

Appendix 2. Mattes, Eternal Law and the Third Use of Law

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Part 1: Mattes omits Forde as Forde saw himself

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Mark Mattes

Despite Mattes' impressive credentials and longstanding ties with Forde, Mattes misunderstands Forde. Mattes presents Forde as a conservative biblicist, albeit an important one! Forde was irritated by this common misperception. Forde:

- **“The ‘post-liberal Lutheran’** is, of course, something of a shadowy, if not menacing, figure on the contemporary scene, perhaps not yet clearly defined, often **a puzzle to both friend and foe**, usually mistaken simply for a hard-line conservative confessionalist or orthodoxist. But that is seriously to misread the situation. It is a post-Enlightenment, post-liberal position. **A post-liberal Lutheran** is one who has been through the options spawned since the Reformation and realizes that they have all been used up. **Least of all** does infallibilism or **reactionary conservatism of any sort** provide an answer.”²

Mattes misses this. He overlooks the gulf between a post-liberal Lutheran and a conservative biblicist, a gulf which is imperative for understanding Forde, Luther, and the Gospel.

Mattes' theology is a hybrid of conservative biblicism and post-metaphysical narrative theology. He along with Jim Nestingen, Steven Paulson, and representatives from the Lutheran Church Missouri Synod (LCMS) and the Lutheran Church of Canada (LCC), have collaborated on the 2017 book, *The Necessary Distinction. A Continuing Conversation on Law & Gospel*. This book includes “A Guiding Statement on the Character and Proper Use of Scripture,”³ which promotes inerrancy, the “perfect unity” of Scripture, eternal law, and the third use of law, among other things. This “Guiding Statement” has been adopted by Nestingen, Mattes, and Paulson, and it is featured on the NALC website.

This Appendix will show two things: 1) that Mattes misrepresents Forde's recovery of Luther's two kingdom theology, and 2) that Mattes himself operates with a one kingdom theology.

¹ *A More Radical Gospel. Gerhard O. Forde. Essays on Eschatology, Authority, Atonement, and Ecumenism.* Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2004); *The Preached God. Gerhard O. Forde. Proclamation in Word and Sacrament.* Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2007); *The Essential Forde. Gerhard O. Forde. Distinguishing Law and Gospel.* Eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress Press, 2019).

² Forde, “The Catholic Impasse: Reflections on Lutheran-Catholic Dialogue Today,” *Promoting Unity. Themes in Lutheran-Catholic Dialogue.* Eds. H. George Anderson & James R. Crumley Jr. (Minneapolis: Augsburg, 1989) 72. Bolding added here and below for emphasis.

³ *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).

Part 2: Mattes misses Forde's two kingdom theology

1. Mattes misses the big question: What is revelation?

Mattes praises Forde as one of “the most influential and powerful Lutheran theological voices among American Lutheran theologians over the last century.”⁴ Forde is important, he writes, because he recovered “Luther’s eschatological understanding of the cross.”⁵ Yes, but Mattes does not show that “the cross” requires a functional (not material) definition of law, a two-age structure, and thus a rejection of inerrancy and eternal law.

Mattes misses the big question: What is revelation? “The Book”? “The cross alone”?

Luther was not an inerrantist even though such statements can be found in the abyss of the *Weimar Ausgabe*. In *The Bondage of the Will* Luther writes: “God and the Scriptures are two different things, as different as Creator and creature.”⁶ And: “Take Christ out of the Scriptures and what will you find left in them?”⁷ Luther did not regard the Bible as the prior miracle which gives access to eternal law. As Heiko Oberman writes, Luther dared to stress the distance between God and the Bible:

- “[Luther’s] **historically innovative principle** forms the surprising basis of his response to Erasmus, in which we can also find **a new and crucial point of departure for present-day theology**. It is this principle that distinguishes Luther from the biblicism of both his own and later eras.”⁸
- “*The Bondage of the Will* of the year 1525 is directed against the most important representatives of the Renaissance north of the Alps—but not only against them and their followers then and now. **It is aimed equally at the fundamentalists**, who have taken up the cause of the Reformation and promoted it under **the motto of sola scriptura**.”⁹

Forde was a preeminent leader in the Twentieth Century Luther Renaissance because he was among those who, as Oberman writes above, recovered Luther’s “new and crucial point of departure for present-day theology.” Forde:

- “The recovery of the **eschatological act character of revelation** is quite necessary for the proper understanding of the gospel.”¹⁰
- “The Reformation’s insistence upon justification by faith as an **eschatological event** brought with it a reassertion of the **functional understanding of law**.”¹¹

⁴ Mark C. Mattes, “Gerhard Forde on Re-envisioning Theology in Light of the Gospel,” *Lutheran Quarterly* 13 (1999) 373. Mattes, “Forde’s Works: A Guide to The Essential Forde,” *The Essential Forde*, 5.

⁵ Mattes, *LQ* 13 (1999) 373.

⁶ *Luther’s Works* 33:25.

⁷ *LW* 33:26.

⁸ Heiko A. Oberman, *Luther: Man Between God and the Devil* (New Haven, Yale University Press, 1989) 221.

⁹ Oberman, *Luther*, 225.

¹⁰ Forde, *The Law-Gospel Debate*, 217.

¹¹ Forde, *Christian Dogmatics*, Eds. Carl E. Braaten and Robert W. Jenson (Philadelphia: Fortress Press, 1984) 2:415.

- “What is the Word of God to which this kind of infallibility is ascribed? **A formal legalistic biblicism is clearly not what Luther and early Lutherans had in mind.** In the controversy with the peasants especially, and with other sectarians of the times as well, such biblicism was encountered and rejected. **‘Luther’s ultimate authority and standard was not the book of the Bible and the canon as such but that scripture which interpreted itself and also criticized itself from its own center, from Christ and from the radically understood gospel.’**²⁷One should ‘refer the Bible to Christ...nothing but Christ should be proclaimed.’³⁰ Luther can even go so far as to say: **‘If adversaries use scripture against Christ, then we put Christ against the scriptures.’**³¹ The Word of God therefore is ultimately Christ and the proclamation of the gospel.”¹²

- [The verbal inspiration method] “follows the line of a simple logical syllogism: ‘The Word of God is true, scripture is the Word of God, therefore scripture is true. It is the easiest and most convenient doctrine in the world with which to operate.

[On the disadvantages of the verbal inspiration method] “For when all is said and done, the *a priori* belief that this is the way it *must be* in order for the scripture to be the Word of God is nowhere established in scripture itself, and it is a human construction; it is a human idea about what the term ‘Word of God’ must mean. In other words, if I say that there can’t be any errors in scripture if it is to be the Word of God, I am in effect saying that I know to begin with what the Word of God must be, and unless scripture meets my idea it cannot be accepted....I am in effect saying to God that **unless he provides me with the kind of guarantee which I expect and want, I cannot believe. Then I am dictating to God the conditions under which I will believe. It is dangerous because it might just be that God has not *in fact* provided us with that kind of guarantee.**”

“For over two hundred years now it [the verbal inspiration of scripture] has demonstrated its **inability to cope with truths established by scientific and historical research.** In the face of the mounting knowledge of the world, **the verbal inspiration method has had no constructive counsel to give, but can only advise one to retreat from the world** and refuse to face those things which one finds uncomfortable. One does not need to go outside the Bible itself to show the inability of this method to cope with the facts. Clearly the belief that there are no mistakes of any sort in scripture simply is not true. **The many discrepancies *within* the Bible itself – where the Bible disagrees with itself – demonstrate this fact.**”¹³

- **“The eschatological word** draws its objectivity from the fact that it is **an ‘alien’ word entirely from without, from God’s future** which is the end of us. It can live, therefore, only from its own inherent power.”¹⁴
- “On the one hand, the life and teachings [of Jesus] are of no significance apart from the **death and resurrection.** Indeed, they had to be transformed in the light of the cross and

¹² Forde, “Infallibility Language and the Early Lutheran Tradition,” *Teaching Authority & Infallibility in the Church. Lutherans and Catholics in Dialogue* 6. Eds. Paul C. Empie, T. Austin Murphy, and Joseph A. Burgess (Minneapolis: Augsburg Publishing, 1978) 129. Internal footnote 27: P. Althaus, *Theology*, 336.

¹³ Forde, “Law and Gospel,” *Theological Perspectives. A Discussion of Contemporary Issues in Theology by Members of the Religion Department at Luther College* (Decorah, Iowa: Luther College Press, 1964) 55-56.

