people were unredeemable because of their evil human nature. The fathers responded to these errors by overemphasizing the power of the human will and arguing, in the words of Jerome, "if anyone says that God has commanded the impossible, let him be anathema."[16] In an effort to correct the abuse of the heretics, the fathers, writes Chemnitz, "preferred to preach about the possibility of obeying the divine law in a way contrary to Scripture."[17] Their infelicitous comments were later used against them by Pelagius who adopted the axiom that God would not command what could not be accomplished. Although Augustine ably refuted the errors of the Pelagians, a variation of this heresy found currency among the medieval schoolmen who adopted the Latin axiom, *facientibus quod in se est, Deus non denegat gratiam* ("to those who do what is in them, God will not deny grace more"). No longer does the law demand perfect obedience but only a qualified obedience commensurate with the natural abilities of the

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[15] Martin Chemnitz, "De Lege Dei," in *Loci Theologici: quibus et loci communes D. Philippi Melanchthonis perspicue explicantur, & quasi integrum Christianae doctrinae corpus, Ecclesiae Dei sincerè proponitur* (Frankfort and Wittenberg: Sumptibus haeredum D. Tobiae Mevii, & Elerdi Schumacheri, 1653), 5b. In English see, Martin Chemnitz, *Loci Theologici*, tr. J. A. O. Preus (St. Louis: Concordia Publishing House, 1989), 336b; hereafter Preus.

[16] Chemnitz, "De Lege Dei," 6a; Preus, 337a.

[17] Chemnitz, "De Lege Dei," 8a; Preus, 339b.

individual or, put another way, proportionate to the spiritual progress of the believer. This semi-Pelagian theology of merit found support during the Reformation. Johannes Eck argued in 1541 at the Colloquy of Ratisbon according to Chemnitz, "that we must say that the obedience of the regenerate is perfect according to their status as pilgrims."[18]

All of these historical errors either oppose the clear teaching of Scripture that the perfect fulfillment of the law in this life is impossible or place the proportionate fulfillment of the law in the article of justification. Such a move places the focus of salvation on us and our potential for merit and removes it from Christ and his merit. Essentially, these theologies of merit make God indebted to our human works rather than emphasizing our indebtedness to his saving work on our behalf. These errors, however, should not lead us to exclude the law from the life of the Christian. We must never falsely assume, insists Chemnitz, that our failure to satisfy God's law means we neglect good works and obedience. Failure to understand this point, continues Chemnitz, also leads to "perversions in the article of justification."[19] If we rightly understand justification, we will teach that "it is absolutely necessary that there be a beginning of obedience to the law," a beginning that issues forth from the Spirit of renewal.[20] A proper understanding of justification includes, then, a proper understanding of sanctification. Chemnitz explains:

> In this way and in this order, faith comes first, receiving the remission of sins and offering peace and joy of conscience. As a result of this and by the same faith, the promise of the Spirit, who creates the new man for good works, is received and the Spirit turns (*flectit*) our hearts to obedience.[21]

Here we see that Chemnitz—like Scaer, Montgomery, and Marquart—connects a proper understanding of the law with a proper understanding of the gospel and the third use of the law with our sanctification and renewal by the Holy Spirit.

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[18] Chemnitz, "De Lege Dei," 6b; Preus, 337a. Cf. The Council of Trent, sixth session, chapter eleven: Concerning the Keeping of the Commandments and Concerning its Necessity and Possibility.

[19] Chemnitz, "De Lege Dei," 7b; Preus, 339a.

[20] Chemnitz, "De Lege Dei," 8a; Preus, 339a.

[21] Chemnitz, "De Lege Dei," 8a; Preus, 339a. The force of the verb, *flectere*, is 'to bend', 'to turn', and 'to soften'. As such, Chemnitz's point is well made. The Spirit literally bends the hearts of the faithful, softening their hardness, in order to turn them to the works pleasing to God.

Of greater importance, especially in light of Murray's timely monograph on the dubious history of the third use of the law in American Lutheranism is Chemnitz's historical critique. Both the early church fathers and the medieval schoolmen failed to maintain a correct distinction between our reconciliation with the Father on account of the Son's redeeming work and the renewal or newness of life brought about by the Holy Spirit in the justified person. In his locus on justification, Chemnitz writes, "it is necessary that the benefits of Christ, on account of which we receive remission of sins and are received unto eternal life, are distinguished from the benefits of sanctification, or renewal, which follow justification."[22] Such a distinction must always be maintained. Chemnitz continues, "We are not justified because of this [renewal], that is, we do not receive the remission of sins nor are we received unto eternal life because of the newness of life that follows [our justification], although it too is a benefit of Christ." For Chemnitz, a proper order must be maintained and preserved between justification and sanctification. As we will see shortly, this distinction has once again been blurred by some theologians defending the third use.

Before I address the ELCA theologians that Murray argues have moved closer to the Missourians on the third use, we need to address briefly one final point made by Chemnitz. What does he mean when he says that the justified person is never without the Spirit's renewal (Titus 3:5)? Chemnitz's point is that while a logical or theological distinction exists between our reconciliation and renewal or our justification and sanctification, they are not temporally distinct in the life of the believer. That is to say, the justified person is at no time not also renewed by the same Spirit engendering justifying faith in him. These articles of faith are, however, theologically distinct and that distinction must be preserved if the article of justification is to be correctly understood. Since the article of justification concerns the promise of the gospel, which is the remission of sins for the sake of Christ, and faith is the instrument and means by which that promise is applied to us, the distinction between justification and sanctification must never be blurred in such a way that our reconciliation becomes dependent on our renewal by the Holy Spirit. Chemnitz explains this point with exceptional clarity in his Enchiridion.

> Renewal, sanctification, virtues, and good works are not our justification and reconciliation, nor do they form any part of it; rather justification and reconciliation consist completely in the free imputation of the

[22] Martin Chemnitz, "De Loco Iustificationis," 207a; Preus, 450a.

> righteousness of Christ and in the remission of sins for Christ's sake, whom we apprehend alone by faith (Rom 4:5–7). For our good works do not enter the circle, as Luther says, or article or act of justification; but there grace alone, Christ alone, faith alone, remission of sins alone rule. And thus, though true faith is never without good works, yet it justifies alone without works. Likewise, though making alive, or renewal, is always with justification, yet they are not to be mixed or mingled with each other, for justification is one thing, renewal another. And though they cannot be separated according to difference in time, yet, in the order of significance or nature, justification precedes and renewal follows, which does not come in the nature of justification but is its fruit or consequence.[23]

Perhaps I have labored this point but as we will see some recent advocates of the third use have not successfully maintained the theological distinction between reconciliation and renewal, between justification and sanctification. The lesson we must learn from Chemnitz is that any discussion about our new obedience and the third use of the law necessarily involves a discussion about the article of justification. If we fail to teach correctly on the third use, we will distort the article of justification. As Murray has shown us, we either distort the law-gospel dialectic, potentially attributing legal concepts to the gospel, or we dispose of God's eternal law altogether, opening the door to the invention of personal ethics and moral relativism.

III. ELCA Theologians

During the third and final period discussed in Murray's monograph, he argues that agreement has emerged recently between some ELCA theologians and Missourians on the third use of the law. One such theologian is David Yeago, who, writes Murray, "has been an eloquent defender of the third use of the law among ELCA theologians."[24] Yeago has indeed written a number of articles addressing the relative antinomianism present in Protestant theology and the need for a renewed appreciation of the didactic use of the law. More importantly, he has ably shown the flaws of Lutheran scholarship influenced by Werner Elert's teaching on the law and the need for a more comprehensive understanding of Luther's teaching on grace, law, and the moral life. Another element of Yeago's scholarship, however, intimately related to his defense of a

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[23] Martin Chemnitz, *Ministry, Word, and Sacraments: An Enchiridion*, tr. Luther Poellot (St. Louis: Concordia Publishing House, 1981), 79, par. 164, altered.

[24] Murray, *Law, Life, and the Living God*, 178.

didactic use of the law and absent from Murray's discussion, is his insistence that Luther's view of justifying faith is one of union with Christ, which is to say, *theosis* or the deification of the believer by God's gracious love. Similarly, Bruce Marshall has argued that justification for Luther is both forensic and transformative, which is to say deifying. Yeago and Marshall are continuing a recent trend in Luther studies, influenced by the so-called Finnish interpretation of Luther, that finds evidence of *theosis* in Luther's work.[25] What concerns us here, however, is not whether Luther teaches *theosis*, but how their concern for the didactic function of the law has led them to emphasize *theosis* and how this emphasis has impacted their understanding of the article of justification. As we will see, to suggest, as Murray does, that the Missourians and some ELCA theologians have moved closer on the third use of the law is to tell only half of the story. While we have moved closer on the *tertius usus*, it has come at a considerable cost as we have moved further apart on the *articulus stantis et cadentis ecclesiae*. Let me briefly lay out Yeago's defense of the third use and then turn to how the article of justification becomes compromised by his conclusions on *theosis*. I am hopeful that you will begin to see why my efforts above with Chemnitz were necessary and should preface this discussion on the third use.

David Yeago, like Chemnitz, sees the larger theological implications of a denial of the third use. He has nicely demonstrated how Lutheran scholarship, influenced by Werner Elert and his rejection of a didactic use of the law, used the law-gospel distinction to organize and structure all theological reflection: a theological construct, as Yeago shows, that leads to antinomianism and a rejection of dogma itself. It leads to antinomianism because if the law-gospel distinction is understood as the ultimate horizon for theological reflection, then any commandment or ethical exhortation for the ordering of a person's life is, by definition, the imposition of the law from which the gospel has freed that person. This theological construct naturally leads to gospel reductionism; as Murray puts it, "every theological issue is reduced to the Gospel or not-the-Gospel."[26] Since the narrative context of this law-gospel construct is the experiential situation of the troubled conscience, weighed down by the moral demands of the law, the penitent must be set free from the unmanageable burden of the law by the gospel. Any recourse to the moral order set forth by the law,

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[25] For an introduction into this school of thought, see Carl E. Braaten and Robert W. Jenson, eds., *Union with Christ: The New Finnish Interpretation of Luther* (Grand Rapids: William B. Eerdmans Publishing Co., 1998).

[26] Murray, *Law, Life, and the Living God*, 183.

that is, any appeal to a didactic use of the law, threatens the penitent's freedom in the gospel and risks, once again, burdening the conscience. Moreover, in this construct the order and form for the moral life established by the law are opposed to the freedom brought about by the gospel, and since dogma and dogmatic formulation is, explains Yeago, "a particular ordering of thought and language," it too must be rejected by a gospel-centered church.[27] Or, as Murray puts it, "a Gospel-centered church will be form-free, rejecting formation by dogma."[28]

What is interesting about Yeago, and not discussed in Murray's monograph, is that he moves from passionately defending what we call the third use of the law to arguing that Luther's view of justification is not primarily forensic. He writes, "the forensic relationship is secondary to a relationship of union, the union of the believer to the person of Christ as a living member of Christ's body, the church."[29] For Yeago, the goal of the Christian life is the restoration of the *imago Dei* damaged by sin. The restoration of this image, made possible by Christ's redeeming work and grace, is *theosis*, the deification of the human person by God's gracious love.

Theosis or deification is a central soteriological and anthropological motif of Eastern Orthodoxy and has roots in Greek and Latin patristic and medieval thought. The scriptural texts often cited for *theosis* are 2 Peter 1:4 where it is said that through Christ we "become participants of the divine nature" and John 10:34 where Jesus quotes Psalm 82:6, "I said, 'You are gods.'" Perhaps the most significant voices in the early church articulation of *theosis* are Gregory of Nazianzus and Cyril of Alexandria, but it is Athanasius who is most often quoted for a succinct definition of *theosis*. Toward the end of his treatise, *On the Incarnation*, he writes, "God was made man that we might be made God," or, put another way, "God was humanized that we might be deified."[30] What is meant by this is that human beings realize their fulfillment as perfect and complete human beings through participation, by grace, in God's trinitarian life. Although

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[27] David Yeago, "Gnosticism, Antinomianism, and Reformation Theology: Reflections on the Costs of a Construal," *Pro Ecclesia* 2 (Winter 1993): 43.

[28] Murray, *Law, Life, and the Living God*, 181.

[29] David Yeago, "Martin Luther on Grace, Law, and Moral Life: Prolegomena to an Ecumenical Discussion of *Veritatis Splendor*," *The Thomist* 62 (April 1998) 184; emphasis original.

[30] Athanasius, *On the Incarnation: The Treatise* De Incarnatione Verbi Dei, tr. ed. A religious of C. S. M. V. (Crestwood, NY: St. Vladimir's Orthodox Theological Seminary Press, 1953), 93; *De Incarnatione*, 54.

this participation has its beginning in this life through the sacraments and spiritual exercises, it is realized fully only in the life to come.

For Lutherans, the Orthodox teaching of *theosis* is best captured by what we describe as sanctification: it is our life of renewal by the Holy Spirit that begins to order our love toward our neighbors and the world and is perfected only in the life to come. Any use of *theosis* in Lutheran theology, then, must be kept only to the article of sanctification, lest the article of justification become compromised. To do this, however, is either to misunderstand what is meant by *theosis* or to redefine and limit it to the Lutheran understanding of sanctification. This is exactly the problem faced by the ELCA theologians defending the third use of the law and making an appeal to *theosis*. They understand that *theosis*, properly taught, involves what Lutherans identify as the article of justification and cannot be redefined to limit its use to the article of sanctification. Therefore, their appropriation of the term requires them to rework the traditional Lutheran understanding of justification. Bruce Marshall acknowledges the problem faced by Lutherans appropriating *theosis*.

> At times this problem is thought of as a conflict between Lutheranism and the rest of the Christian world. The Lutheran view of justification, so the assumption regularly goes, is both thoroughly forensic and untethered to any insistence on transformation, holiness, and new life. Pretty much everyone else insists that justification involves or implies renewal of life, even if it also includes a wholly forensic element. To be sure, Lutherans sometimes give aid and comfort to this confessionalizing of the problem by insisting that any change God brings about in us belongs not to justification at all, but to 'sanctification', and that a right understanding of the matter must always be vigilant to distinguish justification from sanctification—vigilant, in other words, to keep transformative elements out of justification.[31]

Marshall proceeds to argue that Luther's understanding of justification included both forensic and transformative elements (*theosis*). A similar move is made by Yeago. He contends that the forensic view of justification, the imputation of Christ's righteousness, is secondary to union with Christ (*theosis*). "For Luther, what is called 'justification' is just this utter joining-together of Christ and the believer, by virtue of which we live in heaven and Christ is, lives, and works in us. The righteousness by which we are saved is Christ himself, living in us; the forensic relationship, in which God

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[31] Bruce D. Marshall, "Justification as Declaration and Deification," *International Journal of Systamtic Theology* 4 (March 2002): 4; emphasis mine.

forgives our sins 'for Christ's sake' is dependent on this primary relation on union."[32] To put this in traditional Lutheran categories, Yeago is here suggesting that our justification, the imputation of Christ's righteousness, is dependent on our sanctification, the life of new obedience in which the Spirit joins us to Christ and we proclaim that it is no longer I who live but Christ who lives in me.

It seems that the introduction of *theosis* into Lutheran theology by these ELCA theologians forces them to offer a false characterization of the relationship and order between justification and sanctification. For example, Marshall repeatedly portrays the traditional Lutheran teaching on justification and sanctification or reconciliation and renewal as two distinct events that occur temporally in the life of the Christian, one belonging to Christ and the other to the Holy Spirit.[33] He then uses Luther's 1535 Lectures on Galatians to conclude that Luther does not regard justification and sanctification as opposites, one following temporally upon the other, but rather that each "implies and requires the other."[34] This observation leads Marshall to argue for a redefinition of the article of justification that includes transformative elements (*theosis*). Admittedly, if Lutherans are teaching reconciliation and renewal in the manner described by Marshall, then a serious problem exists. The solution, however, must never be to distort the article of justification but rather it must be to articulate diligently a proper understanding of justification and sanctification. As we have seen above, what Marshall discovers in Luther is nicely articulated by Chemnitz: justification and sanctification are theologically distinct, and must always remain so, but they are not temporally distinct. In that sense, justification implies sanctification and sanctification requires justification. Nowhere does Luther suggest that our renewal by the Holy Spirit or our sanctification by him precede our justification. To make such an argument would be for Luther to return to the despairing days of old when salvation was uncertain because it depended on us (i.e., our transformation) rather than Christ and his saving work for us.

Chemnitz, in his locus on justification, observed how the church fathers distorted the article of justification because of their pastoral concern over the moral laxity and smugness of Christians. One wonders if something similar is not happening among some of the ELCA theologians alarmed at

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[32] Yeago, "Martin Luther on Grace, Law, and the Moral Life," 184–185; emphasis mine.

