

The new book, *The Essential Forde*, is pseudo-Forde (6)

1. Law as an eternal order or law in a functional sense	
Forde's editors	Forde
<p>“What happened with the law of God is remarkable indeed. God did what we deem impossible. God made his own divine laws eternally <i>historical</i> by means of Christ’s historical cross. The law became <i>once and for all</i>. It became something in Christ that could now be told as a story: “Once upon a time...” This is something the great thinkers of every sort have assumed is impossible and so they never really dared to dream it.”¹</p> <p>“By ‘external word’ Luther means the text of Scripture, along with its miraculous bestowal or mediation from one person to another via the office of ministry. That office is the outward office of the Word that utters the two words of God in perfect clarity: first the Law that tells us exactly what to do and judges us...”²</p> <p>“The law is not just operating in the mode of a ‘function’ when it accuses, but in accusing it is revealing both its essence and existence for us and for itself.”³</p> <p>“The eternal law has now become temporal in this man Jesus, who never ceases being <i>this man</i> and neither does he cease being the true God.”⁴</p>	<p>“Throughout this <i>locus</i> ‘law’ is to be taken in a functional rather than a material sense. ‘The law’ in this sense is demand, that voice which ‘accuses,’ as the reformers put it, arising from anywhere and everywhere, insisting that we do our duty and fulfill our being. Anything which does that exercises the function or ‘office’ of the law. Law is not a specifiable set of propositions, but is one way communication functions when we are alienated, estranged, and bound. This understanding of law transcends the usual kind of argument, as when, for instance, it is maintained that ‘law’ should be understood as ‘Torah,’ a gracious gift in the covenant rather than a harsh imposition, or when it is said that Paul misunderstood the law. Such exegetical considerations, important in their own right, are not decisive for the question at hand. It makes no difference at the outset, therefore, whether ‘the law’ involved is biblical, the natural law, the law of being, the law of Christ, or the faces of starving children on the television screen. It is the way the communication functions, its ‘use,’ that matters. The assumption we fallen humans make is that the law is the way, that we can be saved by response to a demand, by ‘the works of the law.’ We assume we can end the voice by acceding to its demands.”⁵</p> <p>“The only way to overcome the problem of the hiddenness of God not preached is by God preached. But that will not happen by attempting to infer God’s will from the law.”⁶</p>

¹ Mark C. Mattes and Steven D. Paulson, “Introduction: Taking the Risk to Proclaim,” *The Preached God. Gerhard O. Forde. Proclamation in Word and Sacrament*. Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2007) 10. Bolding added here and below for emphasis. Italics are in the original.

² Steven D. Paulson, *Luther’s Outlaw God* (Minneapolis: Fortress Press, 2019) 2:140.

³ Paulson, “Forde Lives!” *The Essential Forde. Gerhard O. Forde. Distinguishing Law and Gospel*. Eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress Press, 2019) 24.

⁴ Mattes and Paulson, “Introduction: Taking the Risk to Proclaim,” *The Preached God*, 10.

⁵ Forde, “Justification,” *Christian Dogmatics* (Philadelphia: Fortress, 1984) II:400.

⁶ Forde, “Postscript to the Captivation of the Will,” *Lutheran Quarterly* 19:1 (2005) 79.