¹⁴ Forde, “The Meaning of *Satis Est*,” *Lutheran Forum* 26 (1992) 17-18; *A More Radical Gospel*, 268.

resurrection. **This fact is usually the most difficult, especially for the literalists among us.** We must reckon with the fact that the words and teachings of the earthly Jesus in all probability could not have been handed on as he gave them even if those very words had been preserved. **The death and resurrection had intervened** and it would be untrue to what God was doing to hand on anything about Jesus apart from that fact."¹⁵

Mattes overlooks Forde on basic questions such as: What is revelation? Why does the gospel require a functional (not material) definition of law? Why are two kingdoms a "necessity," as Ebeling writes?¹⁶

Mattes' own training in narrative theology has likely influenced his evaluation of Forde as important because of his use of language and metaphor. Mattes:

- "Forde notes that this reading [the legal or forensic metaphor] of justification by faith misses an equally important **theme** in Luther (and Paul): death and resurrection. In fact, we cannot properly understand what the tradition means by 'faith alone' when we sideline **the language** of death and resurrection."¹⁷
- "[In *Justification by Faith—A Matter of Death and Life*] Forde showed how the **theory** of imputed righteousness needs to be **supplemented by** the theology of the cross, the primary gospel **metaphor** of death and resurrection"¹⁸

Forde was really important because he advocated for a metaphor? Ho-hum.

No. Forde is important because he recovered Luther's understanding of "the eschatological act character of **revelation**," which brings with it a functional view of law, which is "**quite necessary** for the proper understanding of the gospel."¹⁹

2. Mattes misses that the Gospel brings with it a functional view of law

Mattes states: "Forde's first book, *The Law-Gospel Debate*, sought to retrieve Luther's eschatological interpretation of law" ²⁰ Yes, but Mattes fails to show what this means. Forde:

- "The Reformation's insistence upon justification by faith as an **eschatological event** brought with it a reassertion of the **functional understanding of law**. Luther especially insisted that law must be clearly distinguished from gospel and the proper 'uses' of the law carefully explained. The distinction between law and gospel and the doctrine of the uses of law are of **primary importance** because they contain the key to virtually everything we want to say subsequently about the Christian life."²¹
- ". . . [L]aw, for Luther, **cannot be identified with any set of propositions or prescriptions, be it the decalogue or any other code**. Law is *anything* which frightens and accuses 'the

¹⁵ Forde, *Theology is for Proclamation* (Minneapolis: Fortress Press, 1990) 84-85.

¹⁶ Gerhard Ebeling, "The Necessity of the Doctrine of the Two Kingdoms," *Word & Faith*. Trans. James W. Leitch (London: SCM Press, 1963) 386-406.

¹⁷ Mattes, "Forde's Works: A Guide to *The Essential Forde*," *The Essential Forde*, 11-12.

¹⁸ Mattes, "Gerhard Forde," *LQ* 13 (1999) 379.

¹⁹ Forde, *The Law-Gospel Debate*, 217.

²⁰ Mattes, "Gerhard Forde," *LQ* 13 (1999) 377.

²¹ Forde, *Christian Dogmatics*, 2:415.

conscience.' The bolt of lightning, the rustling of a dry leaf on a dark night, the decalogue, the 'natural' law' of the philosopher, or even (or perhaps most particularly) the preaching of the cross itself—all of these can and do become the voice of the law.

- **"Law** remains, in view of its potentially changing appearance, in a certain sense **hidden**. Its **content** will depend upon the concrete situation in creation at a given time; man cannot have it in the form of eternal principles in advance of any concrete situation.

"This means that for Luther law does not constitute, as it does for orthodoxy, **a fixed scheme according to which God and his revelation can be 'figured out.'**"²²

- "What the Christian is given is a faith that clarifies for him the nature of his existence under the law in this age. Faith tells him that the 'naturalness' of the law means that he does not have access to the will of God in the form of some eternal law of being, but rather that **in common with the rest of mankind he must use his reason** in the context of his situation to work out the best practical solutions to his problems."²³
- "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.** But men do have the gift of reason and the accumulated wisdom of the ages as well as the Bible. Here is the task for man's reason and created gifts."²⁴
- "Law is a *general* term for describing the nature of man's existence in this age. It is the command which man meets in society, demanding order, and it is also the judgment of his way of life which drives him to the cross. It is defined in a general sense, as that which afflicts the conscience. Nothing *material* is said about the *content* of law as such; that, apparently, may depend upon concrete circumstances. Since law is defined in this general way, **no great point is made about a distinction between a natural or a revealed law.** It is simply taken for granted that law is natural for man."²⁵

²² Forde, *The Law-Gospel Debate*, 177.

²³ Forde, *The Law-Gospel Debate*, 211-12.

²⁴ Forde, *Where God Meets Man. Luther's Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg Publishing, 1972) 111-12.

²⁵ Forde, *The Law-Gospel Debate*, 194.

Mattes overlooks the starting point and dynamic of Forde's recovery of Luther's eschatological understanding of the cross. He presumes Forde holds the view common in Lutheran orthodoxy and Lutheran pietism that "the Book" is revelation and gives access to God's eternal law. Mattes on Forde:

- "This what started well with the likes of Martin Luther was all taken back in an attempt to save the myth of the free will and its concomitant 'continually existing subject' before **the law of God.**"²⁶
- ". . . God giving his heart in Jesus Christ is not a simple matter. 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 his law.**"²⁷
- "**God's law** not only provides order for the world, but most important, it breaks down all defenses that sinners raise to preserve their egos."²⁸

3. Mattes misreads Forde as having an existentialist view of Luther

On the one hand, Mattes writes: Forde has "an **existentialist** understanding of Luther."²⁹ On the other hand, Mattes also writes: "Hence, one should be aware of the **anti-existentialist** thrust of Forde's thinking."³⁰ So which is it?

Most often Mattes claims Forde emphasizes experience. For example, Mattes writes that for Forde "humanity ought to be seen as **experientially** involved in justification," and that Forde "accentuated an **experiential** dimension to the doctrine of justification," "the human will can be liberated only by means of **experiencing** the impact of both God's law . . . and God's promise" ³¹ And "It is in this **experience** of the recognition of our responsibility and the acceptance of the consequence for our guilt that we **experience** our real death. . . ." ³² When Forde writes: "It is the death of death, because the believer survives in Christ," Mattes comments: "It is this **experience of dying and rising** with Christ that an Aristotelian anthropology cannot accommodate."³³

To the contrary, the starting point for Forde and Luther is the cross alone,³⁴ not existentialism of any sort. Forde:

- "Imputed righteousness as **a divine act** brings with it the *simul iustus et peccator* (simultaneously justified and a sinner) as a simultaneity of total states. **We must take care in grasping what is being said here.** The *simul iustus et peccator* is **not** a conclusion drawn from a bad conscience under the legal system: it is **not** resignation to the fact that no matter how hard we try we never quite make it. That would put us back in the same scheme as

²⁶ Mattes and Paulson, "Introduction," *A More Radical Gospel. Gerhard O. Forde*, xiii.

²⁷ Mattes and Paulson, "Introduction," *The Preached God. Gerhard O. Forde*, 10.

²⁸ Mattes, *The Essential Forde*, 6.

²⁹ Mattes, *The Essential Forde*, 10.

³⁰ Mattes, "The Thomistic Turn in Evangelical Catholic Ethics," *LQ* 16 (2002) 98, fn 58.

³¹ Mattes, "Gerhard Forde," *LQ* 13 (1999) 374-75.

³² Mattes, "Gerhard Forde," *LQ* 13 (1999) 382.

³³ Mattes, "Gerhard Forde," *LQ* 13 (1999) 391, footnote 42.

³⁴ *LW* 26:33.

before. The confession that we are sinners at the same time as we are justified is a **conclusion drawn from the divine action**, the divine imputation and forgiveness."³⁵

Forde talks about death and life, but that does not mean he had an existentialist understanding of Luther. In fact Forde rejects existentialism and inerrancy:

- "The surrender of biblical inerrancy to **various versions of "truth as encounter"** and other **existentialist ploys** seemed to lack the bite of the older views of biblical authority. Perhaps it was that something of the offense was gone. Yet there was no way back. Older views of **biblical inerrancy** were not an offense, they were just **intellectually offensive**."³⁶

The baptized baby does not "experience dying and rising with Christ." James Burtness (1929-2006), professor at Luther Seminary, often noted that his Christian faith never involved experience of any sort. The Gospel is not about "experiencing" God. It is about being "snatched from the jaws of the devil"³⁷ in Baptism regardless of what one experiences or doesn't experience.