[33] Marshall, "Justification," 11, 12, 19, 26, et passim.

[34] Marshall, "Justification," 19.

the antinomianism and moral relativism in their midst. While we certainly agree with the efforts of Yeago and Marshall, among others, for showing the place of the third use in Luther's thought, we should be concerned with how they are using *theosis* and its impact on the article of justification.[35]

IV. Conclusion

Scott Murray has done us all a service by introducing us to the thorny historical debates in American Lutheranism on the third use of the law. What I have been arguing in this essay might better be seen as asking where we need to go from here. By remembering our theological heritage and renewing the study of our Lutheran fathers, we will better equip ourselves to navigate the theological complexities of our day, realizing how all articles of faith touch on the article of justification. Indeed, today, more than ever, we must be diligent in teaching that no one is justified before God by their own strength, merits, or works, but rather we are freely justified by grace through faith in Jesus Christ, and this faith God imputes for righteousness in his sight. Or, as Chemnitz nicely puts it, in the article of justification grace alone, Christ alone, faith alone, and remission of sins alone rule. Moreover, the same Spirit engendering justifying faith in us continues his renewal work on us, transforming and sanctifying our hearts and minds in love: a work begun in this life and perfected in the life to come.

[35] I hope I have made it clear in this discussion that *theosis* does beautifully express what Lutherans understand Scripture to be teaching about our renewal and sanctification by the Holy Spirit. As such, the doctrine of *theosis* need not be avoided by the theologian who carefully and diligently maintains the scriptural distinction between justification and sanctification. In other words, *theosis* beautifully expresses how we are renewed by the Holy Spirit in order to begin keeping the second table of the law. Our justification, our right relationship with God, our imputation of Christ's righteousness, however, belongs to our faith and to the first table of the law, which makes possible our fulfillment by the Holy Spirit of the second table where our faith works through love. Such fulfillment, of course, is never complete or perfect in this life as the Spirit daily strives to soften and bend our sinful hearts.

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Choose Life!

Walter Obare Omwanza

[The address printed below was delivered by Bishop Walter Obare Omwanza of Kenya when he was called before the Council of the Lutheran World Federation to explain his participation in the consecration of Arne Olsson as Bishop of the Mission Province of the Church of Sweden. Bishop Obare was subsequently removed as an advisor to the Council. The Editors.]

I have been summoned here today to answer the charge of "inappropriate interference in the life of a sister church" that carries with it "negative consequences for the unity of the LWF [Lutheran World Federation] as a communion of churches as a whole." My actions of 5 February 2005, where I presided over the consecration of Bishop Arne Olsson of the Mission Province of the Church of Sweden, are termed inconsistent with my role as "advisor to the Council, entrusted with the responsibility to uphold and further the unity of the Lutheran communion."[1] I have been given the chance to "address the Council" if I so wish, presumably in the defense of my actions.

Thank you for giving me this opportunity to explain what I have done and why I have done it. I do not wish to repeat many of the things that I have already written and publicly explained on this topic, but some repetition is undoubtedly necessary. Further, I do not only want to defend what I did, but also to make an appeal to the leaders of the Lutheran Church worldwide, some of whom are gathered around this table. In many ways, this is yet another crossroads for the LWF where its drift away from historic Christianity can either continue or be arrested. Like Moses

[1] As a side note, Bishop Arne Olsson is indeed a bishop by any measure. His consecration is and remains valid beyond doubt and for many reasons that will be made clear below. Let it suffice to quote Luther in the Smalcald Articles at this point: "Therefore, as the ancient examples of the church and the Fathers teach us, we should and will ordain suitable persons to this office ourselves. They may not forbid or prevent us, even according to their own laws, because their laws say that those who are ordained even by heretics should also be regarded as ordained and remain ordained" (SA III,10,3).

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appealed to the children of Israel when he exhorted them at the renewing of the covenant, so I now exhort you:

> I call heaven and earth to witness against you today, that I have set before you life and death, blessing and curse. Therefore *choose life*, that you and your offspring may live, loving the Lord your God, obeying his voice and holding fast to him, for he is your life and length of days . . . . (Deut 30:19–20a; emphasis mine)[2]

Many believe that—like the removal of Bishop Olsson from the priesthood in the Church of Sweden—my own termination as a member of this Council is unavoidable. But, brothers and sisters, it does not have to be so! Episcopal tyranny and oppression concealed under what is ironically termed *unity* do not have to characterize the Lutheran Church in our times. The pressure to violate one's conscience found in the current policy in the Church of Sweden where those who disagree with women's ordination are denied ordination does not have to continue. Such policies are not an expression of Christian unity or Christian love! It is not the place of bishops to persecute those entrusted to their care, especially those whose confession of faith is fully consonant with the church catholic over the millennia and even up to today.[3]

I say this not for my sake or the sake of the Mission Province but for your sake. Whether or not I continue as a member of this Council is relatively unimportant for me. This is, at its heart, not a dispute over worldly regulations but a matter of doctrine and divine commands. As such, I am happy to follow in the footsteps of my Lord. But if the Council votes to remove me, then it is showing its true nature and rejecting the clear teachings of Scripture and the Lutheran Confessions. Such a body would thereby forfeit its authority by siding with human regulations and oppression over divine commands and true freedom. The Council would then become complicit in a schism that was neither precipitated by the

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[2] All quotations from Scripture are from the English Standard Version (ESV) unless noted otherwise, and those from the Lutheran Confessions are from Robert Kolb and Timoty J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, tr. Charles Arand, Eric Gritsch, Robert Kolb, William Russell, James Schaaf, Jane Strohl, Timothy J. Wengert (Minneapolis: Fortress Press, 2000).

[3] It is well-known that the majority of Christians worldwide do not practice women's ordination. The Roman Catholic Church, the Eastern Orthodox, and many Protestant churches in both the south and the north do not believe in this doctrine. Therefore, the doctrine of women's ordination is an idiosyncratic teaching of a few liberal, northern Protestant churches, and it is largely enforced through the domination of a powerful elite that brooks no dissension.

members of the Mission Province, who have expressed over and over their desire to remain in the Church of Sweden without violating their consciences, nor by my own actions to help the oppressed people of God. Rather, the schism would be caused by those who believe in a particular ideology—the ordination of women (and soon the blessing of same-sex marriages and homosexual ordination)—more than true Christian love and unity. Brothers and sisters, let this not be so!

To this end, I would like to proceed to discuss three broad topics. First, I would like to put forward a biblical, confessional, contextual, and missional theology of Christian unity and love. Note that there is no tension between any of these terms. Second, following Luther in the Heidelberg Disputation as well as the practice of the Reformers, I will strive to "call a thing what it is" by speaking frankly of the situation in which we are in today. Finally, I will lay out a vision for the future by addressing the question: Where do we go from here?

I. Christian Unity and Love

"Behold how good and pleasant it is when brothers dwell in unity." (Ps 133:1)

It is surely impossible to give briefly a sufficient treatment of this topic. Therefore, I will only put forward in as short a form as possible the relevant teaching on true Christian unity and love.

The unity of the church is given by God and not an achievement of human beings. In this sense, it is not wrong to say that the unity of the church is a sacramental unity, created by the Holy Spirit through the washing of God's Word (Eph 5:26, a clear reference to baptism). As the Psalmist writes, "Know that the LORD, he is God! It is he who made us, and we are his; we are his people, and the sheep of his pasture" (Ps 100:3). The church as God's creation is affirmed in 1 Peter: "Once you were not a people, but now you are God's people; once you had not received mercy, but now you have received mercy" (1 Pet 2:10).

This unity is a unity of faith; that is, faith in an object, namely Jesus Christ.[4] The faith one professes is in agreement with the entire Christian church, as urged by the Apostle Paul in 1 Corinthians 1:10: "I appeal to you, brothers . . . that there be no divisions among you, but that you be united in the same mind and the same judgment." The Reformers also saw

[4] See Acts 5:14 (προσετίθεντο πιστεύοντες τῷ κυρίῳ) and Gal 2:16 (διὰ πίστεως Ἰησοῦ Χριστοῦ, καὶ ἡμεῖς εἰς Χριστὸν Ἰησοῦν ἐπιστεύσαμεν)

the necessity of joining in a common confession when they wrote that the church is: "the assembly of holy people [saints] who share in common the association of the same gospel or doctrine and the same Holy Spirit, who renews, sanctifies, and governs their hearts" (Ap VII; VIII,8).

Christ joins his people, his children (John 11:52), together into one body, even his own body (Eph 1:23; 1 Cor 12:12–31). We are told in no uncertain terms that, as one body "[i]f one member suffers, all suffer together" (1 Cor 12:26). To this body is given a multitude of gifts that are to be shared (1 Cor 12:27–31).[5] Among these gifts is the gift of the pastoral office which is given to ensure that the gospel is purely proclaimed among God's people. The Reformers confessed: "To obtain such faith God instituted the office of preaching, giving the gospel and the sacraments. Through these, as through means, he gives the Holy Spirit who produces faith, where and when he wills, in those who hear the gospel" (*CA* V,1–2).

Much more could be said, but let these points stand for our purposes here today. What should first be noted is that since Christian unity is a gift of God, we *recognize* it and do not *create* it. Luther, following the words of his Lord given in John (10:3–5, 16), states what the church is: "holy believers and 'the little sheep who hear the voice of their shepherd'" (SA III,12,2). That is, the basis of the church is faith in Christ, a faith that comes to us as a gift and *recognizes* the voice of the shepherd that comes to us through his word.

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[5] Other gifts include the gift of a bold witness to the truth of the gospel and a strong missional faith. These gifts are given to the church throughout the world. Recently, an LWF press release dated 16 June 2005 referring to a meeting held in Reykholt, Iceland, stated the need for European churches to be challenged by churches in the south. According to the document, Rev. Dr. Kjell Nordstokke "emphasized that the heartland of Christianity was no longer in Europe, but in Latin America, some parts of Asia, and in Africa. While churches' membership in the South was increasing significantly, European churches were faced with a steady decrease. Mission could therefore no longer be understood as an activity decided by the North in view of the South. On the contrary, churches in the South needed to serve as an example for churches in the North. The South concepts should be understood as 'gifts and potential, for our renewal as missional church in our context.'" As will become clear, my actions in Sweden were precisely for biblical, missional and confessional reasons. This is a gift to the northern churches that can be understood in the context spelled out by this press release. But the result is that despite protestations to the contrary, the powerful elite in the North do not seem ready to accept the full weight of such gifts as we in the South could give. "European Churches Challenged to Learn Counterparts in the South," *Lutheran World Federation Web site* (Geneva: Lutheran World Federation, 16 June 2005), http://www.lutheranworld.org/News/LWI/EN/1686.EN.html.

It is also possible to *recognize* the voice of the shepherd in the confession of a group of believers who are not personally known to you. This happened in Acts many times. Similarly, when I was approached by the Mission Province of Sweden and heard their confession of faith, I heard my own faith being proclaimed. I heard the voice of my shepherd in their voices. So I *recognized* fellow members of the same body, fellow Christians whose unity with me was given by God (cf. Acts 10:44–48).

This is an important point. I did not by my reception of the Christians from the Mission Province create unity between me and them, my church and their church. Neither would my rejection of them have created anything but a superficial disunity. Rather, the unity was already there. It was a given in that God created the unity through our common faith in Christ and our common confession of that faith based on the Holy Scriptures (Eph 4:5–6a; Ap VII; VIII,8). All I did was *recognize* what was already there.

Next, it became clear that these brothers and sisters in Christ of the Mission Province were being denied the gifts that God would give. They were being denied the gift of pastors to work among them who would proclaim the gospel purely and rightly administer the sacraments. This situation did not come about by their choice. The members of the Mission Province maintained a confession of faith fully consonant with the church catholic throughout the ages. Rather, they were being denied the ordination of their young men who met the biblical requirements for ordination because of novel teachings in the Christian church regarding women's ordination. This is a position that did not arise in Sweden until 1958. If a man does not agree to this theological position, then he is not a candidate for ordination.[6] This contravenes not only the historic understanding of the Christian faith but also all normal canons of human social discourse.[7] This is true because pressure is applied to candidates to

[6] When in such a situation, the Confessions are clear: "When the regular bishops become enemies of the gospel or are unwilling to ordain, the churches retain their right to do so. For wherever the church exists, there also is the right to administer the gospel. Therefore, *it is necessary* for the church to retain the right to call, choose, and ordain ministers. This right is a gift bestowed exclusively on the church, and no human authority can take it away from the church" (Tr 66–67; emphasis mine).

[7] At first, it was not this way. Promises were made in 1958 that the new regulations would not prohibit candidates who disagree with women's ordination from being ordained due to a "conscience clause." Minister Edenmann formally declared that the conscience clause would have the power of law behind it. But in 1982, the conscience clause was removed, and priests who disagreed with women's ordination were put under increasing pressure until the point was reached that they would not be ordained

go against their own consciences.[8] Such heavy-handed tactics[9] are denounced even among unbelievers![10] This insistence on the "litmus test" of agreement with women's ordination has nothing to do with Scripture or the Confessions.[11] Rather, it is a humanly contrived episcopal regulation designed, through the use of ecclesial force, to propagate a particular ideology over against the historic confession of the church. In such a situation, it becomes a divinely mandated command to the church to ordain qualified men into the ministry.

> All this evidence makes clear that the church retains the right to choose and ordain ministers. Consequently, when bishops either become heretical or are unwilling to ordain, the churches are *compelled by divine right* to ordain pastors and ministers for themselves. Moreover, the *cause of this schism and dissension is to be found in the ungodliness and tyranny of the bishops*, for Paul warns that bishops who teach and defend false

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due to their opposition to this novel doctrine. See William J. Tighe, "Swedes Adrift: The Plight of Conservatives in the Church of Sweden," *Touchstone* 16 (March 2003): http://touchstonemag.com/archives/article.php?id=16-02-036-f

[8] The confessions address the issue of ensnaring consciences: "Where, then, did the bishops get the right and power to impose such ordinances on Christendom and to ensnare consciences? For in Acts 15[:10] St. Peter prohibits placing the yoke on the necks of the disciples. And St. Paul tells the Corinthians [2 Cor. 10:8] that they have been given authority for building up and not for tearing down. Why then do they increase sin with such ordinances?" (*CA* XXVIII,42; see also 39–52) While the Confessors are speaking of ordinances that were created to earn God's grace or as being necessary for salvation, it can be argued that the insistence on the doctrine of women's ordination in the manner found in the Church of Sweden and the rhetoric surrounding the issue does indeed qualify as a human ordinance that is necessary for salvation.

[9] "St. Peter prohibits the bishops to rule as if they had the power to force the churches to do whatever they desired. Now the question is not how to take power away from bishops. Instead, we desire and ask that they would not force consciences into sin. But if they will not do so and despise this request, let them consider how they will have to answer God, since by their obstinancy *they cause* division and schism, which they should rightly help prevent" (*CA* XXVIII,76–78; emphasis mine).

[10] William J. Tighe comments: "Even a few liberal columnists commented on the absurdity of making support for women's ordination the *only* required belief for candidates for ordination or promotion within the church." Tighe, "Swedes Adrift," http://touchstonemag.com/archives /article.php?id=16-02-036-f; emphasis original.

[11] And it is a test. Extraordinary measures are used to verify that candidates accept women's ordination including the following: receiving communion from a woman priest; bringing a signed testimonial to this fact; and signing a document indicating acceptance of *all* clergy in the Church of Sweden and the validity of their sacramental actions. Men who are already priests are required to sign the same document and/or to administer communion together with a female priest. These heavy-handed requirements are inappropriate even in secular, civil society, much less in the church.

doctrine and impious forms of worship are to be considered accursed. (Tr 72; emphasis mine)[12]

Therefore, the context in which the Mission Province found themselves demanded, by divine right, that they ordain qualified men into the ministry so that the gift of word and sacrament ministry might be found among them again. But they did not want to throw away the good practices that have been established by human right either. The practice of following the apostolic succession is not mandated by divine right. Rather, by human right, it is a good and beneficial tradition as an expression of the universal church. So instead of opting for presbyteral ordination which by divine right they could practice, they decided to follow both the divine command to ordain but also to express, by human right, the universality of the church by asking bishops within the Apostolic Succession to consecrate their own bishop who could, in turn, ordain pastors.