2. Law: Supernatural or natural?	
Forde's editors	Forde
<p>"It complicates things for us on earth, especially those of us who are trying hard (sometimes) to live according to God's divine plan as revealed in the law."⁷</p> <p>"So <i>Anfechtung</i> is something assured in the lives of believers because everything in the world, especially God's own law, conflicts with this promise."⁸</p> <p>"If God shows himself in his law, what else is he withholding? What is this partial revelation, and what remains beyond our grasp? The answer to both of these questions is always the same: God's divine eternal law presently accuses—but one day it will exonerate."⁹</p> <p>"Predestination showed Luther exactly what his faith was in, and how frightening it was to find God, the outlaw, operating outside the plan of his own holy law."¹⁰</p> <p>"Chapters 5 ("Controversies Concerning the Law") and 6 ("Theological Method") take up some matters in ethics and ecclesiology that are raised when the law loses its status as central to the heart of God."¹¹</p> <p>"It is the strength of a law to reveal a general truth: You shall not kill. As Immanuel Kant especially noticed, this is true precisely when it is universal—applying it in every place and time as a duty, regardless of one's circumstance—even against one's desires....Luther noticed a crack in</p>	<p>"For faith in the end of the law leads to the view that its purpose is to take care of this world, not to prepare for the next. That means that we do not possess absolute, unchangeable laws. If the law no longer takes care of this world, it can and must be changed. As even Luther put it,¹³ we must write our own decalogue to fit the times.¹⁴</p> <p>"The line between this world and the next is drawn by God's grace. This establishes the world as a place under the law in which man can live, work, and hope.... 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...This is what it means to say that whereas the kingdom to come is a kingdom of grace the kingdom of this world is a kingdom of law.... Law belongs to earth, not to heaven. It is natural, not supernatural....That is why Luther did not speak of law as something static and unchangeable. Laws will and must change in their form as the times demand. Luther, for instance, refused to grant eternal status even to the laws of Moses. They are strictly 'natural,' he said, not unlike the common law of any nation. Men on this earth simply don't have access to eternal laws.¹⁵</p> <p>"... For a proper eschatology, law belongs strictly to this age. It is to rule over the "flesh" and the affairs of this age. Christ and the gospel</p>

⁷ Mark C. Mattes and Steven D. Paulson, "Introduction: Taking the Risk to Proclaim," *The Preached God*, 10.

⁸ Paulson, *Luther's Outlaw God*, 2:25.

⁹ Paulson, *Luther's Outlaw God*, 2:187.

¹⁰ Steven D. Paulson, *Luther's Outlaw God* (Minneapolis: Fortress Press, 2018) 1:167.

¹¹ Mark Mattes, "Forde's Works: A Guide to *The Essential Forde*," *The Essential Forde*. 14.

¹³ Martin Luther on the law as human and changing: "Indeed, we would make new decalogues, as Paul does in all the epistles, and Peter, but above all Christ in the gospel" (*LW* 34:112). "This text makes it clear that even the Ten Commandments do not pertain to us" (*LW* 35:165). "The Gentiles are not obligated to obey Moses. Moses is the *Sachsenspiegel* for the Jews" (*LW* 35:167).

¹⁴ Forde, "*Lex Semper Accusat? Nineteenth-Century Roots of Our Current Dilemma*," *dialog* 9 (1970) 274.

¹⁵ Forde, *Where God Meets Man* (Minneapolis: Augsburg, 1972) 110-11.

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<p>this general rule of law in that kings are occasionally ordered to kill in Scripture—in direct opposition to the law. Yet cracks can be accommodated, since general rules are always able to accommodate exceptions.”¹²</p>	<p>promise of the new age are to rule in the conscience....”¹⁶</p> <p>“At the same time, a theology seduced by nomism (all too often the case in the church) is ill equipped to do battle with antinomianism. Since it has already compromised the eschatological gospel, it can fight only from the position of law and charge its opponents with the ‘terrible heresy’ of being anti-law. Thus, the term ‘antinomian.’ One gets the impression that whereas other heresies are relatively mild, being antinomian is about the worst thing one could be! At any rate, to defend itself, nomism appeals to already given anti-gospel sentiments, compounding the confusion. So the general victory of nomism over antinomianism in the church is hardly cause for celebration. Nothing is solved. No insight into the nature of the problem is gained. The war of words is only inflated and the issues obscured.”¹⁷</p>