While Forde does not have an existentialist view of Luther, he recovered Luther's understanding of law as **an existential power**. Forde:

- "The work of the contemporary interpreters has more successfully dealt with the **problem of law in Luther**, and hence has completed this line of development. For when law is understood as **an existential category**, many of the difficulties in understanding Luther can be dealt with more fruitfully.
- "This eschatological understanding of law necessitates a fundamental reorientation at a number of crucial points. First, of course, is it means that the orthodox concept of law is displaced. **Law cannot be understood as a *lex aeterna* in the sense that the orthodox held—an eternal standard which governs the system.**"³⁸

No wonder Forde was irritated by those who think he was a conservative biblicist when in fact he demonstrated that the Gospel requires a functional understanding of law.

4. Mattes sees Forde as a new C. F. W. Walther

Mattes: "Shorn of orthodox assumptions, Walther's classic was an important motivator for Forde to pursue academic perspectives on law and gospel."³⁹

Forde was not a modern Walther. This is Mattes' view of Forde rather than Forde himself. Forde does not mention Walther in his theological autobiography⁴⁰ and makes only a passing reference to him in his retrospective, "The 'Old Synod': A Search for Objectivity."⁴¹ As his title

³⁵ Forde, *Christian Dogmatics*, 2:407.

³⁶ Forde, "The One Acted Upon," *dialog* 36 (1997) 57-58.

³⁷ Large Catechism, 4:83 *Book of Concord* (Tappert 446; Kolb/Wengert 466).

³⁸ Forde, *The Law-Gospel Debate*, 195.

³⁹ Mattes, *The Essential Forde*, 10-11.

⁴⁰ Forde, "The One Acted Upon," *dialog* 36 (1997) 54-61.

⁴¹ Forde, "The 'Old Synod': A Search for Objectivity," *Striving for Ministry*. Eds. Warren A. Quanbeck, Eugene L. Fevold, and Gerhard E. Frost (Minneapolis: Augsburg Publishing, 1977), 72-73: "They were impressed by

suggests, what Forde emphasized from his heritage and his own life was **the search for objectivity**:

- “What the founders of the Synod sought was **objectivity** . . . one that could provide a firm anchor for the Lutheran faith, a touchstone in the confusion of the frontier situation.”⁴²
- “Older views of **biblical inerrancy** were not an offense, they were just **intellectually offensive**. I was looking, I think, for something deeper and more compelling, **a gospel authority** that establishes itself by its own power and attractiveness, not a legal authority that simply demands submission.”⁴³
- “The theologian of the cross is quite aware of a quite different sort of concreteness and objectivity: that of the quite alien and external word that puts the old subject to death to raise up the new. Perhaps one can say that it is **only in death and the promise of new life that we come up against that which is truly and irreducibly ‘from without.’ And only so is it truly objective.**”⁴⁴

Mattes writes that for Forde “. . . the **objectivity** of Christian assurance is to be found in **the word** that grounds faith, and in God’s actual dealings with humanity in and through Christ to create people of faith.”⁴⁵ Mattes’ appeal to “the word” here is ambiguous. Is it the Bible? The proclaimed word and sacraments? Both? If both, then Mattes has not understood what Forde has written about post-liberal Lutheranism.

In 1964 Forde wrote that “**the major conflict**” among Lutherans is the conflict over the Bible, more precisely over theological method, that is, inerrancy vs. law/gospel rightly understood.⁴⁶ Forde:

- “For the twentieth century the burning question is the question “how do you know?” and one cannot compromise on this question today without compromising the gospel. It is **not possible to hold both these methods** [inerrancy and law/gospel] today, or **to compromise between them without compromising and hence distorting the gospel.**”⁴⁷

What does Mattes say about that? Surely that would be important for anyone wanting to understand Forde. Yet Mattes is silent. Mattes also avoids Forde’s blunt assessment that no compromise is possible between inerrancy and law/gospel.

Contrast Forde with what Mattes, Nestingen, and Paulson have help draft and have adopted: The NALC/LCMS/LCC’s “Guiding Statement on the Character and Proper Use of the Sacred Scriptures,”⁴⁸ which promotes inerrancy and eternal moral law. On the one hand, Mattes,

teachers at the seminary, especially by C.F.W. Walther who became the spiritual father and theological advisor to many of the founders of the Synod.”

⁴² Forde, “The Old Synod,” *Striving for Ministry*, 69.

⁴³ Forde, “The One Acted Upon,” *dialog* 36 (1997) 57.

⁴⁴ Forde, “The Catholic Impasse,” *Promoting Unity*, 76.

⁴⁵ Mattes, “Gerhard Forde,” *LQ* 13 (1999) 381.

⁴⁶ Forde, “Law and Gospel,” *Theological Perspectives*, 56.

⁴⁷ Forde, “Law and Gospel,” *Theological Perspectives*, 67.

⁴⁸ *The Necessary Distinction*, Appendix: “Guiding Statement on the Character and Proper Use of the Sacred Scriptures.” Available also online.

Nestingen, and Paulson praise Forde. On the other hand, they call for Lutherans to retreat into the long shadow of Lutheran pietism and Lutheran orthodoxy.

Forde had great love for “the Old Synod,” even as he reached behind it to recover in Luther what is **“truly and irreducibly ‘from without.’ And only so is it truly ‘objective.’”**⁴⁹

- “The gospel, so to speak, establishes its own transcendence. Its truth becomes known and its authority acknowledged only upon being heard through the Word, received in the sacraments, and believed through the power of the Spirit.”⁵⁰
- **“The eschatological word** draws its **objectivity** from the fact that it is **an ‘alien’ word entirely from without, from God’s future** which is the end of us. It can live, therefore, only from its own inherent power.”⁵¹

5. Mattes misses what’s “radical” in Forde’s “Radical Lutheranism”

Mattes states: “. . . Forde proposes that theology needs to be ‘radical’ and neither especially conservative nor liberal.”⁵² What does that mean? A little bit conservative or liberal? Mattes swirls around the word “radical” and concludes that it means to **“reorientate human nature** to be fundamentally receptive of grace.”⁵³ But Forde never proposed trying to “reorientate human nature.” Mattes summarizes what he sees as “radical” in Forde:

- “In contrast to the seventeenth-century orthodox theory of imputed righteousness, a theory that Forde does not reject so much as supplement with the **eschatological dimension** of the cross, humanity ought to be seen as **experientially involved** in justification, albeit in a passive way, as the recipient of new life.”⁵⁴

But the idea that we are receivers of God’s grace is not new or original. Why would anyone bother with Forde if that is what “radical Lutheranism” means?

Better to go to Forde himself on what “Radical Lutheranism” means:

- “The persistent and nagging debate about **the two kingdoms** among Lutherans arises mostly out of **reluctance to be radical enough**. Precisely because the gospel gives the Kingdom of God unconditionally to faith, this world opens up and is given back as the place to serve the other. Will it be so given? That depends, of course. It is not a static affair. To the degree that one is grasped and set free by the unconditional gospel, to that degree one can be turned from the sort of life created by the self (and its supposed free but actually bound will) to the world of the neighbor. To the degree that the **theological use of the law** comes to an end in Christ, to that degree **a political use of the law** for others becomes a possibility.”⁵⁵

⁴⁹ Forde, “The Catholic Impasse,” *Promoting Unity*, 76.

⁵⁰ “Lutheran Reflections,” *L/RC* 6:62.

⁵¹ Forde, “The Meaning of *Satis Est*,” *Lutheran Forum* 26 (1992) 17-18; *A More Radical Gospel*, 268.

⁵² Mattes, “Gerhard Forde,” *LQ* 13 (1999) 374.

⁵³ Mattes, “Gerhard Forde,” *LQ* 13 (1999) 374.

⁵⁴ Mattes, “Gerhard Forde,” *LQ* 13 (1999) 374.

⁵⁵ Forde, “Radical Lutheranism: Lutheran Identity in America,” *LQ* (1987) 16-17.

What is “radical” is that the gospel brings a functional (not material) understanding of law, which creates two kingdoms, gives certainty, down-to-earth freedom, and points to common reason as the moral arbiter in God’s left-hand kingdom. Forde:

- **“First** of all, if justification proceeds by way of negation, then the judgment is indeed universal and **all causes are relativized**. This flows from the **very nature of the gospel** and cannot be compromised.