When the Mission Province wrote me of their plans and requested that I perform the consecration, I recognized their good desire. But at first I hesitated, asking "Why me? Why should I be the one to do this?" I then brought their request to my church who wholeheartedly agreed to their proposal. Yet I still hesitated. I told the Mission Province that if two other bishops within the apostolic succession would agree to participate, I would do it. When three agreed, I decided that God was indeed leading me to be the one to help these persecuted brothers and sisters in Christ. In the end, Christian love compelled me to help. The divine command will not be thwarted by human regulations; God will free his people from their

[12] It is also possible to compare the situation in the Church of Sweden with those who, in the sixteenth century, insisted on the doctrine of the celibacy of the priesthood. Like women's ordination, priestly celibacy was a novel interpretation of Scripture and tradition. Further, the practice of the Church of Sweden is mirrored in the persecution of the sixteenth-century Roman Catholic Church toward those who objected to priestly celibacy. To this, the reformers said: "Bishops could easily foster obedience if they did not insist on the observance of ordinances that cannot be observed without sin. However, they now engage in prohibiting both kinds of the holy sacrament or prohibiting marriage for the clergy; they admit no one to the ministry who refuses to swear an oath not to preach this doctrine, even though it is undoubtedly in accord with the holy gospel. . . . [Our churches] ask only that the bishops relax certain unreasonable burdens which did not exist in the church in former times and were adopted contrary to the custom of the universal Christian Church. . . . If however, this [tolerance] is impossible and permission cannot be obtained from them to moderate and abrogate such human ordinances as cannot be observed without sin, then we must follow the apostolic rule which commands us to obey God rather than any human beings" (*CA* XXVIII,69–70,72,75).

captivity. As Paul writes: "When he ascended on high, he led captives in his train and gave gifts to men" (Eph 4:8, NIV).

I have said before why I did what I have done. I presided over the consecration of Bishop Arne Olsson because Christian love and unity compelled me. The word of God compelled me. The request came to me as a divine prerogative, and I followed in the footsteps of my Lord. This practice is also reflected in the Confessions where Luther writes: "[The bishops] persecute and condemn those who do take up a call to such an office. Despite this, the church must not remain without servants on their account. Therefore, as the ancient examples of the church and the Fathers teach us, we should and will ordain suitable persons to this office ourselves" (SA III,10,2–3).

These actions were the result of obedience to the word of the Lord. They were a clear confession of faith in him. And their result is exactly and precisely an expression of true Christian unity—a unity that even reaches across continents. This contextually powerful, biblical confession by word and deed is also missional. It is missional because the proclamation of God's Word in its purity has been furthered in Kenya and in Sweden, and even unto the ends of the earth.[13]

II. Calling a Thing What It Is

"A theology of glory calls evil good and good evil.
A theology of the cross calls the thing what it actually is."[14]

Rather than following the path of fidelity to Scripture and to the historic confession of the church, the Church of Sweden pursues the path of ecclesial tyranny and oppression through the enforcement of its humanly contrived rules and regulations. Rather than exercising true Christian love and unity, it fosters schism and controversy. Like true theologians of glory,

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[13] Those who place confessional and contextual theology in tension are theologically muddled. An example of this is Bishop Hanson's address to the LWF Council in September 2004 when he says: "We will grow together and be strengthened as we hold in healthy tension and lively conversation ortho-praxis and orthodoxy, contextual and confessional theology." The same muddle exists when confessional and missional theology are contrasted. No tension exists between the terms. A truly confessional theology is both contextual and missional. The contextual and missional ramifications of a true confession of faith do, in fact, resonate around the globe as can be seen in such figures as Jesus, Stephen, Paul, Luther and many others.

[14] Martin Luther, "Heidelberg Disputation," in *Luther's Works, Vol. 31: Career of the Reformer I*, tr. Harold J. Grimm, ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press, 1957), 40.

the leadership of the Church of Sweden and other northern, liberal churches insist on calling the bad *good* and the good *bad*. The LWF is not innocent of this charge. Let us examine some documents prepared by such theologians to see if this is the case.

First, after receiving the request from the Mission Province to consecrate Bishop Olsson, Archbishop Hammar wrote a well-publicized letter to me that contained this excerpt:

> Within the Church of Sweden there are many inner-church movements with different perspectives. Today, they exist side-by-side united by a wish to stay together even though there are different opinions regarding many of these perspectives. We seem to have reached the painful situation where the wish for some to stay together is no longer as strong as the need to stress one's own perspective.[15]

The truth is that the Mission Province never intended to leave the Church of Sweden. They have always maintained their desire to remain as a confessing reform movement within the Church of Sweden (one of Archbishop Hammar's so-called inner-church movements), not as a new church.[16] Their desire for unity with a church that has been persecuting

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[15] Archbishop K. G. Hamar, letter to author, 2 March 2004.

[16] Chapter 2 of the "Statutes for the Mission Province in Sweden" drawn up 17 May 2004 and amended on 15 January 2005 states the following: "The Mission Province is a part of 'the One, Holy, Catholic and Apostolic Church'. It is a free province of the Church and Congregation of God in Sweden, on the foundation of the unchanged Evangelic-Lutheran Confession. It stands in continuity with the spiritual tradition which has been kept and developed in the Church of Sweden, and regards itself as a non-territorial diocese in it." Further, in Bishop Olsson's appeal against being removed, he defines the Mission Province as follows: "The Mission Province is an inner-church movement, a free church structure within the Church of Sweden. It considers itself to be a non-territorial diocese within the Church of Sweden with its own bishops, priests and communion fellowships (often called koinonias). We work in the Church of Sweden's spiritual tradition with the belief, teaching and confession of the Church of Sweden as its basis. We want to be a missionary movement working for Christian renewal in Sweden. We want to be a prophetic voice, which takes God's word seriously; a reforming movement, which continues the work of the reformation. We want to be a refuge for those who have become more and more frustrated with the Church of Sweden because of its teaching against the Lord. From a legal standpoint, the Mission Province is a non-profit organization, its own legal entity. Therefore, our activity is not regulated by the Church Order, but by our own statutes. Yet, we see ourselves as part of the Church of Sweden in a spiritual respect. The Church of Sweden is seen as both a spiritual community, and as an organization. We see ourselves as part of the spiritual community of the Church of Sweden, but not as part of the Church of Sweden's organization. Therefore, we also desire good relations with the Church of Sweden as an

their beliefs is remarkable for its commitment to maintain both their confession and the visible unity of the church. But what happened in point of fact? The Church of Sweden removed Bishop Olsson from her roster.[17]

Which party is the one whose need "to stress one's own perspective" overcomes the desire to stay together? Archbishop Hammar agrees that inner-church movements are possible, but when one comes along that does not fit well with the agenda of the church leadership, it is kicked out—and this despite the protestations from the so-called schismatics who over and over express their intention to remain within the Church of Sweden! The good of maintaining the historic Christian confession of faith is no longer tolerated and is called bad. The good of desiring to remain united with the Church of Sweden in order to reform her is called bad. Nietzche's will to power expresses itself through the leadership of the Church of Sweden as regulations are used not to further the unity of the church but to splinter it. In the end, a particular ideological agenda seeks to crush all opposition in its quest for power within the church. My brothers and sisters, call a thing what it is!

Second, in Presiding Bishop Hanson's address to the LWF Council in September 2004, he discussed diversity within the church when he called for: "Expansion of our understanding of 'differentiated consensus' and 'reconciled diversity' as theological tools for deepening conversation will help us to grow in unity without demanding uniformity." While the theological and logical confusion behind such terms as *differentiated*

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organization. The Church of Sweden now has the opportunity to show its good will and affinity to us, by withdrawing the Karlstad Cathedral Chapter's decision to deprive me of the right to carry out my pastoral office." The whole appeal can be found at http://www.missionsprovinsen.se/engelsk/arne_olssons _appeal.htm.

[17] Bishop Olsson's good desire comes through clearly in his appeal that he not be removed from the priesthood in the Church of Sweden: "The Cathedral Chapter has chosen the path of splintering and breaking. The Mission Province does not want splintering. We want to be an awakening- a movement of renewal within the Church of Sweden, a reforming movement, which continues the work of the Reformation. We want to be a prophetic voice, which raises God's word in our times, to the people of our time. We love the Church of Sweden and have her and the people of Sweden best before our eyes. But we see no other way out than to ordain pastors ourselves when the Church of Sweden has placed itself in the way of the Gospel. This step does not demand that we split. On the contrary, it is with great concern and hurt that we are forced here. It is also for this reason, that I have not resigned my office as pastor. I want to remain a pastor in the Church of Sweden. This tie is important for me and for the Mission Province." Again see: http://www.missionsprovinsen.se/engelsk/arne_olssons _appeal.htm.

consensus and *reconciled diversity* is evident,[18] Bishop Hanson's stated hope would be that churches could allow for different opinions existing within them. This is a very different goal than Paul's "being of one mind",[19] but let us look at how this desire works out in practice to see if something more sinister is concealed behind these phrases.

The Church of Sweden fosters division and schism by its intolerant policy of not allowing priests to be ordained unless they agree with women's ordination. This is hardly an example of helping "us to grow in unity without demanding uniformity." Yet the Lutheran World Federation (LWF) has done nothing to help alleviate the situation. From an African perspective, the reasons for this are likely due to the wealth and power of the church and the unwillingness of the LWF to confront honestly one of its wealthiest and most powerful members.

But weaker members are fair game. For my willingness to speak the truth and act on the biblical confession of faith, I face expulsion from the LWF Council. The Church of Sweden has already expelled Bishop Olsson for his plea for the tolerance of his position within the Church of Sweden. Apparently, uniformity is demanded, but it is uniformity to novel doctrines that have only arisen in the last fifty years of church history.

So what is concealed behind the terms *differentiated consensus*, *reconciled diversity*, and *unity without demanding uniformity* is something quite

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[18] Besides the modern Cartesian epistemological dilemma, there now also exists a powerful postmodern relativistic quandary. Much of contemporary theology is fascinated by claiming the validity of multiple, even contradicting assertions. Terms such as *differentiated consensus* and *reconciled diversity* are indicative of this position. Much of it stems from existential philosophy (e.g., Heidegger and, in a modified form, Gadamer) that came into the Christian church via Bultmann where the goal is not so much to remain faithful to an unchanging, though adaptable, message (or promise) but to a certain experience of authenticity. This is a goal of philosophy, not Christianity. But even the way it has been imported into the church betrays a fundamental misunderstanding of the original philosophical intent which was not, largely, to be completely relativistic. See, e.g., John Milbank, *Theology and Social Theory: Beyond Secular Reason* (Cambridge, MA: B. Blackwell, 1990).

[19] Compare the language of *differentiated consensus* and *reconciled diversity* with Paul: "complete my joy by being of the same mind, having the same love, being in full accord and of one mind." (Phil 2:2) Rather, I wonder if such smooth talk coming from the LWF is meant to "deceive the hearts of the naïve": "I appeal to you, brothers, to watch out for those who cause divisions and create obstacles contrary to the doctrine that you have been taught; avoid them. For such persons do not serve our Lord Christ, but their own appetites, and by smooth talk and flattery they deceive the hearts of the naïve" (Rom 16:17–18).

different from what they state on the face of it. Rather, these are expressions of the dominating will of a powerful elite who seek to enforce their ideologies on the rest of the church. They conceal with a thin veneer the will-to-power operative in the church today. We have watched this happen time and again in liberal, Northern European Christianity. Liberal theological trends progressively take over not in the congregations but in the leadership. They become imposed through the will-to-power concealed in pleasant expressions like differentiated consensus upon the every-day Christian through the exercise of ecclesial dominion. Gentle sounding phrases become the weapons of a politics of exclusion that dominate liberal churches.[20] The exercise of this concealed will-to-power has crept like an assassin from church to church leaving many spiritual corpses in its wake. It is even, through financial enticements (a pleasantry I substitute for the term *bribe*), being marketed to Southern churches. This is at least true in Africa where it is not uncommon for money to be connected to the implementation of the liberal agenda.

This, however, can be no more. Now is the time to say "No!" to this development. This occupation and domination of churches has hurt enough people. The intellectual and theological dishonesty concealed by this double-speak must end. Call a thing what it is!

Another theme in Bishop Hanson's address is standing up for the persecuted of this world. One example is when he says: "Have we accepted tolerance as the highest value in a pluralistic world, so that we refrain from condemning acts of injustice, violence and intolerance?" Once

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[20] Ambiguity is another weapon used. Recently at the ELCA Churchwide Assembly held in Orlando, Florida 8–14 August 2005, members tried to clarify what language regarding "Recommendation 2" of the Recommendations on Sexuality really meant—would the blessing of same-sex relationships be allowed or not? No clear answer to this question was given except, as the press release stated, that they were "avoiding the term 'blessing' in favor of pastoral discretion." When accused of being wishy-washy by not giving a clear answer to the question, Bishop Margaret Payne (New England Synod) said: "It's not that. It's very Lutheran. We live in paradox. That's different from wishy-washy. There is strength in understanding the reality of paradox and the variety of practices." Therefore, the ambiguity is deliberate and used as a tool to accept a non-biblical practice without really accepting it. How different this is from scriptural language! What happened to: "Let what you say be simply 'Yes' or 'No'; anything more than this comes from evil" (Matt 5:37)? For the press release, see: ELCA News Service, "ELCA Holds Hearings On Sexuality Recommendations," http://www.elca.org /scriptlib/CO/ELCA_News /encArticleList.asp?a=3140. For the text of the Sexuality Recommendations, see: "2005 Pre-Assembly Report: ELCA Studies on Sexuality," http://www.elca.org/assembly /05/VotingMatters/RecommendationsRelatedtoSexuality.pdf.

again, we see ecclesial double-speak rearing its ugly head. What I did in consecrating Bishop Olsson is exactly to condemn injustice, theological violence, and intolerance of the historic confession of the Christian faith. And it is exactly for this that the LWF Executive Committee, of which Bishop Hanson is the chair, recommended that I be removed from the LWF Council.

A further example is Bishop Hanson's statement regarding the persecution of Christians: "Let us not forget that Christians and persons of other religions are experiencing persecution and discrimination. Our failure to speak out for an end to such actions will cause us to grow apart. We must reject violence in all its forms even as we work for peace and justice." In the context of the persecution of pastors holding to the historic confession of the Christian faith in the Church of Sweden, I have spoken out to end such actions. I have spoken by word and deed. This is for true peace within the church based on the word of our Lord as well as justice. But, once again, the discriminatory practices of the Church of Sweden and Archbishop Hammar have not been censured, but the smaller, weaker Mission Province and I myself have been singled out for retribution. Is this just? Is this peaceful? Is this unity?

To paraphrase Bishop Hanson's own words I now say: In the face of injustice, exploitation, and violence, I have spoken words of prophetic judgment. Will anyone listen?

Finally, let us now come to the charges brought against me. The recommendation made by the Executive Committee reads: "The consecration took place outside all regulations in the Church of Sweden. This action, by Bishop Obare, together with those who assisted him, must be considered inappropriate interference in the life of a sister church, with negative consequences for the unity of the LWF as a communion of churches as a whole." This says that my actions were inconsistent with my role as an "advisor to the Council, entrusted with the responsibility to uphold and further the unity of the Lutheran communion." These statements are filled with misunderstandings of what true unity is and of the basis upon which decisions should be made in the church. They are also hypocritical.

First, unity is God-given, created by the Holy Spirit, and founded upon a common confession of faith as understood through the Holy Scriptures. The Lutheran Confessions help us understand the message of the Scriptures and are also an aid to unity. True Christian unity and love demand that injustice be addressed and scriptural truths upheld. If this is

not done, the message of the gospel will be compromised in either the short or long term. This cannot be. As stated above, Christian love and unity drove me to aid the Mission Province who sought to be faithful both to the divine command to ordain qualified men into the ministry and to the good human tradition of the apostolic succession. This interaction between the Mission Province and the Evangelical Lutheran Church in Kenya was one of the most beautiful expressions of Christian unity. It should be upheld as a model, where one church calls to another: "Come over and help us" (Acts 16:9).

Yet this wonderful expression of the *una sancta* has been called inappropriate by the LWF Executive Committee. It is condemned because it supposedly violated "all regulations in the Church of Sweden." First, it must be stated that whether or not this action was actually a violation of the regulations of the Church of Sweden is a matter of debate and interpretation.[21] The interpretation forwarded by Bishop Olsson and the Mission Province argues quite cogently that the consecration did not take place outside of the church regulations. But more importantly, should not the questions the church ask be: Is what Bishop Obare did scriptural? Is what Bishop Olsson did scriptural? Is it in accordance with the way Lutherans understand the Christian faith found in the Lutheran Confessions? But these questions are deemed unimportant for investigation. Rather, human rules and regulations are the basis for decision, even if these rules are not in accordance with Scripture and the historic understanding of the Christian faith.