3. Law = ceremonial law and moral law	
Forde's editors	Forde
<p>(Forde frequently addresses this crucial aspect of Biblical law, but it is not brought out in <i>The Essential Forde</i>, nor does it appear in the writings of his editors. If you find something we missed, please contact us.)</p>	<p>“Unable to rhyme Matt. 5:17-18 with Rom. 10:4, the dogmatic tradition has experienced nothing but trouble over the law....Paul and Matthew are at irreconcilable odds....[T]he tradition for the most part had to indulge in what was strictly forbidden by both Matthew and Paul: tampering with the content of the law to arrive at a compromise. The result was the idea that in Christ the ceremonial laws of the Old Testament were abrogated (thus throwing a sop to Paul’s claim that Christ was the ‘end’ of the law) while the ‘moral’ law was not (thus supposedly satisfying Matthew’s claim that not one iota or dot would pass away until ‘the end’). But that is patent nonsense which only confuses the issue further and completely obscures the eschatology</p>

¹² Paulson, *Luther’s Outlaw God*, 2:69.

¹⁶ Forde, “Luther and the *Usus Pauli*,” *dialog* 32:4 (1993) 277-78.

¹⁷ Forde, “Fake Theology: Reflections on Antinomians Past and Present,” *dialog* 22 (1983) 246-51.

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	<p>involved. Neither Testament makes that kind of distinction between ceremonial and moral law. Indeed, it seems that in most instances, ruptures of the ceremonial law are more serious than those of the moral law. Furthermore, the tradition was left with the problem of deciding just what was moral and what was ceremonial. Are the first three commandments, for instance, moral or ceremonial? ...Who is to decide? The outcome of such confusion was, in general, that natural law became the arbiter....Natural law became the structural backbone of the theological system, displacing eschatology.”¹⁸</p> <p>”Theologically, both before and after the Reformation, the most common move toward domesticating freedom has been the attempt to qualify the Pauline claim that Christ is the end of the law to those of faith. ‘Reason,’ as Luther would put it, simply cannot entertain such an idea, the conviction that in Christ the law comes to an end, that law is over and freedom begins. As we have seen, freedom as usually conceived needs law as the mediator of possibility. What shall we do if there is no law to tell us what to do? But is Paul then wrong in his claim? Theologians as usual, however, have found a way to have their cake and eat it, too. They made a distinction in the content of the law – something Paul never did – between ceremonial or ritual laws on the one hand and moral law on the other. Then they proceeded to say that Christ was the end of ceremonial law but not the moral law. Christ ended the necessity, that is, for sacrifice, circumcision, food and ritual regulations, etc., but not the demands of moral law (e.g., the Decalogue). Christ died, it seems, to save us from the liturgiologists! One might grant, of course, that this is no small accomplishment, but the price does seem a bit high!”¹⁹</p>

¹⁸ Forde, “Justification and This World,” *Christian Dogmatics*, 2:447.

¹⁹ Forde, “Called to Freedom,” Presidential Address to the International Congress for Luther Research, 1993, *The Preached God*, 254-69, here 259.