“Secondly, for Luther’s theology, it seems to me that the only way from such universal negation back to the concrete is the way of freedom....The Kingdom of God indeed comes by God’s power alone, and thus one is turned back into the world for the time being to serve the neighbor....If we are to remain true to the gospel, we must realize that **there are no levers here**. If the movement is not one of freedom, all is lost. Moralists, social reformers, ideologues, revolutionaries, and even just plain zealous religious people may no doubt find this frustrating and maddening, but it is of **the very essence of the matter**. Whenever a cause is exempted from the negation, so as to exert a pressure which destroys this freedom, we come to a serious parting of the ways.

“Thirdly, I believe it can be argued that **justification by faith alone** itself and **the freedom it creates**, drives to utter concreteness in praxis. Luther’s view of the concrete vocation of the Christian proposes just such concreteness. If the negation is complete, one is in the first instance **set free from the tyranny of all universalisms and absolutisms** and placed back in time to become **a truly historical being**, to wait and hope for the coming of the promised Kingdom.”⁵⁶

- It is incorrect to think that “the Christian has some special epistemological advantages over the non-Christian when it comes to ‘knowledge’ of the law. It is precisely faith, however, which tells the believer that this is not so. **Faith tells him that law is something he has in common with the rest of mankind**. To be sure, the Christian also has the laws of the Bible, but even these **as laws are available to the non-Christian, to say nothing of non-Christian parallels of biblical law**.

“What the Christian is given is a faith that clarifies for him the nature of his existence under the law in this age. Faith tells him that the ‘naturalness’ of the law means that he does not have access to the will of God in the form of some eternal law of being, but rather that **in common with the rest of mankind he must use his reason** in the context of his situation to work out the best practical solutions to his problems.”⁵⁷

- “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**.”⁵⁸
- “Men on this earth simply **don’t have access to eternal laws**. But men do have the gift of **reason** and the accumulated wisdom of the ages as well as the Bible. Here is the task for man’s **reason** and created gifts. Once cured of religious and mythological ambitions, they

⁵⁶ Forde, “The Viability of Luther Today: A North American Perspective,” *Word & World* 7 (1987) 29.

⁵⁷ Forde, *The Law-Gospel Debate*, 211-12.

⁵⁸ Forde, “The Viability of Luther Today,” *Word & World* 7 (1987) 27.

can be put to work as they ought: taking care of men. For in the final analysis, **all man's vocations are to be enlisted in the battle against the devil.**"⁵⁹

But Mattes misses all this. He says what is "radical" about Forde is that he promoted a neglected metaphor (death and life) to emphasize how we are involved in salvation in a passive way. Yawn.

6. Mattes' training in post-metaphysical narrative theology

Mattes is not a simple pietist. He blends conservative biblicism with the post-metaphysical narrative theology he studied at the University of Chicago. On the one hand, Mattes presumes "the biblical narratives" are foundational; they are revelation. On the other hand, he has a non-foundational narrative approach to theology and ministry. Theology and ministry are about showing people how their stories and Jesus' story come together. He implies that Forde's theology is both biblicistic and similar to post-metaphysical narrative theology:

- "Forde chooses words close to **the concrete narrative about Jesus** For Forde, part of theology's problem is that instead of sticking close to **the biblical narratives** Hence Forde, on the basis of **the biblical narrative**" ⁶⁰
- "Forde had a kind of '**narrative identity**' approach to ethics. Jesus' story becomes my story in the gospel."⁶¹

One problem with a "narrative" lens is that it presupposes the Bible has a unified theology. But there are a variety of theologies in the Bible. As Forde notes: "Matthew and Paul are at irreconcilable odds."⁶² What is "the" biblical narrative? What is "Jesus' story"? Mattes glosses over Forde's recognition of the disunity and conflicts within the New Testament, and he evaluates Forde's significance according to the norms of post-metaphysical narrative theology, that is, in terms of Forde's use of language and metaphor:

- "An encounter with Forde's theology raises questions as to how **language, as metaphorical and illocutionary**, relates both to first order discourse and to 'second order' discourse, whether or not theological anthropology ought to acknowledge the human as at heart receptive in some fundamental sense, and **whether or not contemporary culture might be receptive to this view of the gospel.**"⁶³

Post-metaphysical narrative theology is a rickety perch from which to evaluate Forde. In post-modern narrative theology nothing is fixed. Narrative identity is fluid. But the cross is about the certainty of salvation outside of us, in spite of us. "It is finished" (John 19:30). In Baptism the Lord "snatches us from the jaws of the devil."⁶⁴ What is to be done if, as Mattes claims, the culture is not receptive to the idea that "the human is at heart receptive"? Bolster the narrative with theatrical arm gestures?

The theology of the cross is about what is truly objective. It is a message that transcends time, place, and culture. Forde on the question of relevance:

⁵⁹ Forde, *Where God Meets Man*, 111-12.

⁶⁰ Mattes, "Gerhard Forde," *LQ* 13 (1999) 383-84.

⁶¹ Mattes and Paulson, "Introduction," *A More Radical Gospel. Gerhard O. Forde*, xxvi.

⁶² Forde, *Christian Dogmatics* 2:447.

⁶³ Mattes, "Gerhard Forde," *LQ* 13 (1999) 387-88.

⁶⁴ Large Catechism, *BC* Part 4:83 (Tappert, 446; Kolb/Wengert, 466).

- “The proclamation of justification—of daily renewal in the unconditional promise—is **relevant always and everywhere** because just by its very unconditionality it is **the ‘death of death.’** Justification brings the death which we fear so much forward to meet us, and through it grants new life, and thus deliverance from bondage. **It is relevant always and everywhere because bondage to the fear of death is universal.**”⁶⁵

Mattes is very concerned that theology be relevant to culture. He claims that Forde’s theology contains a diagnosis of and prescription for what ails American culture:

- “Hence, some North American thinkers are recognizing that our social nature is fundamental. Few thinkers, however, would follow Forde in his supposition that at the most basic level of our humanity we are, or ought to be seen as, receivers. If this recognition were acknowledged however, then we might seek **to set boundaries to our excessive consumption.** The cost of our self-expressive human autonomy is quite high. Both the planet’s natural and human resources are being expended in support of the ‘American Dream.’ Such rampant and aggressive striving for individualistic self-fulfillment violates **the fundamental boundaries demanded** by the stewardship of the earth and of life that ought to define our human calling. In this regard, Forde’s retrieval of Luther’s view of humanity as fundamentally receptive and his appropriation of **Luther’s rejection of antinomianism cannot be emphasized enough.**”

But Luther opposed using the Gospel to give a holy patina to human agendas. Issues, including but not limited to war, sex, economics, and ecology are left-hand kingdom problems, which are properly addressed by common reason and the sword. Mattes, however, claims the Bible gives Christians special wisdom in secular matters, as he writes: “. . . **secular politics** must be evaluated more in light of Scripture and the chief article.”⁶⁶

Are single family homes “excessive consumption”? Who is to decide and how? Mattes presents his view as if it is self-evidently the view of believers and God, too. But Forde writes: “If justification proceeds by way of negation, then the judgment is universal and **all causes are relativized,**” even the planet’s natural and human resources. Forde: “The gospel of Jesus Christ simply cannot be synthesized with the causes of this age, however grand or just.”⁶⁷

Just as Luther and Forde reject antinomianism, so they also reject **biblical nomism.** Why does Mattes leave this out? Perhaps because he presumes biblical nomism (the Bible gives access to God’s eternal law) is the answer? Forde:

- “The remedy for antinomianism is not nomistic but eschatological.”⁶⁸
- “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

⁶⁵ Forde, *Christian Dogmatics*, 2:464-65.

⁶⁶ Mattes, “Beyond the Impasse: Re-examining the Third Use of the Law,” *Concordia Theological Quarterly* 69 (2005) 287.

⁶⁷ Forde, *Christian Dogmatics*, 2:456.

⁶⁸ Forde, *Christian Dogmatics*, 2:449.