Even more, the hypocrisy of the LWF Executive Committee is palpable. The LWF is an organization which is largely dominated by Northern European, rich, liberal churches. That these dominant, powerful interests are now accusing a Southern bishop of "inappropriate interference in the life of a sister church" is hypocritical. Before going on, I need to state how grateful we are in the Evangelical Lutheran Church in Kenya for the mission work that was done among us by the Swedish Lutherans whom God used to found our church. Their dedication and sacrifice is now bearing fruit—even thirty, sixty, and one hundredfold—in that God is now

[21] For Olsson's appeal and interpretation, see Missionsprovinsen Web site, "Bishop Arne Olsson's Appeal," http://www.missionsprovinsen.se /engelsk/arne_olssons _appeal.htm. It is interesting to note that the epistemological question that dominates much of liberal theology is absent here. While many liberal theologians claim it is impossible to know for sure what the Bible has to say to us today, apparently the interpretation of human regulations have no doubt attached to them.

using us to stand for the pure proclamation of the gospel in Sweden and soon, hopefully, in other places around the world.

Even so, the Northern European churches have a long, distinguished and ongoing tradition of "inappropriately interfering in the life of a sister church." This interference takes many forms, but largely it is through the manipulation of the purse strings—the giving of funds. Money abounds if you agree to the agenda set by liberal Northern European churches. I, myself, was offered various partnerships by LWF sister churches if I would not consecrate Bishop Olsson. We have a word for this type of offer, a procedure that is, sadly, all too familiar to those of us in Kenya who have to combat the effects of graft daily.

Another type of interference is theological. An example of this is the consecration of a divorced, practicing homosexual man as a bishop in the Episcopal Church in the USA which has had wide-ranging effects on all Christian denominations throughout the South, and I know for sure in Africa. It has damaged the credibility of all Christians. The faith of new Christians or weak Christians has been badly shaken, and many have wondered if the Christian religion is the right one. It has also aided the outreach of the Muslims who use it as an example of the corruptness of Christianity. This is one theological example among many. The practices of liberal Lutheran churches in ordaining women, blessing homosexual unions (like the one at which Archbishop Hammar was present), and perhaps eventually ordaining practicing homosexuals are also terrible interferences in the life of Southern Lutheran churches. If this is not inappropriate interference that damages the body of Christ, I do not know what is.

Let me give you just one recent example of inappropriate interference in the life of a sister church from my own church, the Evangelical Lutheran Church in Kenya (ELCK). A little over a year ago, a missionary pastor from the Evangelical Lutheran Church in America (ELCA) planned and deliberately caused a split in what is arguably the most important church in the ELCK—Uhuru Highway Lutheran Church, now called a Cathedral. He officially tendered his resignation from the English service at the church two weeks before leaving. The Sunday after he left, he started preaching and began a new congregation also in Nairobi in an LWF sister church, the Kenya Evangelical Lutheran Church (KELC). Before he had officially resigned from Uhuru Highway, this ELCA missionary had organized a steering committee for the new church he intended to found. He had started working on a new worship folder long before. The goal

was clearly not to stay within the ELCK but to cause a painful split in the church. The official ELCA representative to East Africa was present at the steering committee meetings before the split occurred and helped to facilitate the split. The bishop of KELC also aided the schism. Over six months after the split occurred, the ELCA decided to contribute USD 370,000 (USD 185,000 over two years) to the new congregation, thus cementing and guaranteeing that the split would remain permanent.

Yet, I see Presiding Bishop Hanson of the ELCA as President of the LWF. I see no charges of inappropriate interference in the life of a sister church being leveled against his church body. I do not see Bishop Hanson's position as President of the LWF in jeopardy.

My brothers and sisters, this is hypocrisy. Northern European churches regularly interfere in the lives of Southern churches. This interference, like the discrimination of the Church of Sweden against her own members, passes by without comment because of the wealth and power of the churches. Is this what the church is about? Is this true Christian unity?[22]

In the end, I do not accept that my own actions were inappropriate interference at all. They were driven, first of all, by Christian love and well-founded in Scripture and the Confessions. They were approved by my own church, the ELCK, in a resolution adopted at our annual general assembly. When I presented my reasoning at a private conference of about seventeen African Lutheran church leaders—bishops and presidents—held during the 2004 Council meeting, they all expressed their support for my and the ELCK's decision.[23] We did not approach the Mission Province; they approached us and we were merely reacting to God's leading through their call to us. The Mission Province, unlike the ELCA missionary who split one of our congregations, repeatedly expressed its desire to remain within the church and not be schismatic. And, as mentioned earlier, the situation in which the Mission Province found themselves necessitated, by divine right, that they ordain pastors which was accomplished in a very

[22] The situation at the church in Corinth is an interesting parallel to this. Rich church members were preferred to poorer, weaker members and some would eat their fill at the Lord's Supper and get drunk while the other has nothing (1 Cor 11:17–22). It seems that little has changed in the history of the church.

[23] This is yet another example of the seriousness of the current North-South divide in Christianity. The Anglican Church of Kenya has withdrawn fellowship from the Episcopal Church in the USA due to their abandonment of historic Christianity. Similarly, the fact that seventeen African bishops expressed support for my consecration of Bishop Olsson and that the LWF Executive Committee has condemned it shows a widening gulf within the LWF.

appropriate manner by following the apostolic succession. This is not inappropriate interference. It is rather the most appropriate interference, an interference fully consonant with the commands of our Lord found in Scripture and explained in the Confessions.

I am sorry if my words have been harsh. But the truth must be spoken, and if speaking what Scripture says and exercising obedience to the word causes dissension, so be it. As Jesus said:

> Do not think that I have come to bring peace to the earth. I have not come to bring peace, but a sword. For I have come to set a man against his father, and a daughter against her mother, and a daughter-in-law against her mother-in-law. And a person's enemies will be those of his own household. Whoever loves his father or mother more than me is not worthy of me, and whoever loves son or daughter more than me is not worthy of me. And whoever does not take his cross and follow me is not worthy of me. Whoever finds his life will lose it, and whoever loses his life for my sake will find it. (Matt 10:34–39)

III. Where Do We Go from Here?

Brothers and sisters, do not make the LWF further complicit in these injustices and the persecution of the weak in the name of the strong. Because of the recommendation of the LWF Executive Committee, some may think that the decision is already sealed.

But it does not have to be so. The LWF can, in fact, stand up for the pure proclamation of the word of God in the world. The LWF can hold to the Scriptures as the only norm of faith, doctrine, and life.[24] The LWF can

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[24] There has been a long, slow slide in theological thinking in the LWF and elsewhere. It is now common for theological decisions not to be based on Scripture at all but only on the will and desire of the theologian. Rather than sitting at the feet of the Lord, many seek to teach our Lord about how theology should be done. The epistemological question has so dominated liberal theology that almost any assertion is now accepted as valid as long as the person is sincere in holding it. See the ELCA's "Journey Together Faithfully" and the subsequent recommendations of the Task Force on Sexuality in their FAQ: "People of differing convictions on these issues each in their own way rely on the Word of God as the basis for their views. Thus, there are sincere differences of interpretation among people in this church who share a common commitment to the authority of Scripture." Like so many other statements, this one deceptively encourages the reader to believe that the authority of Scripture is accepted by the Task Force, but it is an ineffective authority because it can be interpreted so many ways. Yet one's interpretation—sincere or not—can simply be wrong, and Scripture (or any coherent writing) cannot say "A" and "not A" at the same time. The performative effect of such language is to encourage doubt in one's confession of faith. Is this what Jesus and

defend the weak who have been discriminated against by the strong. The LWF can maintain continuity with the historic understanding of the Christian church as found in the Lutheran Confessions. The LWF can look to divine commands and prefer them over human regulations. The LWF can change its direction and be a beacon of hope as a faithful servant of the Lord in the world.

But it takes courage. It takes resolve. It takes casting away the doubt that is so much part and parcel of the Northern European intellectual tradition since Descartes. It takes holding on to God's word as God's word. It takes the heart of a servant not a master.

Serve the people. Give God's gifts, most especially the gift of faithful word and sacrament ministry. Do not submit to what is most normal in human history: the domination of one over the other, the will-to-power that is concealed in so many theological regulations and catch-phrases today. Do not have itching ears.[25] Be open to God's word.

Brothers and sisters, I urge you to recognize the voice of the shepherd in my confession of faith and the confession of faith of our brothers and sisters of the Mission Province of Sweden. Both are well-founded on the word of God and the Lutheran Confessions. I am concerned about the consequences if you vote to remove me from this Council. I am not concerned for myself: my conscience is clear and my heart glad that I can stand near the same place where my Lord himself was tried. But I am concerned for you and the future of the LWF. So once again:

> I call heaven and earth to witness against you today, that I have set before you life and death, blessing and curse. Therefore *choose life*, that you and your offspring may live, loving the Lord your God, obeying his voice and holding fast to him, for he is your life and length of days . . . . (Deut 30:19–20a; emphasis mine)

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apostles sought to do? Or is it not much more similar to the goal of the serpent in the garden: "Did God really say . . . ?" (Gen 3:1)

[25] "For the time is coming when people will not endure sound teaching, but having itching ears they will accumulate for themselves teachers to suit their own passions, and will turn away from listening to the truth and wander off into myths." (2 Tim 4:3–4)

Errata

Some editorial (not authorial) errors/omissions are present in an article published last year. The corrections are found below. The Editors

Walter A. Maier III, "Does God 'Repent' or Change His Mind?" *CTQ* 68 (April 2004): 127-143.

1. In footnotes 19, 20, 21, and 23 the Hebrew term should read: נחם

2. There should be a footnote placed at the top of page 143 at the end of the quotation on line three. The footnote should read:

   Ronald E. Clements, *Exodus*, Cambridge Bible Commentary (Cambridge: Cambridge University Press, 1972), 207. Calvin, writing on v. 12 in his Exodus commentary, states, with regard to the Egyptians, that "the memory of God's grace, as well as of His judgment, would have been destroyed; for the Egyptians would have hardened themselves, and would have been untouched by any sense of guilt, deeming that God would shew no mercy to His elect people" (342). Lange is of the opinion "that the ruin of God's people, merited as it is on account of their sins, would also plunge the heathen nations into complete destruction." Johann Peter Lange, *Exodus; or, The Second Book of Moses*, tr. Charles M. Mead (New York: Charles Scribner's Sons, 1901), 133.

3. The original last four sentences of footnote 39 were edited out of the article. Upon the author's request, the entire restored text of footnote 39 should read:

   Simply speaking, there are tensions (but *not* contradictions) in the Christian faith: spiritual realities which our limited human reason cannot completely figure out or comprehend. For example, there is only one God; yet the three persons of the Trinity are distinct from each other, and each person is fully God. Also, Jesus Christ is both very God and true man. God, in revealing himself, has pulled back the veil as far as is possible with us human beings. However, we are never to think that we have the full measure of God, imagining that we can pigeon-hole him or fit him into nice, neat compartments imposed by our minds.

Book Reviews

The Church Comes From All Nations: Luther Texts in Mission. **By Volker Stolle. Translated by Klaus Detlev Schulz. St. Louis: Concordia Academic Press, 2003. 109 pages.**

This little book is a treasury of some of Luther's writings on the church's evangelistic mission. It is divided into three sections, the first dealing with the biblical foundation for mission. Here we see Luther teaching that throughout the Scriptures, from Genesis to Revelation, the gospel mission to all nations is clearly revealed. Luther views the patriarchs, Abraham and Jacob, as missionaries in the land of Canaan. He writes that Mary and Joseph proclaimed the gospel while they sojourned in Egypt, as did the wise men when they returned to their land. The second part deals with practical questions about carrying out mission work, including enlightening passages about Luther's concern for the conversion of both Jews and Turks. The final section deals with the history of mission as Luther understood it in his time.

Perhaps most significant for the church today is Luther's vigorous teaching about the priesthood of all believers. Luther speaks of every Christian as an active witness: "Once a Christian begins to know Christ as his Lord and Savior . . . he is eager to help everyone acquire the same benefits. . . . Therefore he steps forth boldly, teaches and admonishes others, praises and confesses his treasure before everybody, prays and yearns that they, too, may obtain such mercy"(23). Luther sees every believer as a proclaimer of the gospel. This selection of Luther's writings will be useful for understanding the historical roots of Lutheran evangelism and mission.

Eric Moeller

Religious Pluralism in America: The Contentious History of a Founding Idea. **By William R. Hutchinson. New Haven and London: Yale University Press, 2003. 288 pages.**

The timeliness of this book by the Harvard Divinity School professor and dean of American religious historians is something that is at the same time both a strength and a weakness. There is little argument that religion and pluralism are hot topics of discussion in the American public square, and this book supplies a much needed historical perspective that has otherwise been lacking. In other words, Hutchison does a great job talking about what happened then, but a less than admirable job talking about what is happening now.

It is precisely because the topic of religious pluralism is so timely and compelling that the book ultimately falls short. The chapters in the book are taken in large part from lectures that Hutchison gave at Uppsala University in

Sweden in 1996. These lectures, however, do not appear to have been reworked in any fashion to reflect the 9/11 terrorist attacks or their aftermath on the scene of American religion. He also writes of the weakening of the Christian right in American politics in the early 1990s but then fails to mention anything about the religious right or the religious debate sparked by the election of George W. Bush in 2000. Even though the book was published in 2003, the book is ultimately somewhat dated.

Hutchison begins by drawing a distinction between diversity and pluralism. Simply, diversity is a fact or a condition, while pluralism is an ideal or an impulse. According to Hutchison's argument, diversity in American religion happened in the early nineteenth century, while pluralism (as currently defined) did not come about until the second half of the twentieth century. In part, the book describes how current notions of religious pluralism evolved out of different responses to the presence of religious diversity, categorizing the process as "pluralism as toleration, pluralism as inclusion and pluralism as participation." The story that Hutchison tells is not without its ironies: "inclusion was a Trojan horse . . . it created settings in which the newly included were likely to speak out, and to act, in ways their cautious sponsors had not intended or expected" (138).

The story the book tells is important nevertheless, and one that needs to be understood even as the current discussion has evolved in ways not anticipated by Hutchison. In the end, it is a discussion that Lutherans must be involved in as we move ever closer to the possibility that Christianity itself will be seeking participation, inclusion, and even toleration in the public square.

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***What has Christianity Ever Done for Us? How it Shaped the Modern World.* By Jonathan Hill. Downers Grove: InterVarsity Press, 2005. 192 pages.**

Why are wine bottles sealed with corks? Why is music notated on lines and spaces? Who came up with the idea of literacy? While one could find the answers to any of these questions easily enough in any modest library, it is unlikely that one will find them collected in one book anywhere else. The common thread between all these seemingly unrelated facts, Hill writes, is Christianity. Not that any are fundamental to Christianity, but rather that Christianity has influenced the world in which we live, for better or worse, in a multitude of ways.

Like many, Hill has regularly heard the manifest criticisms levied against Christianity over the past thirty years. Christians have caused wars (the

Crusades), endorsed slavery (the conquests of the New World), and have worked against scientific progress (the condemnation of Galileo). These things, and others, are commonly seen as conclusive evidence of the harm of organized religion upon society throughout history.

Hill, however, felt this was an inadequate and unbalanced appraisal of Christianity and all that it has accomplished and continues to accomplish. Much of Christian history and its influence upon culture, the arts, architecture, education, society, lifestyles, and social action is unknown to its critics, something this book works to change. He is not attempting to defend Christianity or to evangelize people to Christianity; instead he is working to circulate a broader knowledge of Christianity, and its positive contributions to the world for the past two millennia. Through clear, accessible writing and a host of photographs and illustrations, Hill achieves this quite well.

Despite the author's desires for this book not to be an apologetic document, it innocuously does this anyway. Excuses are not given for the inexcusable, yet Christianity has contributed immeasurably to practically every facet of our lives, and Hill demonstrates this convincingly. Furthermore, Hill's account is not only historical; he offers appraisals of what has happened in the twentieth century, as well as what is happening now as Christianity interacts with and influences the world in which we live An appealing and accessible volume, this could be the most popular and informative coffee-table style book a Christian could own.

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Is it insensitive to share your faith? Hard questions about Christian mission in a plural world. **By James R. Krabill. Intercourse, PA: Good Books, 2005. 152 pages.**

James R. Krabill, the senior executive for Global Ministries at Mennonite Mission Network, writes a life-experience book challenging Western churches to think beyond their own box and be positively conscious of what God's big, global, saving project is or intended to be. Krabill, though, is not the only one who has questioned the Western way of doing missions. Scholars and missionaries such as Don Richardson, Charles Kraft, Paul Hiebert, Andrew Walls, and Sherwood Lingenfelter have raised similar concerns. Surprisingly, through the author's experience and conviction, Western Christianity has imposed faith on other cultures by use of their economic status and civilized arrogance (7).