4. A third use of the law?	
Forde's editors	Forde
<p>“The new person in Christ truly delights in God and in His ways, how God has ordered the cosmos and the limits He has established for our behavior....We are reborn so that we might do good works....The third use indicates that very path and presupposes a new motive...for walking that path.”²⁰</p> <p>“The reason Paul can be trusted in his judgment about marriage in 1 Corinthians 7 is because of the Lord’s mercy—which is a matter of necessary, infallible, truthful speaking apart from the law—instead of his own truthfulness as measured by the law. Therefore, Paul’s opinion on marriage is not a command, but the fruit of faith. Here the Christian is operating above the law, freely, on the basis of God’s absolute necessity – which is the predestination of mercy already given to Paul.”²¹</p> <p>“Our culture tends to idolize sex – exploit it and not receive it as a gift to be enjoyed and given within divinely established limits.”²²</p> <p>“Yet, for Luther, at least, freedom was the highest goal, and so his teaching made of freedom what Forde calls ‘an offensive doctrine.’ It is untamed. It identifies a historical limit to the law in Christ himself (and alone).”²³</p> <p>“Faith keeps law—without doing anything--- because ‘the righteous one, my servant, shall make many righteous and he shall bear their iniquities’ (Isa 53:11). Faith now has a silent law, not a silent God.”²⁴</p>	<p>“From the eschatological perspective the legitimate concerns badly expressed in the idea of a third use of the law can be sorted out. First, one who has been grasped by the eschatological vision looks on law differently from one who has not. But that is not to say that one sees a ‘third’ use. What one sees is precisely the difference between law and gospel, so that law can be established in its first two uses this side of the eschaton....Second, one grasped by the eschatological vision will recognize the continuing need for the law. But this too does not mean a third use. Rather, just because of ‘rebirth’ in faith, one will see how much one is a sinner and will be until the end. One will see that one is not yet a ‘Christian.’ One will see precisely that one has no particular advantages over those who are not yet reborn. One will see one’s solidarity with the rest of the human race and wait in hope until the end, leaving the heroics and pretensions to spiritual athletes.”²⁶</p> <p>“Formula of Concord (Article VI) vacillates on the issue. On the one hand, it speaks of a third use of the law to be applied to the regenerate, but then it goes on to say it is necessary because regeneration is incomplete in this life. It is an attempt to have it both ways and thus threatens only to obscure the issue.”²⁷</p> <p>“All of this raises the inevitable question about whether there is not a more ‘positive’ use of the law in Lutheran theology. Here it should be remembered that Lutherans do speak of the ‘civil use’ of the law, the so-called first use. But that use, too, it should be noted, was a use restricted to ‘this age.’ In its civil use the law restrains evil</p>

²⁰ Mark Mattes, *The Necessary Distinction. A Continuing Conversation on Law and Gospel*, Eds. Albert B. Collver III, James Arne Nestingen, and John T. Pless (St Louis: Concordia Publishing House, 2017) 133.

²¹ Paulson, *Luther's Outlaw God*, 2:367.

²² Mattes and Paulson, “Introduction: Taking the Risk to Proclaim,” *The Preached God*, 25.

²³ Mattes and Paulson, “Introduction: Taking the Risk to Proclaim,” *The Preached God*, 28.

²⁴ Paulson, *Luther's Outlaw God*, 2:381.

²⁶ Forde, “Justification and this World,” *Christian Dogmatics*, II: 449-50.

²⁷ Forde, “Justification and this World,” *Christian Dogmatics*, II: 460, fn.3.

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<p>"Luther's Christian freedom then means the human is not being freed from hating the law into loving it, or from being accused by the law into being blessed by it. The Christian is being freed, necessarily, from the law altogether."²⁵</p>	<p>and establishes order for the care of human society. God uses the law in this sense to hold the world in readiness for the gospel and keep it from collapsing into the chaos which threatens it. Under the civil use of law it is quite possible to speak of the goodness and 'civil righteousness' of human activity even though it does not reach beyond this age. If this use of the law is overextended, however, if one begins to take the law into one's own hands in order to bring in one's own version of the kingdom, tyranny results and resistance must be mounted. Precisely the proper distinction between law and gospel limits and humanizes the law. The purpose of the law in its civil use is to take care of the world and of human beings, not to tyrannize them."²⁸</p> <p>"Law is to be used for political purposes, i.e., for taking care of people here on earth in as good, loving, and just manner as can be managed. Reason, i.e., critical investigation using the best available wisdom and analysis of the concrete human situation in given instances, is to be the arbiter in the political use of the law."²⁹</p>

²⁵ Paulson, *Luther's Outlaw God*, 1:73.

²⁸ Gerhard O. Forde, "Forensic Justification and the Law in Lutheran Theology," *Justification by Faith. Lutherans and Catholics in Dialogue VII*. Eds. H. George Anderson, T. Austin Murphy, and Joseph A. Burgess (Minneapolis: Augsburg, 1985) 300-301. See also *Where God Meets Man*, 110-12.

²⁹ Forde, "The Viability of Luther Today: A North American Perspective," *Word & World* 7 (1987) 27.