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."⁶⁹

- Does faith bring some new or special knowledge of the law? It is always tempting, apparently, for theology to assert this, but it is difficult to see how this can be anything more than a kind of **theological hybris**. For faith means precisely *faith* and not some sort of supernatural *sight*."⁷⁰
- "Faith tells him [the believer] that law is something he has in common with the rest of mankind. To be sure, the Christian also has the laws of the Bible, but even these **as laws are available to the non-Christian, to say nothing of non-Christian parallels of biblical law.**"⁷¹
- "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,⁷² we must write our own decalogue to fit the times."⁷³

7. Mattes implies Forde promotes a triumphant life of faith

Mattes does not use the word "triumphant," but he writes that for Forde:

- The cross is "that dynamic by which God creates people of faith. Faith in God is a relationship with God in which **we fear, love, and trust God above all things**; such faith is both necessary and *sufficient* to save us."⁷⁴
- "Like Luther, Forde will have nothing to do with Platonic approaches to participation. Instead, those baptized into Christ **participate totally** in Christ's death and *totally* in Christ's resurrection."⁷⁵
- "United to Christ, participating in his death and resurrection through the waters of baptism, **the new person of faith emerges—honoring God as Creator and trusting in Christ for all things**, entrusting one's mortality into the hands of God's mercy, no longer bound to defend oneself on the basis of one's morality before any tribunal."⁷⁶

⁶⁹ Forde, "Fake Theology: Reflections on Antinomians Past and Present," *dialog* 22 (1983) 246-51, here 247.

⁷⁰ Forde, *The Law-Gospel Debate*, 228-29.

⁷¹ Forde, *The Law-Gospel Debate*, 211-12.

⁷² Luther: "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).

⁷³ Forde, "Lex Semper Accusat?" *dialog*, 274; *A More Radical Gospel*, 49; *The Essential Forde. Distinguishing Law and Gospel*, 193.

⁷⁴ Mattes, "Gerhard Forde," *LQ* 13 (1999) 374.

⁷⁵ Mattes, *The Essential Forde*, 12.

⁷⁶ Mattes, *The Essential Forde*, 7.

But Forde knows we don't, and we can't. We do not and cannot fear, love, and trust God above all things. Mattes' claim that we "participate" *totally* in Christ's death and *totally* in his resurrection does not adequately capture the totally sinful nature of all that we are, think, say, and do, even our best works. Rather, as totally sinful and totally justified, we live by forgiveness.

To be sure, Forde talks about faith as trusting God, but even our "trusting" is broken; it never transcends the *totus peccator*. When we think we can fulfill the First Commandment, we fall into "presumption or despair."⁷⁷ Forde:

- "The question of the relationship of **the two kingdoms** is really the macrocosm of what we have already seen in the microcosm of the relationships between **law and gospel**, and between justification and sanctification. The attempt to synthesize law with gospel is disastrous. Likewise the attempt to synthesize the rule or kingship of Christ with that of this age and its ambitions will be disastrous and ultimately destructive. **In the microcosm of individual piety it produces either despair or presumption.**"⁷⁸

Forde writes that faith **anticipates** the new creation but does not realize it in this world:

- "The faith which receives and grasps that new status in Christ is an eschatological event; it is ever and anew the step out of this world of the visible, tangible, given reality, the world in which **the totus peccator is the reality, into the eschaton.**"⁷⁹
- "Faith, however, born of the imputation of **total righteousness, begets the beginnings of honesty** as well. Such faith sees the truth of the human condition, the reality and **totality of human sin**, and has no need to indulge in fictions."⁸⁰
- "Does faith involve some sort of translation into a new state in which the believer enjoys epistemological advantages over the unbeliever? Does faith bring some new or special knowledge of the law? It is always tempting, apparently, for theology to assert this, but it is difficult to see how this can be anything more than a kind of **theological hybris**. For faith means precisely *faith* and not some sort of supernatural *sight*."⁸¹
- "What the Christian is given is a faith that clarifies for him the nature of his existence under the law in this age. **Faith tells him that the 'naturalness' of the law** means that he does not have access to the will of God in the form of some eternal law of being, but rather that **in common with the rest of mankind he must use his reason in the context of his situation to work out the best practical solutions to his problems.**"⁸²

⁷⁷ Forde, *The Law-Gospel Debate*, 204.

⁷⁸ Forde, *Christian Dogmatics*, 2:456.

⁷⁹ Forde, *Christian Dogmatics*, 2:411-12. Forde here quotes Wlified Joest. See footnote 15, page 423.

⁸⁰ Forde, *Christian Dogmatics*, 2:434.

⁸¹ Forde, *The Law-Gospel Debate*, 228-29.

⁸² Forde, *The Law-Gospel Debate*, 211-12.

8. Mattes: Forde's ethics have "a kind of 'narrative identity'"

a. Forde's ethics: Not "narrative identity" but two kingdoms.

Mattes writes:

- "Forde had a kind of '**narrative identity**' approach to ethics. **Jesus' story becomes my story in the gospel.** Christian ethics teaches us not to get in God's way as he does his work in us and through us for the world. . . . Radically worldly, secular – though not in the secularistic sense, Christian ethics has nothing to do with saving the world or transforming the self. As such, we are free to offer service through worldly vocations."⁸³

No, Forde has a **two-kingdom** approach to ethics. The Christian knows no heavenly code which serves as a final authority in ethics. The Christian uses common, fallible reason. Forde:

- "What the Christian is given is a faith that clarifies for him the nature of his existence under the law in this age. **Faith tells him that the 'naturalness' of the law** means that he does not have access to the will of God in the form of some eternal law of being, but rather that **in common with the rest of mankind he must use his reason in the context of his situation to work out the best practical solutions to his problems.**"⁸⁴

b. The ELCA's LGBTQ agenda

1. Mattes claims Forde held that the Gospel produces visible transformation.

Mattes:

- "Forde is absolutely convinced of the effectual power of this word [the gospel] – and it alone – **to radically transform the world, including sexual practices.** Our culture tends to idolize sex – exploit it and not receive it as a gift to be enjoyed and given within **divinely established limits.**"⁸⁵

Forde never claimed the gospel would visibly transform the world. He did not affirm "divinely established limits" (a euphemism for eternal law). He held that the Christian life is hidden and not visible to sight, even to ourselves:

- ". . . the Christian life will be **hidden** from this world and inexplicable to it. Sometimes—perhaps most of the time—the Christian life will appear to follow quite ordinary, unspectacular courses no doubt *too* ordinary for the world. But sometimes it will go quite contrary to what the world would deem wise, prudent, or even ethical. Why should costly ointment be wasted on Jesus? Would it not be better to sell it and give to the poor? Should not Jesus' disciples fast like everyone else? Why should one

⁸³ Mattes and Paulson, "Introduction," *A More Radical Gospel. Gerhard O. Forde*, xxvi. Mattes commends Forde's lecture given at Capital University titled, "Luther's Ethics." It is likely that Forde's lecture was changed by Mattes and Paulson. Several terms used in the closing paragraphs, including but not limited to, "law obscured by the fall," "natural analogy," "unaided reason," "the story of salvation," are **not terms Forde used**, but they are characteristic of Mattes and Paulson. Moreover, the text's implicit appeal to inerrancy and natural law as supernatural law conflict with what Forde writes in many other places about common reason as the moral arbiter in God's left-hand kingdom.

⁸⁴ Forde, *The Law-Gospel Debate*, 211-12.

⁸⁵ Mattes and Paulson, "Introduction," *The Preached God. Gerhard O. Forde*, 25.

prefer the company of whores and sinners to polite and virtuous society? Why should a Christian participate in an assassination plot [Bonhoeffer]? The Christian life is tuned to the eschatological vision, not to the virtues and heroics of this world. . . . Indeed, the attempt to break the **hiddenness** is precisely the dangerous thing. . . . The goodness or Christianness of one's life should be **hidden** even from oneself."⁸⁶

2. Mattes claims Forde held that the Bible gives God's answer on gay marriage

Mattes says Forde opposed gay marriage because "sexual behaviors must be understood within a higher purpose" . . . [and because] "it is not possible for same-sex partners to 'become one flesh' as described in Genesis."⁸⁷ In short, the Bible gives us God's answer.

But that is not the argument that Forde made. Forde opposed gay marriage on the basis of the two kingdoms. Sexuality is a question of the first or civil use of law, and thus decided on the basis of common reason and the concern to minimize harm. Forde:

- "Some in the church like to argue also that since the church has changed its mind on matters like divorce or ordination of women it seems consequent that it could change its stance on sexual behavior as well. **But in questions of the civil use of law it is not legitimate to argue that one example of change justifies another. Each case has to argued individually.**

"The second thing that needs to be said is that the fundamental concern of **the civil use of the law is for the care of the social order**. The purpose of laws regulating sexual behavior is to foster healthy, joyous, and socially fruitful relationships and to guard against the social destruction that results from aberrant sexual behavior. The struggle to establish an order within which sexual behavior can be beneficial to society has been a long and arduous one....When there are no controls on or boundaries to sexual activity, **sex dominates both religion and social life**. Sex is then a means of exercising power and establishing dominance. Advocates for relaxing the traditional Judeo-Christian stand against homosexual behavior often like to argue that such behavior was common and accepted in ancient societies. But a moment's reflection ought to be sufficient to reveal that such arguments can hardly be advantageous to their cause. Ancients, it seems, were simply not concerned about gender. Boys, women, slaves, could all equally be objects of desire. What was important was to dominate, to penetrate rather than be penetrated. Such considerations ought in any case to be sufficient to waken us to the realization that **the civil order itself hangs in the balance in this discussion**. It is really not sufficient just to lay claim to a little compassion or to muse a bit about 'what harm does it do?' What is **being harmed is the very social order itself**. And that is the concern of the civil use of the law.