Citing the historical memories of Charlemagne (the king of the Franks), the 1099 Christian crusaders, and the 1495 Caribbean persecution, Krabill concludes that the name of Jesus has been misused to impose Western Christianity among mission targets. The author does not stop there but acknowledges that the Western intellectual legacy of people like Newton, Darwin, Marx, and Freud has shaped the West in its inquisitive thinking and scientific inquiry. Unfortunately, however, many missionaries from the West have forgotten that faith stands above science, logic, and philosophy. The fact is that the West, especially North America, is a multi-cultural and diverse context whereby most American Christians are still somewhat disoriented and largely ill-prepared (15). The author's concern about true Christianity, or certainties of the true way, becomes irreverent because these are concerns to which no human being will ever get answers (16). Here the author misses the point because he compares Christianity with other religions unlike Christianity while forgetting that these religions are philosophically and logically inclined. However, his concern speaks louder to Western Christians whose faith is practiced on Sundays, but the rest of the week, they fail to live the faith.

Covering the use of language and meaning, the author proposes difficulties associated with global meanings when communicating the gospel (21). The author's erroneous conclusion presupposes that "most West Africans believe there is one principal creator God" (23–24), only with several other subordinates. The greatest question though is, "Are all religious beliefs and practices equally good, right, and true?" (32). Krabill sturdily advocates for Jesus as the only way, truth, and life (36). In Chapter Five, the author criticizes the hypocritical lifestyles of most Western Christians, which continue to hamper the growth of Christianity. The true model and message that Christians preach to the world continue to dwindle due to Christian hypocrisy (68–69). Here Krabill proposes four Cs: 1) continuation of culture; 2) correction of culture; 3) completion of culture; and 4) creation of a new culture guided by faith convictions as a model for true Christianity (98–101). Ultimately, he argues strongly that "paternalism, provincialism, reductionism, romanticism and separation" (108–111) will continue to impact Western Christianity. Krabill concludes that it all depends upon Western Christianity, either to attract other non-Christians with a convicted faith lifestyle or to live selfishly and fail in our mission task.

In conclusion, this book will prove helpful for both seminary students and missionary practitioners. Though it is not meant for academic purposes, it does reveal how mission work can be practiced without imposing cultural and denominational presuppositions on others people while remaining a bold witness of Christ.

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***Harvesting Martin Luther's Reflections on Theology, Ethics, and the Church.* Edited by Timothy J. Wengert. Grand Rapids: William B. Eerdmans Publishing Co., 2004. 260 pages.**

This impressive collection of essays by leading Lutheran theologians and Reformation historians represents the state-of-the-art in current Luther scholarship. Originally published in *Lutheran Quarterly*, these essays now appear under a single title in Eerdmans' new and promising series, *Lutheran Quarterly Books*. Organized under three headings, the Catechetical Luther, Luther and God's World, and Luther and Christ's Church, thirteen essays explore a variety of themes in the Reformer's writings with an eye toward the ongoing significance of these topics for Christian faith and life.

Mark Tranvik contributes an essay on "Luther on Baptism" demonstrating Luther's reformation of baptism from a sacrament of initiation to a sacrament of perpetual significance for the Christian life. "Luther on the Two Kinds of Righteousness" is the title of Robert Kolb's chapter. Kolb sees this distinction as crucial for Luther's overall approach to theology and ethics as it reflects both the horizontal and vertical dimensions of human life. Dietrich Korsch uses Luther's seal as a template for the hermeneutic of his doctrine in "Luther's Seal as an Elementary Interpretation of His Theology." Johannes Schwanke examines Luther's confession of creation on the basis of the Genesis lectures. There is much here that will enrich the pastor's catechesis of the First Article and strengthen him in the articulation of a *Luther*an response to postmodern claims of autonomy. Gerhard Sauter shows how Luther provides an eschatological answer to *Anfechtung* in his chapter "Luther on the Resurrection," which rounds out the "Catechetical Luther."

"Luther and God's World" begins with Karl Froehlich's "Luther on Vocation." Originally a lecture given to seminary students, Froehlich uses Luther to raise questions of pastoral identity and formation in the broader context of the Christian calling in the world. Carter Lindberg examines Luther's understanding of poverty, both its cause and appropriate solutions in "Luther on Poverty." Ricardo Willy Rieth demonstrates that Luther attacks greed from the perspective of the First Commandment in "Luther on Greed."

Scott Hendrix writes on "Luther and Marriage" demonstrating that the Reformer both demoted and elevated marriage. Gregory Miller examines Luther's understanding of Islam as a historical, political, and eschatological reality in "Luther on the Turks and Islam."

The final section, "Luther and Christ's Church," offers three essays. Helmar Junghans traces the development and implications of Luther's liturgical proposals in "Luther on the Reform of Worship." Carl Axel Aurelius offers an introduction to Luther's evangelical use of the Psalms for lament and praise in "Luther on the Psalter." Another essay by Scott Hendrix, "Martin Luther's Reformation of Spirituality," notes Luther's continuity and discontinuity with the medieval tradition. Hendrix describes Luther's spirituality as a "guestly spirituality" as Luther understands the life of the Christian lived in a world where God is the host, and we are on the receiving end of divine generosity in creation and redemption.

The concluding words of veteran Reformation scholar, David Steinmetz, in his foreword to *Harvesting Martin Luther's Reflections on Theology, Ethics, and the Church,* aptly describe the value of this book: "Their work is a gift to Luther research and an important aid for the general reader who wants a reliable guide to Luther, a figure who has an undiminished capacity after nearly five hundred years to surprise and instruct us" (xi).

John T. Pless

***Ecumenical Dialogue.* By Angelo Maffeis. Collegeville, MN: Liturgical Press: 2005. 109 pages.**

Many churches around the world have taken a step to be part of the ecumenical dialogue, while others (Evangelicals, Pentecostals, and the African Independent Churches) are totally opposed to this endeavor (15). This book analyzes the theo-historical foundations of ecumenism, critically looking at conciliar ecumenism and how the Roman Catholic Church has become part of that movement. This masterpiece written with a keen perspective provides the reader with two parts. Part one, comprising of chapters one and two, gives the historical information about ecumenism and how this movement came to be formed soon or after the 1910 Edinburgh World Missionary conference, which aimed at utilizing Protestants and Anglicans in setting strategies for evangelizing the world more effectively. Maffeis shows that the reason behind the start of this movement was that, during the 1910 conference, it realized that diversity was causing more damage to mission endeavors and unity would enhance mission success. "The search for unity is, therefore, inseparable from the realization of the missionary mandate received from it and the condition for the effectiveness of Gospel witness" (13). In this section Maffeis also shows

how the Roman Catholic Church has continued to establish several bilateral dialogues such as with the Orthodox churches (1980), the Lutherans (1965), the World Alliance of Reformed churches (1971), the Anglicans (1967), the Methodists (1967), the Pentecostal churches (1972), the Disciples of Christ (1977), the Evangelical communities (1977), the World Baptist Alliance (1984), and lastly, the Mennonite World Conference (1998) (41–45).

In part two, the author offers a methodical depth of the issues discussed in the ecumenical dialogue. Here the reader will realize the goals for discussions, the extent and people who were involved in the ecumenical dialogue. In chapter three, the book analyzes the methods and the scheme used in describing dialogue, which describes why and how ecumenical dialogue functions (64). The main question here is whether we can have one faith and different theologies. This book attempts to show how that works even as it fails to show the real meaning of faith and theology. There is another question, however: How does unity in diversity play in ecumenical dialogues where faith and theology are treated as two different entities? Only when faith and theology become a united truth in one's religious conviction will churches have a theological unity in diversity, otherwise they must settle for a social unity in diversity. Maffeis's conviction that "The search for consensus in the expression of the apostolic faith necessarily, therefore, passes through the critical sieve of the forms in which the faith has been witnessed to and lived in history" needs to be given critical consideration (73). The last chapter provides the conditions for dialogue and the role ecumenical theology plays in the dialogue.

This book provides the theological and historical foundations of ecumenical dialogues and the main goals, methods, scope, and key persons in them. It is instructive, especially to both those who know little about ecumenical dialogue and those who see ways it has impinged theology and faith.

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***Reconstructing Pastoral Theology: A Christological Foundation.* By Andrew Purves. Louisville: Westminster John Knox Press, 2004. 236 pages.**

Reading *Reconstructing Pastoral Theology* caused me to revisit another book by a Reformed practical theologian, Eduard Thurneysen's classic study, *A Theology of Pastoral Care* (John Knox, 1962). Using Karl Barth as his basis, Thurneysen constructed a practical theology of continuing significance. In a manner not dissimilar to the Swiss Barthian, Thurneysen, the American Presbyterian Andrew Purves uses the systematic theology of the Torrances (James and Thomas) to build a substantial pastoral theology.

Whereas Thurneysen sees pastoral care as the communication of the word of the living God to individuals, Purves sees the over-arching theme of pastoral care as union with Christ. After providing a very fine description of how the disciplines of the social sciences (Seward Hiltner, et al.) have shifted pastoral care from adequate christological and soteriological foundations to therapeutic techniques, Purves lays out a proposal for a renewed pastoral theology that is in concert with the classical tradition. Here he echoes the voice of Thomas Oden, Ellen Charry, and William Willimon. He laments the fact that "ministry today is skill-driven rather than theology-driven, and seems to incorporate little of the dynamically practical nature of theology insofar as it speaks about who God is and what God does" (3).

The book itself is divided into two parts. In the first part ("Jesus Christ: The Mission of God"), Purves develops the practice of pastoral care out of the high priestly office of Christ. Purves contends that modern use of the shepherding metaphor for pastoral care has largely become an imitation of Christ rather a participation in Christ. This, Purves contends, thrusts the pastor back on his own resources rather than God's grace in Christ, defining this as pastoral Pelagianism. Instead, Purves seeks to ground pastoral theology in the work of Jesus the High Priest, who is both the mediator sent from God and the Second Adam who represents humanity before God. "Pastoral theology, then, before it is a theology of what the church or the pastor does, is axiomatically and first of all a theology of the pastoring God, a theology of the living gospel of Jesus Christ" (4).

The second part of the book examines four dimensions of ministry in union with Christ. This ministry is a ministry of God's word, his grace, his presence, and his reign. In the final four chapters of his book, Purves works out both the present and eschatological dimensions of what it means to be a pastor who participates in Christ's speaking, hearing, and obeying the word of God. Following the lead of Thurneysen, Purves holds preaching and pastoral care together. Pastoral conversation moves away from inner resources to the Word sent from God.

Purves's book is a valuable contribution to the body of pastoral literature for several reasons. First, he seeks to recall pastors to the theological task in light of the infectious pragmatism that threatens to render ministerial work sterile. "The tag, 'mission unites, theology divides,' while perhaps at times true, is often taken to be a rationale to abandon theology for (an atheological?) practice. The turn toward developing pragmatic skills for preaching, when it means turning away from the proper theological foundation—that is, an understanding of what really happens in preaching—is a turn toward the death of ministry because it is a turn away from the Word of God on its own terms" (159–160). Second, this book challenges Lutheran theologians to do

what he has so ably done for contemporary Calvinism, namely articulate a pastoral theology consistent with Lutheran themes.

John T. Pless

***Praying for Reform: Luther, Prayer, and the Christian Life.* By William R. Russell. Minneapolis: Augsburg Fortress, 2005. 96 pages.**

In *Praying for Reform,* William R. Russell claims that interpreters have neglected the formative role that prayer played in Luther's development, as well as the central role it played in his reforming work. Russell shows that for Luther catechesis is teaching believers how to pray. He points to Luther's view of the catechism as "more than a pamphlet of doctrines," and argues that we would do well to see it as Luther did: "as a handbook of theology and prayer, designed to guide Christians and lead believers to understand their entire lives as prayer" (13–14).

The book is a collection of three works of Luther: the *Personal Prayer Book* of 1522, *Booklet for Laity and Children* of 1525, and *A Simple Way to Pray (for a Good Friend)* of 1535. Each work links prayer with the texts of the Small Catechism. The translations have been slightly modified and brief sections of the latter two works are omitted. Russell has included an introduction, conclusion, and postscript to these works, highlighting the role of prayer in Luther's theology. He also provides questions for reflection or discussion at the end of his introduction and each of Luther's works.

The book is designed to be used by those interested in Christian prayer, Luther's development, and Luther's ideas, as well as teachers, families, and church schools (12). It serves these purposes well, providing an insightful and readable introduction to Luther's theology and practice of prayer.

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***The Book of Proverbs: Chapters 15—31.* By Bruce K. Waltke. The New International Commentary on the Old Testament. Grand Rapids: William B. Eerdmans Publishing Co., 2005. 589 pages.**

This volume completes Waltke's work on Proverbs begun in 2004 in the NICOT series with an introduction and commentary on Proverbs 1–15. The titles of the two volumes are somewhat confusing, since both claim to include Proverb 15. In fact, the first volume stopped with Proverbs 15:29, and this volume begins with Proverbs 15:30 and treats the last four verses of the chapter. This arises because Waltke treats Proverbs 15:30–22:17 as a major

section of Solomon's proverbs which he calls "The Lord and His King." Unfortunately, the commentary is rather confusing on this. The Table of Contents lists this section as 15:30–22:22 (vii), while the beginning of the commentary this section is listed as 15:30–16:22 (3). However, the subsequent commentary shows that this section ends at 22:17, with 22:18–22 treated as the beginning of the next major section of Proverbs.

The general characteristics of Waltke's first volume on Proverbs also found here. The same competence, great attention to philology, familiarity with scholarly discussion of issues in Proverbs, and frequent exegetical insights will benefit users of this commentary.

In this volume Waltke continues to point out that the various sayings in the "Proverbs of Solomon" (10:1–22:16) are not simply random sayings, but an organized collection using various schemes, including theme, wordplay, and catchword. The only drawback to Waltke's approach (which carries over from the earlier volume) is that his outline and commentary on this section could give readers the impression that he has set forth the actual subdivisions in the text as intended by Solomon. Unfortunately, there are no clear indications that the subdivisions that Waltke uses are the only possible way to view the organization of the text. In fact, Proverbs often defies finding neatly delineated subdivisions of sayings, and other ways of subdividing the text are also possible. The organization of wisdom texts such as Proverbs, Ecclesiastes, or Song of Songs is simply not as tight and linear as in other Old Testament books. Wisdom often is designed to get one to think across boundaries and to make connections to other contexts. Thus, Waltke's subdivisions in Proverbs 1–22 should be viewed as an organizational scheme that arises from *some* of the connections among the sayings in the text, but cannot take into account all of these connections. Waltke's subdivisions, like those in other commentaries on Proverbs, are simply imposed upon the text for the purposes of organizing Solomon's sayings around many, but not all, of these contextual connections among the sayings of Solomon.

Much of Waltke's commentary provides interesting insights into the text, and his work tends to be thorough and well-thought out. However, there are several cases where his assertions are questionable or incomplete. For instance, in treating the "Sayings of the Wise" (22:17–24:22), Waltke emends the very difficult occurrence of *shilshôm* ("formerly") to *shilishîm* ("thirty") in keeping with the thirty chapters of the Egyptian *Wisdom of Amenemope* from which some of the subsequent sayings in this section seem to have been derived (but reworked). However, only twenty-nine sayings follow. To solve this dilemma, Waltke counts the introduction (Prov 22:17–21) as the thirtieth saying, since the introduction to *Amenemope* is one of its thirty chapters. This would be more convincing if all of the following sayings were based on *Amenemope*. Instead, I

believe that a better case can be made for retaining the difficult *shilshôm* and understanding it as an implied play on words with *shilishîm,* leading the reader to view it as an improved reworking of *Amenemope* and other foreign wisdom that has been made now to glorify Yahweh's divinely revealed wisdom instead of human intellectual achievement. God does not need thirty sayings—His wisdom surpasses human wisdom and can do it using only twenty-nine sayings!

Waltke's treatment of the Solomon's sayings copied by Hezekiah's men (Proverbs 25–29) is, for the most part, nicely done. Building on the work of scholars during the latter parts of the twentieth century, he acknowledges that this collection has several more well-defined sections that are built around the theme of kingship. Unlike the sections he sets forth in Proverbs 10:1–22:16, some of the sections in this collection are clearly demarcated in the text itself. However, since he often treats them in a manner similar to subsections in Proverbs 10:1–22:16, an uninformed reader may miss that fact that some of the subsections in Proverbs 24–29 are clearly demarcated by the text itself, whereas the subsections in Proverbs 10:1–22:16 are a scheme imposed on the text for commentary purposes.

In keeping with his comments in the introduction to Proverbs in the previous volume, Waltke treats Proverbs 30 as entirely the work of Agur, and Proverbs 31 as entirely the work of Lemuel (or his mother, who taught it to him, Prov 31:1). While I agree with him about Proverbs 30, I question whether the acrostic poem in Proverbs 31:10–31 came from Lemuel. Waltke's major arguments, based on arguments originally put forth by Kenneth Kitchen, are that the work of Lemuel would be "hilariously short" if the acrostic poem is excluded, that both the first part of Proverbs 31 and the poem are feminine in orientation, and that the poem would be the only anonymous portion of Proverbs. None of these arguments is convincing. Who is to say how short is too short? Could not an anonymous final editor have added the final poem, giving it a feminine orientation to fit into its immediate context? Thus, while the poem *could* derive from Lemuel, there Waltke provides no good argument that it does. Moreover, there are other indicators that the poem does not come from Lemuel. For instance, Lemuel's discourse contains quite a few Aramaisms in only nine verses. However, the same cannot be said of the twenty-two verses of the poem.

Despite these objections, Waltke's work offers much good commentary on the text and can be used profitably. His work illuminates meaning for any number of enigmatic proverbs and ties them to their context quite nicely. All this can be of great help to the user.

At the same time, Waltke's commentary, a work designed to be one of American Evangelical scholarship, has one major theological drawback that

runs throughout both volumes—he fails to find the gospel in Proverbs, and most of his treatment tends toward legalism. This is demonstrated in the first part of this commentary in his treatment of Proverb 15:30–16:15. This section contains, perhaps, the most densely concentrated gospel-focused sayings in Solomon's proverbs. Yet Waltke treats them all as merely moral instruction without seeing their application as the promises of God who rescues fallen humanity. Near the end of the commentary we find the same thing. When Agur asks the question, "What is his [God's] name and the name of his son?" (Prov 30:4) Waltke treats this as if the answers are simply "Yahweh" and "Israel" (see Exod 4:22). Yet Agur is in the midst of asking challenging questions to his audience, not ones that have relatively obvious and easy answers. The answer for the name of God's Son cannot simply be Israel, especially since it is set immediately after questions about creation, implying that the Son participated in creation (cf. Prov 8:22–31, which Waltke also fails to see as originally intended to be messianic). For Agur's original audience the answer had not yet been revealed. That is why Agur challenges his audience with the ironic "Surely you know!" (Prov 30:4) Agur is pointing forward to the Messiah, the unnamed Son of God mentioned also in Psalm 2, whose name is revealed in the pages of the New Testament. This is a messianic passage and was intended to be so by Agur. Yet Waltke treats this passage only as if the New Testament reinterprets this passage to be about Jesus, but only as Israel being a type of Jesus. Thus, for Waltke, nothing in Proverbs was intended originally by the authors to point to the Messiah. There is no real gospel of Christ in the book, and only New Testament typologizing can bring a patina of Christ to the study of the book. Thus, the book is reduced to mostly legalistic moralizing.

I can recommend Waltke's two volumes on Proverbs for their careful philology, discussion of scholarship on Proverbs (both ancient and modern), and for a number of good insights into the text. However, one must be careful not to imbibe the theological orientation of this commentary; for if followed consistently it will lead to legalism and not to the gospel. However, if used judiciously by the pastor who keeps the cross of Christ and his gospel in focus so as to correct Waltke's deficiency, these two volumes on Proverbs may supply a number of insightful comments that can be pressed into service for the preaching and teaching of God's word of both law and gospel.

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***The Gospel According to the Simpsons.* By Mark I. Pinsky. Louisville: Westminster John Knox Press, 2001. 164 pages.**

What happens in Springfield does not stay there. Love it or hate it, *The Simpsons* (the animated sitcom airing since 1989) is an extremely successful television program with a dedicated following that tunes in every Sunday night (and daily in syndication). For all the complaints about poor morals the sitcom depicts, Pinsky makes a compelling argument that there is much moral (even biblically-based) content to be found within the series. While Christian content in *The Simpsons* forms the bulk of the book, it also considers Jewish and Hindu concerns.

The book is entertaining, mixing quotations from the show with commentary and analysis, although it was surprising to find that the author of a book entitled *The Gospel According to the Simpsons* was not himself Christian. Pinsky, a devout Jew, marvelously relates the theological themes woven into the sitcom, but his theological analysis, especially relating to the Gospel, does not go beyond standard terminology and formulaic phrases. Despite this weakness, the content of the various chapters dealing with specific characters, topics, and faiths provides a thorough examination of how *The Simpsons* portrays religion. Tony Campolo's forward lends great value to the book, offering an example and explanation of why *The Simpsons* is so popular among Christians.

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***Is the Reformation Over? An Evangelical Assessment of Contemporary Roman Catholicism.* By Mark A. Noll and Carolyn Nystrom. Grand Rapids, MI: Baker Academic Press, 2005. 272 pages.**

I guess the fat lady has not sung, but maybe we are in the ninth inning. Noll and Nystrom tease us with the idea that the end of the Reformation could be near.

This book is well worth a pastor's time, especially if he wants to answer all those questions about what Catholics believe or teach and how we're different from them with something close to accuracy. To their credit, Noll and Nystrom go to the *Catechism of the Catholic Church* as a primary source for what they will say about what Rome says. Granted, the difference between official teaching may be a good distance from what a priest says, and miles from what laity believe in a church that lives within the American religious smorgasbord and has adjusted to Vatican II in varying speeds. Moreover, Noll and Nystrom have taken their measure of the Roman Catholic Church primarily by

examining its American manifestation. While the authors give some attention to Catholicism in Europe and an occasional glance at the two-thirds World, such an approach is hardly exhaustive when about ninety percent of the world's Catholics live outside North America.

Noll certainly comes to the task with significant credentials, having participated in the process of *Evangelicals and Catholics Together*, to say nothing of his general academic standing and intellectual honesty. He is therefore admittedly biased toward the assumption that great change has occurred on both sides in the perceptions Evangelicals and Catholics have toward one another. Nonetheless, the authors document their work more than adequately, and provide a helpful annotated bibliography of "Further Reading" at the end of the work.

The book flows through its topic effectively. The authors document the significant increase of good will between Evangelicals and Catholics before reflecting on the great divide that occurred from the time of the Reformation to recent history. Then they examine the changes in perception that have happened since Vatican II. Besides the Council's *Decree on Ecumenism* and the dialogue process it created, changing attitudes have been hastened by the growing vitality of Christianity in the southern hemisphere (where disagreements between different European groups do not immediately transfer), by experiential connections shared by Roman Catholics and Evangelicals (i.e., the charismatic movement), and, most particularly, by the ever-increasing affinity between U. S. Evangelicals and Catholics on culture war moral issues (e.g., the pro-life movement).

So, is the Reformation over? Despite significant progress, Noll and Nystrom answer, "No." The continuing areas of disagreement between Evangelicalism and Catholicism cannot be ignored. Ample citation is given to such points of division as Mariology, ecclesiastical authority, specific moral issues like divorce and birth control, the sacraments, and universalism—to name a few. Athough these divisions continue, "a once-yawning chasm has certainly narrowed" (114).

Though I highly recommended this book, it is by no means unobjectionable. It also, to my mind, raises the question, "Where is Lutheranism and, specifically, Missouri, in this discussion?" The authors' discussion of the doctrine of justification focuses on the Lutheran-Roman Catholic dialogue and the *Joint Declaration on the Doctrine of Justification (JDDJ)*. Despite noting strong concerns raised by some Evangelicals regarding the results of dialogues on justification, the authors still conclude: "If it is true . . . that *iustificatio articulus stantis vel cadentis ecclesiae* . . . then the Reformation is over" (232). That such a claim can be made so baldly ignores both Evangelical critics of *JDDJ* and the LCMS response (as well as some ELCA and German Lutheran pastors and

scholars). Second, the discussion of the sacraments pretty much ignores the reality of a significant Reformation perspective (i.e., the Lutheran view), which stands firmly between both Evangelical and Roman Catholic understandings, even as it leans far more toward the Roman than Evangelical view. Finally, disagreement in ecclesiology is characterized from an Evangelical perspective that the Lutheran confession would see as genuinely platonic ("the church is first spiritual," [234]). In each of these respects one must rue the inability of the LCMS to be vigorous participants in the work of ecumenism. Our isolationist tendencies have silenced a genuinely mediating voice between Evangelicalism and Catholicism.

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***Joshua.* By Adolph L. Harstad.** Concordia Commentary. **St. Louis: Concordia Publishing House, 2004. 906 pages.**

This new volume in the Concordia Commentary series continues the high standards set by the previous volumes. Harstad packs a wealth of theological reflection into its nine hundred pages. The introductory material includes comments on the book of Joshua's place and message in the Scriptures, the author and time of composition, the man Joshua, archaeology and geography, the dates of the events of Joshua, the Hebrew text of Joshua, the method of interpretation used in the commentary, the central theme and subthemes of Joshua, and Joshua's general outline.

The body of the commentary examines each section of Joshua in detail. After a new translation of the section, textual notes provide information on significant Hebrew words and phrases. Finally a commentary on the section provides corroborating evidence from archaeology, analyzes themes, evaluates alternative interpretations, and offers theological reflections. Scattered throughout the body are excursus on topics raised by the text: the name of Yahweh; the town of Jericho; the Jordan River; the seven peoples of Canaan; divine warfare; the city of Jerusalem; the geography and theology of the Holy Land; the Hebrew verbs in the border descriptions; and the covenant. Supplemental materials are found at the end of the book: suggestions for preaching tests from Joshua; a glossary of terms used in the book; eleven pages of maps; an index of subjects; and an index of passages.

It is good to find a modern scholarly commentary that interprets an Old Testament book as did Jesus, who taught that "these are the Scriptures that testify about me" (John 5:39), and who "explained to them what was said in all the Scriptures concerning himself" (Luke 24:27). Harstad does not shrink from identifying the Commander who met Joshua before the battle of Jericho as "the

Son of God in his preincarnate state" (254). He identifies the Abrahamic covenant as pure gospel, that is, "the promise and gift of grace and life for the sake of Jesus Christ" (746). He also bucks the popular modern trend to expunge the Trinity from the Old Testament; instead he draws trinitarian implications from the mixture of singular and plural forms found with the Hebrew word for God: "This grammatical peculiarity is in harmony with the biblical doctrine that the three persons of the Trinity share one and the same divine essence and are only one God" (706).

It is also refreshing to read a modern scholarly commentary that relies on biblical evidence for determining authorship and dating rather than on the documentary hypothesis. But Harstad surely overstates when he says: "In the latter half of the twentieth century, the documentary hypothesis was overhauled by some higher critics and largely ignored by others in favor of other approaches at reconstructing the origins of the texts of the OT. The self-destruction of the hypothesis was inevitable because of the lack of evidence and contradictory conclusions reached by its advocates. That sterile kind of scholarship is now passé" (833). To say that a dominant theory such as the documentary hypothesis is sterile and now passé and to suggest that it has self-destructed is to make the same mistake as some make when they say that the theory of evolution has self-destructed. Though the theories may be seriously flawed and even dead wrong, they are still accepted as true by large numbers of experts.

Harstad's treatment of controversial passages with theological implications is both interesting and thought-provoking. For instance, it is undeniable that the Bible teaches that sin and its fruit, death, as well as righteousness and its fruit, life, are attributed to the world as a result of the acts of Adam and of Christ: "For just as through the disobedience of the one man the many were made sinners, so also through the obedience of the one man the many will be made righteous" (Rom 5:19); "For as in Adam all die, so in Christ all will be made alive" (1 Cor 15:22). But should the attribution to the world of Adam's sin be generalized as a principle of divine justice, as if God exacts collective retribution from people for specific sins that they did not commit? This is what Harstad proposes in the case of Achan: "The whole nation is held responsible for the unfaithfulness of one of its members . . . . The sin of the one man Achan poisons the whole nation" (304; cf. 753, 701). If divine justice operates under such a general principle of collective retribution, then why did God so vigorously defend himself against the saying, "The fathers eat sour grapes, and the children's teeth are set on edge" (Ezek 18:2), and teach on the contrary: "The soul who sins is the one who will die. The son will not share the guilt of the father, nor will the father share the guilt of the son" (Ezek 18:4)? It would have been helpful to see some discussion of how the principle of individual responsibility interacts with the principle of corporate responsibility in the

account of Achan, and how to react to the suggestion that the Israelites were punished because they shared in Achan's sin in some way, possibly through their negligence in guarding the devoted objects from Jericho to prevent this very sin.

Space does not permit a discussion of other thought-provoking treatments of controversial topics: how to understand the Israelites' decision not to exterminate the Gibeonites (393–396, 415, 467, 567); whether there is an unending requirement for capital punishment (643–647); whether God has commanded believers to marry only fellow believers (734); and how to understand Joshua's statement, "You are witnesses against yourselves that you have chosen to serve the Lord" (Josh 24:22), in relation to decision theology (783–799). For pastors and scholars who wish to mine the treasures of God's word in Joshua, this commentary provides background information, mature theological reflection, and stimulating suggestions for application that repay careful reading.

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***Walking George: The Life of George John Beto and the Rise of the Modern Texas Prison System.* By David M. Horton and George R. Nielsen. Denton, TX: University of North Texas Press, 2005. 288 pages.**

Walking George, the book that focuses on the life of Dr. George J. Beto and the impact he had as a leader in both the religious and secular world, shares the story of a great man of God whose entire life was a demonstration of James 2:18: ". . . I will show you my faith by what I do." It is the inspirational story of a Lutheran minister who uniquely demonstrated the proper balance of law and gospel in his educational leadership within the LCMS, and the proper balance of secular law and spiritual gospel as head of the criminal justice system of Texas.

The book, co-authored by David Horton and George Nielsen, begins with a review of Beto's early years as a child and youth in Montana, North Dakota, and Illinois, and then focuses on his leadership contributions, challenges, and experiences in the following positions: Dean and President of Concordia Lutheran College in Austin, Texas; Governor's appointed member to the Texas Prison Board; President of Concordia Theological Seminary in Springfield, Illinois; Director of the Texas Department of Corrections; and Distinguished Professor of Criminal Justice at Sam Houston State University.

Some biographical books are dull and uninspiring. That is not the case with *Walking George.* The authors have done an excellent job of bringing George Beto to life as they share his humor, his relationship with students and adults,

his unique style of teaching, his fearlessness in addressing prejudice as well as opposition to change, and his pioneering approaches to Christian service in the church, community, and the world.

The book does not attempt to picture Beto as a saint, and knowing my departed friend and mentor as I do, he would be disappointed with such a depiction. As one begins reading his biography, you are introduced to the actions of a preacher's kid who was both sinner and saint, sometimes devoutly religious, at other times developing the reputation in the community as being one of the town's leading pranksters. His published letter in which he challenges the editor of the *Lena Weekly Star* and requests an apology is a classic worth the cost of the book.

During his student years at Concordia Seminary, St. Louis, his gift of leadership was discovered by both students and faculty, resulting in his selection as the leader of numerous seminary events, projects, and organizations. He enjoyed the seminary; however, the authors of the book also give us a brief glimpse of Beto's resentment of professors who tried to bind his conscience in certain teachings that he later discovered, through study and experience, were wrong.

After graduating from the seminary in 1939, Beto accepted the offer to become assistant professor at Concordia College, Austin, Texas. The book provides interesting insights into Beto's unique teaching skills, influence on his students, and great sense of humor. Students usually received either a nickname or some clever reference associating them with their hometown.

As the authors review the twenty-year ministry of Beto at Concordia, Austin, one comes to know and appreciate this man as not only an outstanding teacher in the classroom but also a very talented administrator, communicator, fund raiser, and visionary. From an entry-level teaching position, Beto through the years was assigned an ever increasing number of leadership responsibilities, and was chosen to serve as president of Concordia less than ten years after his arrival. Admiration and appreciation of Dr. Beto increases as one reads about some of his accomplishments: expanding the campus facilities; increasing the enrollment; transitioning the school to welcome female students; and resisting the deeply engrained southern segregation against blacks by welcoming the first black student on campus. These accounts translate into very exciting reading.

During this demanding period in Austin, he still had time to marry a lovely Austin lady with strong Lutheran roots, earn a Master's and Doctor's degree from the University of Texas, and accept the governor's appointment to the Texas Prison Board, where he began to make his mark as a reformation leader of the Texas prison system. The authors give a detailed and revealing

understanding of the Texas prison system, the politics involved with people in high places, and the initiation of George Beto into this new adventure. It is interesting to read how this gifted man of God expanded his leadership ministry to serve effectively both the church and the government.

Beto's impact on the LCMS was expanded when he accepted the call to serve as President of Concordia Theological Seminary, Springfield, Illinois. The book relates how Beto, during the three years he served as president, brought about major improvements, including campus building expansion, increased faculty, school accreditation, and an increased enrollment, which resulted in Springfield having the highest enrollment among all Lutheran seminaries in the country.