"If genital sexual relations between people of the same gender are to be approved and/or blessed, the only way that could be done would be to bring them within something akin (at least) to the estate of marriage. **Can this be done in terms**

⁸⁶ Forde, *Christian Dogmatics*, 2:441.

⁸⁷ Mattes, *The Essential Forde*, 15.

consonant with our understanding of the uses of the law? The thesis of this paper is that it cannot.”⁸⁸

As Forde’s New Testament colleague, Donald Juel writes about homosexuality:

- “In our deliberations, the wisdom of Scripture and the tradition cannot be cited as ‘God’s answer’ to the matter, but neither ought that wisdom be summarily dismissed as irrelevant or outdated.”⁸⁹

Forde and Juel argue against gay marriage using common reason (two kingdoms), in contrast to Mattes, Paulson, and Nestingen, who claim that the Bible gives us “divinely established limits” (eternal law).

9. Mattes omits Forde on the whole law, moral and ceremonial

Forde often challenged the claim that Christ is the end of the ritual law but not the moral law. This challenge is important today for Lutherans in the NALC and LCMC especially because of Holger Sonntag’s 2008 book, *Solus Decalogus Est Aeternus*, which is a translation of Luther’s Antinomian Disputations. Sonntag writes:

- “The title of this book is a direct quote from Luther’s response in the 34th argument of the first disputation (WA 39.1:413.17, see page 128): ‘Only the Decalogue is eternal;’ it cast light on **the eschatological validity of the moral law** frequently emphasized by Luther in the disputations at hand.”⁹⁰

Sonntag’s book is frequently cited today as proof that the mature Luther held to eternal moral law. This claim is a misinterpretation of Luther and one that Forde dealt with in 1969 in *The Law-Gospel Debate*.⁹¹ Moreover throughout his career Forde attacked the claim that the ceremonial law ends in Christ but not the moral law:

- “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

⁸⁸ Forde, “Law and Sexual Behavior,” *LQ* 9:1 (1995) 8-9, 12; *The Essential Forde*, 155-56, 159.

⁸⁹ Don Juel, “Homosexuality and Church Tradition,” *Word & World* 10 (1990) 169. Also [here](#).

⁹⁰ Holger Sonntag, *Solus Decalogus Est Aeternus*. Edited and translated by Holger Sonntag (Minneapolis: Lutheran Press, 2008) 7.

⁹¹ Forde, *The Law-Gospel Debate*, 179-84. See also Appendix 1. Nestingen: Reviving Lutheran Pietism, pp. 14-16, and Appendix 3: Paulson’s Missouri Mindset, pp. 20-22.

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!"⁹²

- "We do not, any longer (if we ever did!), need lectures about Luther's views on conscience from exegetes who have never studied him carefully. All of that is as irrelevant as speculations about Paul's conscience. What is theologically important in discussion about law is the basic structure of the *doctrine* of law and its uses. **Above all, it is crucial to see that Luther repeatedly and explicitly rejects the making of a distinction between ceremonial (ritual) law and the 'entire law.'** Both the early (1519) and the late (1533-35) Galatians Lectures show it was a constant theme throughout his life. Wherever he gets a chance he pounds away on the issue.⁹ In the argument against Erasmus he says that this error has made it impossible to understand Paul and has obscured the knowledge of Christ. Indeed, 'even if there had never been any other error in the Church, this one alone was pestilent and potent enough to make havoc of the gospel.'¹⁰ Where there is 'leakage' of any sort, wherever law is thought to survive the end and carry over into the new age (**as an eternal natural or moral law or a 'third use,'** for instance) **the gospel is inevitably obscured if not lost altogether.**"⁹³

Mattes omits any mention of Forde on Christ as the end of the whole law, moral and ceremonial, yet this emphasis is at the heart of Forde's rediscovery of Luther's eschatology. As Forde shows, the Gospel brings with it a functional (not material) view of law (as an existential power not an eternal moral code), which is essential for a proper understanding of the Gospel.⁹⁴

10. Mattes is fuzzy about Forde's theology as a systematic theology

Mattes's view of Forde reflects Mattes' own post-metaphysical phenomenology:

- "Forde will always be suspicious of metaphysical and substantialist language, not because he represents a residual Ritschlian allergy to metaphysics, but rather because the eschatological nature of the gospel resists being encapsulated into **grand narratives or metaphysical schemes.**"⁹⁵
- "When theology is liberated from the task of speculation, then its true vocation becomes clear as **the testing of the clarity, authenticity and veracity of gospel proclamation.** . . . Understanding is a reflection on proclamation between proclamations; it is **not especially a servant of metaphysics.** . . . Theology is at best an attempt to **test the success of**

⁹² Forde, "Called to Freedom," Presidential Address to the International Congress for Luther Research, 1993, *The Preached God*. Gerhard O. Forde, 259.

⁹³ Forde, "Luther and the *Usus Pauli*," *dialog* 32 (1993) 278.

⁹⁴ Some Lutherans appeal to 1 Cor 7:10 as proof that Paul viewed the moral law as binding on the basis of Jesus' own words. For a critique of this view see Wolfgang Schrager, *The Ethics of the New Testament* (Philadelphia: Fortress Press, 1988) 210:

" . . . Paul does not quote the actual words of the Lord verbatim but allows himself the liberty of modifying them: what matters is not the words themselves but what they say: The parenthetical statement in 1 Cor 7:11a, where Paul appears to concede divorce in spite of the Word of the Lord, might also confirm that Paul does not think of Jesus' words as authoritative in an external and legalistic sense that is content with observing the letter of the law."

⁹⁵ Mattes, "Gerhard Forde," *LQ* 13 (1999) 384.

proclamation. It must bypass, forego, or at least maintain some healthy agnosticism toward **grand, theological narratives.**"⁹⁶

There are several issues here. First, to be sure, Forde opposed philosophical theology. God is not the god of the philosophers. The cross alone determines and defines sin and holiness.

At the same time, Forde's theology is a systematic proposal and it conflicts with the presuppositions of post-metaphysical phenomenology: "The cross is not to be understood by means of *another* system, the cross *is* its own system."⁹⁷ He writes that his book, *Theology is for Proclamation*, is "**an outline of systematic theology** . . . which traverses traditional dogmatic topics and tries to show how a systematic theology that is for proclamation might work."⁹⁸

Mattes' claim that: "Theology is at best an attempt **to test the success of proclamation**" distorts Forde's theology. To be sure, Mattes would likely agree that while the pastor aims to discern law and gospel, the pastor doesn't control what is heard. In the hearing of the proclamation, it is the Lord who divides law and gospel.

Yet Mattes writes as if he or we are able "to test the clarity, authenticity, and veracity of gospel proclamation . . . [and] **the success** of proclamation." How do we who are sinful and always *totus/totus* "test the success of proclamation"?

Part 3: Mattes' one-kingdom theology

1. Mattes: The Bible gives access to God's eternal law

On the one hand, Mattes rejects using "reason" in the sense of metaphysical philosophy to understand God:

- "A responsible approach to the question of how understanding relates to faith will recognize that we are not able, and should not seek to be able, **to penetrate into the plans of the deity itself.** Again the cross brings an end to this kind of **speculation** that would imply a **virtual equality on our part with God.**"⁹⁹

On the other hand, Mattes affirms that the Bible gives access to eternal law. Mattes:

- "This 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** which fosters our own well-being as well as the well-being of others."¹⁰⁰
- ". . . God giving his heart in Jesus Christ is not a simple matter. 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 his law.**"¹⁰¹

⁹⁶ Mattes, "Gerhard Forde," *LQ* 13 (1999) 386.

⁹⁷ Forde, *Where God Meets Man*, 31.

⁹⁸ Forde, *Theology is for Proclamation*, 8-9.