Three years after assuming the presidency of Concordia Theological Seminary, Dr. Beto was notified that he had been chosen to serve as Director of the Texas Department of Corrections, following the untimely death of his friend and legendary prison administrator O. B. Ellis. He turned down the offer, but the Texas Board of Corrections, determined to get their man, and knowing his spiritual commitment, added the title "Chief of Chaplains" to his job description. Beto accepted, and moved back to Texas.

During his years of service as Director of the Texas Department of Corrections, he succeeded in bringing about major reforms aimed at rehabilitating prisoners, including a system of schooling for inmates through the college level. This was the first of its kind in this country, and helped to establish Beto as one of the best prison directors in the world, not only for the improvements he created in the institutions, but also for his personal interest in and care for each inmate. Beto came to be known as "Walking George" because of his routine of walking through the prisons talking, listening, and responding to prisoners who wanted a word with him.

The book, in detail, covers both the good days as well as the frustrations experienced by Beto in his attempt to make the Texas prison system the best in the world. To develop his new projects required state money, lots of it, and the authors reveal the process Beto undertook to convince top leaders of the state, including the governor and state legislators, as to the importance of their support for financing the prison projects. His outstanding reputation and gift of communication usually translated into success in fulfilling the project's financial needs. During his ten years as head of the Texas prison system, Beto was a strong force in the creation of the Institute of Contemporary Corrections and Behavioral Sciences, later to be known as the College of Criminal Justice, at Sam Houston State University. In 1972, he resigned from the directorship of the prison system to accept the position of Distinguished Professor of Criminal Justice at the University, where he taught until he retired in 1991. It was a fitting conclusion to the outstanding career of Dr. George Beto that he would

end his ministry where it began some 52 years earlier, in the classroom, adored by his students, molding and influencing their lives for future service in God's world.

Dr. George J. Beto died a few months after he and his wife, Marilynn, returned to Austin, where he had been named Chief of Chaplaincy Services for the Texas Youth Commission. But for many, he will remain alive in the influence he has had upon countless individuals, the changes for good and for God that he initiated in both the church and society, and the example he set for leaders in how to function within political situations, whether church or society, while refusing to be identified with any political conflict, in spite of the efforts of some to place on him the label of being liberal or conservative.

While reference is made to the fact that some identified him as a liberal because certain Springfield seminary professors he recruited later became involved as liberal leaders in the Synodical conflict, the book fails to mention, probably because the authors were unaware of it, that Beto was also accused of being identified with the conservatives. Two of the professors he had recruited, Jack Preus and Robert Preus, later became prominent conservative leaders in the Synodical conflict. To those accusing him of being either liberal or conservative, George Beto gave the same response: "I hired them because they were outstanding professors in their field, and not for their politics."

The book will reveal to its readers one of the most influential Lutheran leaders in the twentieth century, who accomplished what few have ever done, namely, become a positive change agent for both the religious institution of the LCMS, and the secular institution of the criminal justice system.

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***Dust to Dust or Ashes to Ashes? A Biblical and Christian Examination of Cremation*. By Alvin Schmidt. Salisbury, MA: Regina Orthodox Press, 2005. 134 pages.**

In this thin yet comprehensive volume, Dr. Alvin Schmidt, a former Fort Wayne seminary professor, argues that widespread acceptance of cremation in the English-speaking world is unbiblical and detrimental to the faith. The church has given up her opposition to cremation based on the misunderstanding that the Bible does not condemn cremation. Many in the church argue that cremation cannot be opposed outright because the Bible does not forbid it. Yet Schmidt presents compelling evidence from the Bible and Christian tradition that indicates cremation is indeed opposed to God's will.

Amos 2:1 indicates God's wrath against one who burned the body of another: "For three transgressions of Moab, and for four, I will not revoke the punishment, because he burned to lime the bones of the king of Edom." Yet this single verse has been overlooked by many in the cremation debate. Perhaps many theologians simply see God punishing the king of Moab for general violence against Edom, or overlook the details in this one of many punishments listed in the first chapters of Amos. Nevertheless, the specific reason for his punishment is named as his burning the bones of the king of Edom. Schmidt challenges those who tolerate cremation to consider the full significance of this statement in Amos.

Schmidt develops his argument by pointing to the biblical and Christian practice of burying rather than cremating the dead, especially as modeled by God (who buried the body of Moses) and Jesus (who was buried only to be raised again in three short days). Burial is the most ancient way of caring for a dead body. The Hebrews practiced it, not as imitators of the Egyptians (for Abraham, Isaac, and Jacob all practiced burial prior to the sojourn in Egypt), but as determining not to do as the pagans did. Christians, also, in the Roman Empire, buried rather than cremated (a typical Roman practice), to distinguish themselves from the world.

Schmidt skillfully counters the contemporary Christian statement: "Well, God is powerful enough to resurrect even a burned body, so there's no problem with cremation." Certainly God can and will resurrect the faithful who have been cremated. But, according to Schmidt, cremation upstages faith in the resurrection. By placing a body in the ground Christians see the reality of death caused by sin, but also confess that this body will one day be raised up out of the ground. The story of the body is not over. Cremation implies that the body has fulfilled its purpose and is done. Furthermore, it is the willful and active destruction of a human body that God alone has the authority to destroy and raise up. We cannot simply say that because the body will decay we do no wrong in speeding up the process; it is rather that only God has authority over the human body. In a day when many Christians do not understand that their actual bodies will be raised up and rejoined with their souls, resisting the convenience of cremation reminds us of God's love for us, both soul and body.

Dust to Dust can easily be recommended to laity yet is insightful also for pastors. Schmidt relies on his expertise of Christianity and culture to provide a thorough refutation of cremation from all angles. He notes that burning is an act of judgment, that the phrase "ashes to ashes" is not biblical, how cremation disrupts the grieving process, and the offense cremation gives to non-Western Christians. Although Schmidt at times fails to summarize his argument in the

most convincing and concise manner, his work, taken as a whole, provides the proper perspective and understanding for the care of bodies after death.

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***Matthew and the Didache: Two Documents From the Same Jewish-Christian Milieu?* Edited by Huub van de Sandt. Assen, The Netherlands and Minneapolis: Royal Van Gorcum and Fortress Presses, 2005. 310 pages.**

In the late nineteenth century, a document now known as the *Didache*, most likely from the first century, was uncovered. An extra-biblical document provides a glimpse into the life of an early Christian community without explicit apostolic origin. Such things as its Two Ways, the Lord's Prayer, and the trinitarian formula suggest a connection with Matthew. On April 7–8, 2003 about fifty-five scholars specializing in New Testament, Second Temple Judaism, Liturgy and Patristic Studies gathered at Tilburg University to untie the riddle of its origins and the relationship of the documents. The editor acknowledges up front that matters remain unresolved.

An introductory chapter provides a summary of each essay. Only one contributor argues that the author(s) of *Didache* had Matthew in hand, two argue that they emerged from the same community, and the rest see them as unrelated. The subtitle assumes that both documents came from Jewish-Christian communities, but at issue is when did each evolve from the older to the new older religion. The first two contributors answer differently. Bas ter Haar Romeny places the *Didache* in a Jewish community, and Clayton N. Jefford places both Matthew and *Didache* in the Jewish segment of the Christian community of Antioch where Ignatius led the Pauline faction. Wim Weren traces the Matthean community from Galilee to Golan and then to southern Syria where Gentile Christianity evolved. Aaron Malavec argues that the *Didache* was a training manual for Gentile converts, but agrees with the majority view that its compilers had little if any knowledge of Matthew's community. Kari Syreeni holds a similar view in identifying the *Didache* as a prebaptismal manual. John S. Kloppenborg examines to what extent the *Didache* made use of Q through Luke. Noting that the Sermon on the Mount and the *Didache* have similar regulations on fasting and prayer, Peter J. Tomson is inclined to see the two documents coming from the same community. Gerard Rouwhorst notes that while Matthew and the *Didache* have much in common, their Eucharistic prayers are inexplicably different. Among the contributors Andre Tulier argues for the earliest date for the *Didache* at AD 70. According to his calculations, charismatic leadership yielded to a structured church government. Huub van de Sandt, the editor, holds that

the Matthean and the *Didache* communities independently incorporated Qumran's rules. In comparing their eschatologies, Joseph Verheyden is the only contributor to hold that the *Didache* is dependent on Matthew. Jonathan A. Draper follows Romeny in holding that communities that produced Matthew and the *Didache* were still at home in the embrasive world of Judaism. To this van de Sandt files an editorial dissent. He argues that the concentration of rabbinic authority in Jamnia propelled the Matthean and the *Didache* communities out of the mainstream of Judaism. This is substantiated by the absence in the *Didache* of such characteristic elements of Jewish prayer as the restoration of Israel, Zion, and the temple.

Readers can pick and choose among the essays to support their own views of the matter, a privilege now taken. What is striking is that Matthew's the Father-Son-Holy Spirit formula appears in the *Didache*, but not replicated in any other New Testament books. This formula suggests, along with the absence of Jewish prayers for the return to Israel, that both communities are closer to their Christian destinies than their Jewish origins. Both documents are catechetical manuals for Gentile converts. With the exception of Tulier, the contributors implicitly place both documents around AD 100 when Jamnia was giving form to Judaism. For this view Syreeni posits an extensive argument, but the evidence that such a Jewish council took place is not totally convincing. *Jamnia* is better understood as a code word for the solidification of rabbinic Judaism with an anti-Christian tinge as a reaction to the temple's destruction. Not offered is dating Matthew and the *Didache* between AD 39 and 55. Jewishness of expression might suggest this. An embassy claiming the authority of James (Gal 2:12) places the earliest Jewish-Christian conflict in Jerusalem. A temporary resolution was provided by the Jerusalem council in 49 (Acts 15:1–30) at which the Jewish party known as the Pharisees took part (v. 5). Though it is popular to place Matthew's origin in Galilee or Syria (the view Werer represents), this Gospel's reference to the complicity of the Jewish leaders with Roman authorities in bringing Jesus to trial (27:2), the sealing of the tomb with the Roman governor's approval (27:62–66), and the fabrication that Jesus' body was stolen (28:13–20) all point to a Jerusalem provenance. Matthew virtually invites his hearers to see the Field of Blood for themselves (27:8) and to listen to accounts still circulating that Jewish leaders had bribed the tomb guards (28:11–16). Just how would the first hearers of this Gospel react, if the field and an intact tomb were not accessible to them, and they had not heard the rumors about the body stealing? If Verheyden's argument that the *Didache* dependence on Matthew is not convincing to his colleagues, it seems that both drew on a Jesus tradition that had solidified in those Jewish-Christian communities, which, in the face of the influx of Gentiles, wrestled with what elements of the older religion had to be preserved. Matters of indifference, the *adiaphora*, often prove to be the most disruptive. Identifying the same or similar expressions in Matthew's Sermon on the Mount and the

Didache is only the first step since, as Syreeni and Draper point out, the writers often had different understandings. It could have been that the Didachist was the first of many to follow who wrestled with Matthew's intentions in the Sermon on the Mount. Matthean scholars do not agree on interpreting the Sermon on the Mount. So the task of asking this Gospel's relationship to the *Didache* may forever remain elusive, but one which must be undertaken.

Provided at the end is an accumulative bibliography and indices of biblical sources in the original languages and translations, the pseudepigrapha, Qumran, Greek Jewish writers, the Q source, early Christian writings, rabbinic literature, inscriptions, manuscripts, papyri, the *Didache*, and pagan Greek authors. This is followed by indices of subjects, personal names, geographical names and modern authors. Anyone needing an introduction to the topic or doing advanced research can take advantage of the scholarship done by others.

David P. Scaer

***The Role of Justification in Contemporary Theology.* By Mark C. Mattes. Grand Rapids: William B. Eerdmans Publishing Co., 2004. Paper. 198 pages.**

Polemics is hardly a popular pursuit among fashionable theologians. In a day of constructive theologies driven toward ecumenical convergence if not consensus, facing up to the hard edge of the particularity of doctrine is not an enterprise that many theologians are inclined to take on. This is especially the case when it comes to the doctrine of justification by faith alone. The *Joint Declaration on the Doctrine of Justification* (JDDJ) has just celebrated its fifth anniversary with a variety of local, national, and international festivities. Lutherans and Roman Catholics who have not whole-heartedly embraced JDDJ are looked upon as obstructionists. Actually, Lutheran theologian Mark C. Mattes spends very little time on the JDDJ. His book digs deeper as he seeks to describe accurately and access the place of the doctrine of justification in five living theologians. In doing so, Mattes provides a reliable roadmap to the twists and turns taken by representative Protestant theologians. In charting this terrain, he provides readers with a polemic against any reduction of the doctrine of justification as the critical feature of Christian theology that cannot be compromised by programs of ecumenism or ethics. Yet squarely facing the truth of justification will be of ultimate benefit to both ecumenical engagement and the grounding of ethics.

Eberhard Jüngel is the first theologian examined. Of the five, Jüngel is arguably the most complex. Coming at Luther by way of Hegel, Barth, and Fuchs, Jüngel sees justification as a speech event that has implications for the ontology of both God and human beings. Central Reformation themes are reworked to critique modernity's inability to distinguish person from works.

Justification, for Jüngel, keeps humanity human. Jüngel sees atheism as an apologetic ally in unmasking Platonic conceptions of God.

The doctrine of justification is highly experiential for Jüngel. Mattes observes that this reveals a critical flaw: the privatization of God. "The privatization of God adopted by secularism and accepted by Jüngel simply gives permission for the idea that there are no boundaries with respect to human endeavor, since the public realm can be seen to be divested of divine law, thus becoming a fertile field for the uninhibited self-development of the unencumbered, autopoietic self. Instead, we ought to affirm that the public realm is never, this side of the eschaton, divested of its idols of legitimation. Humanity will have some kind of faith. The true faith is that we owe our very being to God" (54).

Wolfhart Pannenberg works out a doctrine of justification structured by a dual commitment to an approach that sees the finite brought to eschatological participation in the infinite and a loyalty to ecumenical reconciliation. Pannenberg's metaphysical commitment to a teleology of convergence of all things in Christ leads him to speak of law and gospel as epochs in God's dealing with humanity, while Luther sees law and gospel as interactive realities. Luther's view comes under criticism from Pannenberg as failing to do justice to what he sees as the participatory character of salvation. Building on the work of Tuomo Mannermaa, Pannenberg sees *theosis* as taking precedence over imputation.

Mattes faults Pannenberg for his insistence on a mimetic participation in the life of God, which expresses the very synergism rejected by the Lutheran Reformation. In Mattes's reading, Pannenberg appears to have more in common with Aquinas than with Luther. This might lead to a theology useful for ecumenical endeavors but does not serve Christian proclamation: "The gospel is lost in a *contemplatio* by which to ground both metaphysics and ecumenics" (84).

Jürgen Moltmann's work is guided by the theme of liberation. Justification for Moltmann is not a linguistic event determined by the speaking of a promissory word of forgiveness, but the announcement of a reality that does not yet exist. It is justification by hope not faith. The church is not the company of the forgiven but the assembly of those who are being transformed. If Pannenberg sought to make law and gospel sequential epochs, Moltmann seeks to unify them. In doing so, he confuses them: "Moltmann's *Schwaermer* view of the kingdom makes the proper distinction between law and gospel impossible, because it moralizes the gospel and makes the law the impetus for the self-realization of our compassion. Love here becomes a sign of the kingdom's advent. Consciences are wrongly directed to look at their

compassion. This inflates the foolish, who actually magnify their prowess as compassionate, and manhandles the sensitive, who are all too much aware of their shortcomings" (100).

The sole non-Teutonic theologian examined in this volume is Robert W. Jenson. Mattes spots a mid-career shift in Jenson's thinking on justification. The early Jenson spoke of the "meta-linguistic" function of the doctrine. That is, the doctrine is the grammar of theological speech so that Christ is always the subject of the verbs of salvation. Hence the law must be distinguished from the word of promise. The later Jenson moves away from a forensic model of justification to an ontological view in keeping with his Trinitarian and ecumenical commitments. "For Jenson, the heart of theology should no longer be the attempt to distinguish law and gospel properly, but to speak on behalf of the church for the sake of its future visible unity, narrating the life of that one organic body as it increasingly grows into its proper place within God" (119). Hegelizing tendencies identified in Jüngel, Pannenberg, and Moltmann are diagnosed in Jenson as well.