⁹⁹ Mattes, "Gerhard Forde," *LQ* 13 (1999) 385. See also Mattes, "The Thomistic Turn in Evangelical Catholic Ethics," *LQ* 16 (2002) 65-100.

¹⁰⁰ Mattes, "Properly Distinguishing Law and Gospel as the Pastor's Calling," *The Necessary Distinction*, 133.

¹⁰¹ Mattes and Paulson "Introduction," *The Preached God. Gerhard O. Forde*, 10.

- **“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.”¹⁰²
- “The law is true and wise until it shockingly reaches its end in Christ. . . . **The law** is indeed worthy – **God’s own truth** – until the cross. This is the logic from the cross, and apart from that, in this old world, **the law remains in its entirety**, not just in part, preserving life to some extent and accusing unto death.”¹⁰³
- “The law is relativized, suspended, in the relation of the believer as believer to God (and only in this relation), since it is 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 good and guide**.”¹⁰⁴
- “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 of this latter truth, we can affirm that although the law always accuses (*lex semper accusat*), **it does not only accuse**.”¹⁰⁵

If the Ten Commandments are eternal law (Exodus 20:1-17, Deuteronomy 5:6-21), what about the twelve Commandments in Deuteronomy 26:9-26? What about other ancient moral codes, like the Code of Hammurabi, which are similar to the Ten Commandments?

What about the Third Commandment? It specifically refers to the seventh day of the week: “Remember the Sabbath day, to keep it holy.” But over the course of three hundred years, the church gradually changed the day of worship to the first day of the week.¹⁰⁶ The Third Commandment is plain, simple, and clear. How dare the church change God’s law?

The church has changed on its norms on other practices: Slavery (1 Cor 7:20-24; Eph 6:5), divorce (Matt 5:31-32, 19:9; Mark 10:11-12; Luke 16:18; 1 Cor 7:10-11), the ordination of women (1 Timothy 2:11-12), usury (Matthew 5:42, Luke 6:35), how long men’s hair should be (1 Cor 11:14), and whether women are saved by childbirth (1 Timothy 2:15).

When Luther writes that the Epistle of James is “an epistle of straw,” he is not saying it is anti-Christian but sub-Christian. In his 1522 translation of the New Testament, Luther separated James, Hebrews, Jude, and Revelation from the other books by an empty space and did not number them in the Table of Contents. Luther was not afraid to face problems in Scripture.

But the NALC/LCMS/LCC’s “Guiding Statement on the Character and Proper Use of the Sacred Scriptures” (Part 2.3b) claims: “Lutheran theology also acknowledges that there are in the Scriptures **no conflicting or contradictory conceptions of God and His ways with humanity**,

¹⁰² Mattes, “Re-examining the Third Use of the Law,” *CTQ* 69 (2005) 278.

¹⁰³ Mattes, “The History, Shape, and Significance of Justification for Preaching,” *Justification is for Preaching*. Ed. Virgil Thompson (Eugene Oregon: Pickwick Publications, 2012) 58.

¹⁰⁴ Mattes, “Re-examining the Third Use of the Law,” *CTQ* 69 (2005) 282.

¹⁰⁵ Mattes, “Re-examining the Third Use of the Law,” *CTQ* 69 (2005) 277.

¹⁰⁶ See “[At least the Ten Commandments are God’s revelation, aren’t they? – 3](http://www.crossalone.us)” at www.crossalone.us.

but rather **a perfect theological unity**, despite different emphases in different biblical books and authors.” Mattes, Nestingen, and Paulson adopted this Guiding Statement.

Forde: The Bible does not give access to eternal law

- “Unable to rhyme Matt. 5:17-18 with Rom. 10:4, the dogmatic tradition has experienced nothing but trouble over the law. When one does not see that ‘heaven and earth’ *do* ‘pass away’ in the eschatological fulfillment anticipated and grasped by faith, and that just such fulfillment *is* the end and the goal, **Paul and Matthew are at irreconcilable odds**. Unable to grasp this fulfillment as end, the 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 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? One might, of course, as happened more generally, try to settle on the decalogue as the moral law**. But there is a good deal in the Old Testament and the New outside the decalogue which might also qualify as moral and ethical material of the highest quality. **Who is to decide?**

“The outcome of such confusion was, in general, that natural law [understood as an eternal order of law] became the arbiter. Natural law decides what is moral and what is not. But therewith **the fate of the church’s understanding of law was sealed**, as well as of its eschatological outlook. Natural law became the structural backbone of the theological system, displacing eschatology.”¹⁰⁷

- “The idea of **law** as an **eternal ideal** and **the ‘third use’** of the law go hand in hand. For if the law is the eternal ideal, it stands to reason that this must be **man’s guide even after justification**. If the foregoing analysis is correct, however, it would seem that **law can never be taken merely as an abstract ideal which man can isolate and fix in his ‘system.’**”¹⁰⁸
- “The work of theology is not for making inferences from the law, but for a proclamation that is all about Christ. . . . 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.**”¹⁰⁹
- “Faith tells him [the believer] that law is something he has in common with the rest of

¹⁰⁷ Forde, *Christian Dogmatics*, 2:447.

¹⁰⁸ Forde, *The Law-Gospel Debate*, 180.

¹⁰⁹ Forde, *The Captivation of the Will*. Ed. Steven Paulson (Grand Rapids, Eerdmans, 2005) 77-79; Forde, “Postscript to the Captivation of the Will,” *Lutheran Quarterly* 19 (2005) 77-78; Forde, “Luther and Erasmus,” *The Essential Forde*, 124-25.

mankind. To be sure, the Christian also has the laws of the Bible, but even these **as laws are available to the non-Christian, to say nothing of non-Christian parallels of biblical law.**"¹¹⁰

- "This means that in the Lutheran view **law is**, in the good sense of the word, **'natural.'** That is to say for faith law is divested of its *supernatural* pretensions and limited to this age. Law is the theological term denoting the manner in which God relates himself to this age. Law is the 'form' of *this* age. This explains the Lutheran tendency **to limit law to the first two uses—civil and theological.** The law gives form to this age and it accuses the sinner. As such it is an existential power which will continue to accuse as long as man remains in his sin. Only a living faith in Christ as the end of the law can hold the law in its proper perspective. Faith alone makes and keeps the law 'natural.'"¹¹¹
- "**Law** remains, in view of its potentially changing appearance, in a certain sense **hidden.** Its **content** will depend upon the concrete situation in creation at a given time; man cannot have it in the form of eternal principles in advance of any concrete situation. "This means that for Luther law does not constitute, as it does for orthodoxy, **a fixed scheme according to which God and his revelation can be 'figured out.'**"¹¹²
- "Apart from his revelation in Christ, God is hidden. We have, ultimately no means for penetrating that hiddenness. We don't really even have a basis for making an absolute separation between evil and good. Many things we think are good turn out to be evil in the end and *vice versa.*"¹¹³

2. Mattes affirms a third use of law

a. When "the Book" is revelation, the unity of Scripture is required

Mattes insists that there must be a "**way coherently** to read apostolic parenesis." This insistence is based on the presupposition that because "the Book" is revelation and that the New Testament must have a unified theology.¹¹⁴

- "Naturally, this [Christian freedom] raises the question of **a third use** of the Law which has long been in dispute among Lutherans. We should stand with the *Book of Concord* on this matter.³² Otherwise **there is no way coherently to read apostolic parenesis** throughout the New Testament. Likewise, there is **no coherent way** to understand the delight in the Torah which is advocated by the psalmist and many of the prophets."¹¹⁵

¹¹⁰ Forde, *The Law-Gospel Debate*, 211-12.

¹¹¹ Forde, *The Law-Gospel Debate*, 211.

¹¹² Forde, *The Law-Gospel Debate*, 177.

¹¹³ Forde, *Where God Meets Man*, 30.

¹¹⁴ Joseph A. Burgess, "Lutheran Interpretation of Scripture," *The Bible in the Churches*. Ed. Kenneth Hagen (Marquette: Marquette University Press, 1998) 111.

¹¹⁵ Mattes, "Properly Distinguishing Law and Gospel as the Pastor's Calling," *The Necessary Distinction*, 132.

Forde: We take Scripture seriously, so seriously we can deal with its difficulties.