Oswald Bayer of Tübingen is the final theologian to come under Mattes's scrutiny. Clearly Bayer comes closest to Luther's articulation of the doctrine of justification and is viewed by Mattes as the most promising of the five theologians examined. In Bayer's work, the doctrine of justification penetrates every article of faith in such a way as to become the basis and boundary for all theology. Like Luther, Bayer sees the gospel as a performative word of *promissio* that accomplishes what it offers. Drawing on the work of Johann Georg Hamann (1730–1788), Bayer does the work of an apologist as he skillfully demonstrates how humanity engages futile attempts at justification of the self. His rigorous scholarship and his robust thinking challenges those who would see justification by faith alone as either a sectarian or antiquated theological category. Mattes's treatment of Bayer is a fine introduction to a German theologian who deserves a wider hearing in the English-speaking world.

In his conclusion, Mattes observes: "Other than Bayer, the theologians examined tend to ask the church to adopt agendas that confuse the church's mission. Thereby the church becomes a confessional church of many different, even conflictive confessions. Such fundamental theological pluralism within the church subverts the confessional loyalty that can foster the collegiality that could uphold a vibrant ministry in the midst of today's increasing individualism and secularism. The church's leadership tends to manage this theological diversity, mimicking the diversity within the American Academy of Religion. But such management can only be so successful. Various agendas compete with each other within the church, undermining the one distinctive

agenda, delivering the promise, which would actually make a difference in the world. Under these circumstances of bureaucratically managed confessional pluralism, it becomes difficult to discern the shape of faithfulness, in opposition to faithlessness, with respect to Scripture and the church's confessions. The question of heresy has been overridden by the goal of novelty" (185). Mattes's book is engaging and vigorous as he demonstrates how elusive the doctrine of justification is not only within ecumenical dialogue but also among significant theologians who represent present Protestant thinking. For those tempted to over-estimate the significance of the *Joint Declaration on the Doctrine of Justification,* this book will be a sobering reminder of unfinished Reformation business (i.e., *simul iustus et peccator*) that cannot be effectively managed by church officialdom.

John T. Pless

***Caritas et Reformatio: Essays on Church and Society in Honor of Carter Lindberg.* Edited by David M. Whitford. St. Louis: Concordia Publishing House Academic Press, 2002. 270 pages.**

If the chief purpose of a *Festschrift* is to honor its recipient through essays that reflect and build upon the celebrated scholar's life work, this volume has accomplished that purpose splendidly. Carter Lindberg's career as a historian of the sixteenth-century Reformation(s)—the plural reflects his emphasis on the diversity of the period—has focused largely on the effects of ecclesiastical and theological changes on society and its manifold institutions and ideals. While taking very seriously the importance of doctrine and belief among reformers and their followers, Lindberg went beyond the study of theology and doctrine to evaluate their impact on life. Specifically, as in a host of articles and in a book published in 1993 (*Beyond Charity: Reformation Initiatives for the Poor*), Lindberg showed how doctrine and life went hand in hand for Protestants (including Lutherans, despite a common caricature). Furthermore, Lindberg's work as a historian has emphasized the implications of the past for church and society today, in its broadest ecumenical context.

Caritas and Reformatio comprises sixteen articles by colleagues and former students that contribute further reflection on these themes. Editor David Whitford has arranged the articles according to a plausible framework: the first five deal with the issue of the integrity or congruence of the church's message with its life, especially in the early years of the Reformation; the next six with developments in the second half of the sixteenth century (second-generation reformers); and the final five deal with the influence of the Reformation on the church today. Whitford offers a brief review of the contents in the Preface (10–13). Rather than duplicating his effort by offering my own cursory review of

the whole, it seems prudent simply to list the authors and titles and then to make some observations that might be of special interest.

The articles are: Priscilla Baumann, "Sermons in Stone: Grave(n) Warnings Against Usury in Medieval France;" Kirsi Stjerna, "Katie Luther: A Mirror to the Promises and Failures of the Reformation;" Gregory J. Miller, "Fighting Like a Christian: The Ottoman Advance and the Development of Luther's Doctrine of Just War;" Gottfried Seebass, "Confessionalization and Tolerance: Early Resistance against the *Cura Religionis* in the German Imperial Cities;" John Witte Jr., "An Evangelical Commonwealth: Johannes Eisermann on Law and the Common Good;" David M. Whitford, "The Duty to Resist Tyranny: The Magdeburg Confession and the Reframing of Romans 13;" Oliver K. Olson, "Matthias Flacius Faces the Netherlands Revolt;" Scott Hendrix, "The Reform of Marriage in Calvin's Geneva;" Robert Kolb, "Preaching the Christian Life: Ethical Instruction in the Postils of Martin Chemnitz;" Jeannine E. Olson, "Protestant Deacons in Geneva and Europe after John Calvin;" Marygrace Peters, "One, Holy, Catholic, and Apostolic? Themes and Issues in Reformation Era Catholic Preaching;" Peter Vogt, "*Ecclesia Simul Justa et Peccatrix*: Speaking about the Holiness of the Church from a Reformation Perspective;" Bill J. Leonard, "An Almost Reformation People: The Search for Baptist Identity;" Oswald Bayer, "Toward a Theology of Lament;" Dennis Bielfeldt, "Luther and the Strange Language of Theology: How 'New' is the *Nova Lingua*?;" and James M. Kittelson, "Leading the Least of These Astray: 'Evangelical Catholic' Ecclesiology and Luther."

Listing the titles requires a good deal of the space of a review, but they give a clear indication of the topics covered. All focus on the sixteenth-century Reformation and its implications for the church today, with the exception of the piece by Boumann, a medievalist who studied with Lindberg and others at Boston University. Boumann instead draws parallels between Luther's warnings against usury and eleventh-century reform in France which inspired, she argues, powerful iconic warnings against usury through the medium of sculpture on the interior capitals of three churches in the province of Auvergne.

The inclusion of this article and the one by Peters argues for the diversity of reform in church history: not only a Protestant phenomenon and not only in the sixteenth century. Yet when the sixteenth-century Reformation is so viewed as part of a diverse body of movements that extend throughout the history of the church and include all kinds of reform, there arises the question of whether the sixteenth century can be considered as a distinct period in history at all ("the Reformation Era"). Social historians have denied it this status. Systematic theologians who have argued for an evangelical catholic ecclesiology on the basis of Luther and Lutheran texts can be viewed as part of

this same paradigm, but Kittelson's article sharply dismisses the view as unsupportable by historical evidence. These issues uncover a problem in Lindberg's own work, as well as in the ecumenical appropriation it has received and the influence it has sustained: viewed in terms of its diversity, reform, including the sixteenth-century Reformation, tends to lose its significance. It's the same song over and over again. All church history is an age of formation and reformation.

But as Peters and Hendrix both observe in their articles, sixteenth-century Evangelicals and Roman Catholics did not view each other as varieties of reform which—as only a later generation believes it can see—could join together under an evangelical catholic ecclesiology and an ecumenism that might reconcile all that lovely diversity in a reunified world Christianity. Evangelicals considered their Roman Catholic opponents not only as erring Christians but as idolaters (Hendrix, 118–122), and Roman Catholics viewed Evangelicals as heretics who had, by abandoning the Holy See of Peter, abandoned the foundation stone of the church and thereby destroyed its unity (Peters, 176). This fact of division, made concrete and lasting from the 1530s onward, together with its effects on society and its politics, helps to bring into focus the unique nature of the Reformation Era and its impact on subsequent European and world history.

The articles by Miller, Seebass, Whitford, and Oliver Olson reveal how sweeping in their effects the sixteenth-century Reformation and the division of the Western Catholic Church were. Seebass demonstrates that confessionalization—that is, the societal and often the legal process of making concrete the religious changes and divisions of the Reformation—developed early in the century and that individuals from various parties (not only Anabaptist, but also Lutheran, Catholic, and Reformed) resisted the claim of temporal rulers that they had the right (*cura religionis*) to oversee and enforce that process. The arguments of these dissenters constitute an early apology for religious tolerance two centuries before the Enlightenment. Whitford illustrates how Gnesio-Lutherans developed an interpretation of Romans 13 that legitimized resistance to tyranny—an important contribution especially for Lutherans who have in subsequent centuries read that text solely in terms of its upholding of the divine institution of civil government. Olson, on the other hand, chronicles how for Lutherans that duty to resist was hardly a license for rebellion as advocated by Calvinists. Fine lines indeed, especially important today for defenders of the divine right of kings, a view that is strongly held among some (hopefully only a few) confessional Lutherans.

These and each of the other articles are important contributions not only for understanding the Reformation but also for evaluating its impact on later history, including the present. As a good *Festschrift* should, *Caritas et Reformatio*

honors its recipient by illustrating how vital his scholarship is, not only for understanding the past but also for grappling intelligently and honestly with the issues facing church and society today.

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***Studies in Matthew: Interpretation Past and Present.* By Dale C. Allison Jr. Grand Rapids: Baker Academic Press, 2005. 282 pages. Cloth.**

Allison is considered the leading Matthean scholar in the English-speaking world and rightfully so. Readers will recognize him as co-author of the Matthew commentary in the International Critical Commentary series. His *The New Moses* (1993) is already out of print and commands a well-deserved high price on internet web sites. *Studies in Matthew* is a collection of thirteen articles, each of which is self-contained. This makes for easy reading. The first six deal with how portions of Matthew were interpreted by the early church fathers and the last six result from Allison's own literary and historical studies. He follows his ICC style in putting forth several options and then favoring one without eliminating the others. Thus readers can entertain Allison's views without surrendering fixed exegetical opinions.

One intriguing hypothesis is that the star in the account of the magi may have been an angel, a view found in the early church fathers (ch. 1). In both biblical and extra-biblical sources, stars could refer to persons or angels. Allison refers the promise that the pure in heart will see God to seeing him in others (ch. 2). This fits with the final judgment that those who have shown kindness to Jesus' brothers have done it to him. For this reviewer a more compelling view is the crucifixion scene in which the centurion sees God in Jesus. In the spirit of the author even the other options can find a place in one's theological thinking. One marvelous insight is Allison's conclusion that the story of Cain and Abel is operating behind the requirement that peace must be made with an offended brother before offering a gift at the altar (ch. 3). This chapter is worth the price of the book. "Darkness at Noon" (ch. 4) will attract preachers preparing for Good Friday. Here the range of options go from a physical darkness to a darkness that afflicts the soul of Jesus. "Touching Jesus' Feet" addresses the problem why Jesus forbids this in John (ch. 5). Allison sees that in Matthew this constitutes worshiping the resurrected Jesus, which the disciples also do in seeing him. In the last chapter of this section (ch. 6), he explains how the differing views of the church fathers can be complementary without one excluding the others. "The Configuration of the Sermon on the Mount and Its Meaning" (ch. 10) takes up the structure of the Sermon. Matthew shows an interest in numbers, for example, the triple listing of

fourteen generations, and organization of Jesus' teaching into five discourses.Prominent in the Sermon is the triad construction. Afflictions suffered by the infants and the apostles prepare and are incorporated into Christ's own passion (ch. 11).

Allison not only applies his analytical skills to Matthew, but he penetrates, or so it seems, into the deep recesses of the Evangelist's mind. Allison has gone where every interpreter of this Gospel wishes he had already gone. The book's concluding sentences say it all. "Suffering shared is more easily endured. And as in Hebrews, so in Matthew: the principle has become christology. It is not just that one does not suffer alone, but precisely that one suffering in the company of Jesus, God's Son. This must mean that the divine does not remain aloof from suffering, for God knows the Son (11:27) and the Son knows suffering. . . . This does not, to be sure, do anything to unravel the mystery of iniquity. It does, however, put God on the side of the hapless Rachel weeping for her children, and on the side of the disciples tossed grievously to and fro by persecution. And perhaps that thought matters far more than any rational apologetic" (264).

David P. Scaer

***The Reform of Baptism and Confirmation in American Lutheranism.* By Jeffrey A. Truscott. Lanham, MD: The Scarecrow Press, 2003. 319 pages.**

Jeffrey Truscott, an instructor in liturgics at Japan Lutheran College and Theological Seminary in Tokyo, has produced a sympathetic but not uncritical history of the process that led to the rites for baptism and confirmation in the *Lutheran Book of Worship* (*LBW*). Drawing extensively on personal interviews and correspondence with the architects of LBW such as Eugene Brand, Hans Boehringer, and Frank Senn as well as archival material, Truscott has laid out the intricacies of the debate both theological and church-political that led to the inclusion of these rites in *LBW*.

Among the valuable features of Truscott's book is the documentation of the theological shifts that led to the crafting of the *LBW* rite. Truscott demonstrates the influence of Peter Brunner, Edmund Schlink, and Georg Kretschmar on the liturgical and theological thinking of Eugene Brand. The influence of Aidan Kavanaugh and post-Vatican II attempts at the renewal of baptismal theology and liturgical practice are duly noted. Arthur Repp's *Confirmation in the Lutheran Church* (1964) is given credit for surfacing the need to devote theological and pastoral attention to the rite of confirmation. Truscott makes mention of the critics—especially James Nestingen, Oliver Olson and the faculty of the LCA's Philadelphia seminary. Attention is also given to the reaction of the LCMS under the presidency of J. A. O. Preus.

The ecumenical atmosphere of the 1970s made it difficult for Lutherans to work their way through the proposed changes critically. Liturgical activism dominated the day and with it an ever so subtle synergism expressed itself. The forgiveness of sins is seen as only one dimension of baptism, while incorporation into Christ and participation in the church now become dominant. Not surprising, then, is a lessened accent on original sin and deliverance from the wrath of God and the devil. Emergency baptism is thus seen as something of a relic that best be catechized out of existence. Water takes on increased significance as witnessed in the preference for fonts capable of accommodating immersion and the insertion of a baptismal epiclesis on the water. Symbolic ornamentation of baptism with anointing, bestowal of the baptismal robe, and giving of the candle feature prominently in the new rite. It is suggested baptisms be "stored up" for certain days (i.e., Easter Vigil, Pentecost, Baptism of our Lord). The focus shifts from the bestowal of the forgiveness of sins and rebirth (the Lord's work) to ritual significance (work of the community). The "welcome ceremony" has now become a celebrated element of the new order. Symbolic accretions tend to blur or obscure the fact of baptism itself, leading to what Kenneth Korby called the "cultification of baptism." This was Luther's criticism of the medieval rite.

Baptism is increasingly described as one of the rites of initiation. This fits well with the Roman Catholic understanding of sacramental grace where baptism initiates one on a journey toward salvation. This language is foreign to Lutheranism, which confesses the present-tense reality of baptism. Luther's robust theology of baptism holds that the whole of the Christian life is a return and approach to baptism for in this washing sinners are given the forgiveness of sins and the gift of the Spirit. Baptism is the enactment of justification by faith not justification by participation. Hence Lutherans see infant baptism as the paradigm. When adults are baptized they become like little children. Thus the reading of Mark 10:13–16 is appropriate at all baptisms. Truscott observes that the *LBW* rite was criticized for what was perceived as a downplaying of infant baptism.

Truscott notes the importance of the Anglican scholar, Bryan Spinks, in the evaluation of current Lutheran baptismal liturgies in light of Luther's achievement. Unfortunately the bulk of Spinks's work was done after the publication of *Lutheran Book of Worship* and *Lutheran Worship*. Jonathan Trigg, David Scaer, and Mark Tranvik have also made valuable contributions in this area. Their work should be useful in establishing a baptismal practice that is more coherently Lutheran.

John T. Pless

Indices to Volume 69 (2005)

Articles

Book Reviews

Books Received

Adams, David L. and Ken Schurb, editors. *The Anonymous God: The Church Confronts Civil Religion and American Society.* St. Louis: Concordia Publishing House, 2004. 287 Pages. Paperback. $16.99.

Ahearn, David O. and Peter R. Gathje. *Doing Right and Being Good.* Collegeville, MN: The Liturgical Press, 2005. 288 Pages. Paperback. $29.95.

Ariarajah, S. Wesley. *Axis of Peace: Christian Faith in Times of Violence and War.* Geneva, Switzerland: WCC Publications, 2004. 137 Pages. Paperback. $15.00

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Balswick, Jack O., Pamela Ebstyne King and Kevin S. Reimer. *The Reciprocating Self.* Downers Grove: InterVarsity Press, 2005. 334 Pages. Paperback. $24.00.

Bartholomew, Craig G., and Michael W. Goheen. *The Drama of Scripture.* Grand Rapids: Baker Publishing Group, 2004. 252 Pages. Paperback. $19.99.

Bloesch, Donald G. *The Last Things.* Downers Grove: InterVarsity Press, 2004. 336 Pages. Cloth. $27.00.

Böckmann, Aquinata. *Perspectives on the Rule of Saint Benedict.* Collegeville, MN: Liturgical Press, 2005. 250 Pages. Paper. $21.95.

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Fisch, Thomas J. editor, *Primary Readings on the Eucharist*. Collegeville, MN: Liturgical Press, 2004. 237 Pages. Paper. $29.95.

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