- “Matthew and Paul are at irreconcilable odds.”¹¹⁶
- “For over two hundred years now it [the verbal inspiration of scripture] has demonstrated its **inability to cope with truths established by scientific and historical research**. In the face of the mounting knowledge of the world, **the verbal inspiration method has had no constructive counsel to give, but can only advise one to retreat from the world** and refuse to face those things which one finds uncomfortable. One does not need to go outside the Bible itself to show the inability of this method to cope with the facts. Clearly the belief that there are no mistakes of any sort in scripture simply is not true. **The many discrepancies within the Bible itself – where the Bible disagrees with itself – demonstrate this fact.**”¹¹⁷
- “Exegetes who think they are doing the Old Testament a favor by making its view of law akin to the ‘third use’ may therefore simply be covertly antinomian. Thinking to construct an apology for the Old Testament and its law, they succeed only in robbing it of its majesty and power—what the reformers called its ‘office.’ For the reformers there was nothing pejorative in speaking of the Old Testament as *law*, in majestic and even terrifying glory. Just so, the Old Testament gained a status and ‘office’ worthy of pointing to its counterpart in the New. Only tender antinomians have to find ways to apologize for it.

“The same kind of interpretation would apply to the New Testament paraenetic materials. It can hardly be maintained that the exhortations of the New Testament, taken literally, in any degree attenuate the will of God or God’s law. If anything, the stakes are raised precisely because of the gospel. We are even exhorted to arise from the dead. How shall we do that? The exhortations are either bad news or good news—between which our actual life as *simul iustus et peccator* resonates until the day when Christ shall be all in all. But they are not something in between.”¹¹⁸

- “The idea of **law** as an **eternal ideal** and **the ‘third use’** of the law go hand in hand. For if the law is the eternal ideal, it stands to reason that this must be **man’s guide even after justification**. If the foregoing analysis is correct, however, it would seem that **law can never be taken merely as an abstract ideal which man can isolate and fix in his ‘system.’**”¹¹⁹

b. Mattes affirms a third use of law in Luther’s catechisms (Ten Commandments)

Mattes:

- “Indeed, the best presentation of **the third use of the Law** is to be found in both of Luther’s **catechisms**. Especially the Small Catechism is addressed to Christian youth and families. **The presentation of Law there is given not as its civil or political use but as a path in which Christians are to walk.**³³ Youth especially have need for such

¹¹⁶ Forde, *Christian Dogmatics*, 2:447.

¹¹⁷ Forde, “Law and Gospel,” *Theological Perspectives*, 56.

¹¹⁸ Forde, *Christian Dogmatics*, 2:451.

¹¹⁹ Forde, *The Law-Gospel Debate*, 180.

catechesis. We cannot assume that the political use of the Law alone is sufficient for the education of Christian young people.”¹²⁰

Forde: Youth need to know the two uses of law.

- “[T]he question of **the basis for faith is at stake**. The verbal inspiration method seems to believe that faith can be solidly based only if it is assured that scripture is without error, even in the most insignificant details. But how strong is this faith, really? In the face of mounting human knowledge about the world and about scripture, this faith is only as strong as the will of the one who holds it to resist the advancement of human knowledge. I have been around colleges long enough to know how strong this faith is in the majority of cases. Usually it simply withers and dies, for **when a child has drummed into him over and over again that if it can be shown that there are errors in scripture then his faith is groundless, he is doomed**. When we allow someone to continue in this assumption, we are in fact only pushing him out on a limb and inviting someone to saw it off. By this method we produce nervous and timid Christians who can maintain their faith only by cutting themselves off from the world. **As far as I can see, it is absolutely imperative that we operate today with a method which enables us to face the world and to enter into a meaningful conversation with it.**”¹²¹
- “The rejection of monastic vows, and with them the quest for one’s own holiness, meant for Luther **a new understanding of and love for God’s commandments**. What God commands takes us into the natural, created world. Here the proper place of ‘natural law’ is to be found. By natural law most seem to mean ‘supernatural’ law, a law built into the universe which, if followed, leads to eternal bliss, a kind of built-in permanent escape mechanism. Revealed law is then something like the completion, the clarification of what has been dimmed by the fall, the final extension of the escape ladder. That is not what Luther meant by it, even when he compared and often **identified the commandments of God with ‘natural law.’ He meant precisely natural and not supernatural law**. The commandments of God do not command anything contrary to life, anything supernatural or superhuman, but rather what anyone who properly consults his or her **reason** would have to acknowledge as good and right—exemplified, say, by **the golden rule**.”¹²²
- “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. Before that vision or when it fades, law is misused as a way of salvation, a means of escape. One does not know the difference between law and gospel.

“**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

¹²⁰ Mattes, *The Necessary Distinction*, 132.

¹²¹ Forde, “Law and Gospel,” *Theological Perspectives*, 67-68.

¹²² Forde, *Christian Dogmatics*, 2:454-55.

'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."¹²³

c. Mattes claims the catechisms support a third use of law

Mattes: "By presenting the Ten Commandments before the Creed in the catechisms, Luther situates Law before Gospel in a formal way. However, the content of his interpretation of **the Law** in both catechisms is **clearly** that of **the third use**."¹²⁴

Luther adapted a standard format for his catechisms.

- Luther did not invent the structure of the Catechisms. When he produced his own *Little Prayer Book* (1522), he adapted a format common in the better prayer books of the Roman Church. He realized that what people needed was material of better quality in a format they would recognize and easily accept.¹²⁵

d. Mattes claims the Formula of Concord promotes the third use of law

Mattes:

- "Naturally, this [Christian freedom] raises the question of **a third use** of the Law which has long been in dispute among Lutherans. We should stand with the *Book of Concord* on this matter.³² [³²Solid Declaration V.] Otherwise **there is no way coherently to read apostolic parenesis** throughout the New Testament. . . .

"Undoubtedly, some find a third use of the Law inconsistent with the second use because in their mind any talk of law indicates the supposition of a continuity of the self. But that is not the case. Such continuity need not be assumed when we admit that the new person comes forth in faith each day. **This 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 which fosters our own well-being as well as the well-being of others.** Too many practitioners of the Law and Gospel distinction have a robust view of God's killing function in the Law but too limited a view of the power of the Gospel to raise believers into the new life in Christ. We are reborn so that we might do good works—to the glory of God and the good of the neighbor. "The **third use indicates that very path and presupposes a new motive** (the 'new obedience' as the Augsburg Confession calls it³⁴) for walking that path."¹²⁶

¹²³ Forde, *Christian Dogmatics*, 2:450.

¹²⁴ Mattes, *The Necessary Distinction*, 132-33. Footnote 34: "Article VII." Article VI is the New Obedience.

¹²⁵ See "At Least the Ten Commandments are God's Revelation, aren't they? – 4" pages 2-3.

¹²⁶ Mattes, *The Necessary Distinction*, 132-33.

Forde: The Formula of Concord holds a functional view of law.

- “Merely to exalt grace and exclude all works and Pelagianism in the theological system is not to guarantee a *practice* and a preaching that *actually* does so. The question is not merely one of what the words say but what they actually do to the hearers.

“Thus **the Lutheran insistence on a functional understanding of law**. The Lutheran Confessional writings often speak of law in this sense. ‘. . . [T]he law always accuses and terrifies consciences.’²⁹ ‘. . . [T]he law was given by God first of all to restrain sins. . . . However, the chief function or power of the law is to make original sin manifest and show man to what utter depths his nature has fallen and how corrupt it has become.’³⁰ Especially **5 and 6 of the Formula of Concord** concern themselves with **the functional understanding of law and gospel**. Both the Epitome and the Solid Declaration speak of the ‘office’ of the law and define it functionally over against sin.

‘Everything that preaches about our sin and the wrath of God, no matter how or when it happens, is the proclamation of the law. On the other hand, the Gospel is a proclamation that shows and gives nothing but grace and forgiveness in Christ. At the same time it is true and right that the apostles and the preachers of the Gospel, just as Christ himself did, confirm the proclamation of the law and begin with the law in the case of those who as yet neither know their sins nor are terrified by the wrath of God, as he says in John 16:8, ‘The Holy Spirit will convince the world of sin because they do not believe in me.’ In fact, where is there a more earnest and terrible revelation and preaching of God’s wrath over sin than the passion and death of Christ, his own Son? But as long as all this proclaims the wrath of God and terrifies man, it is not yet the Gospel nor Christ’s own proclamation, but it is Moses and the law pronounced on the unconverted.’³¹

“This passage [the paragraph above] is especially interesting because it demonstrates that **not content but function decides what law or the office of law is**. Everything, no matter how or when it is done, that attacks, accuses, and exposes sin is ‘Moses’ and performs the office of law. Even, indeed especially, the passion and death of Christ, which would hardly be accounted as law according to content, nevertheless functions as law as long as it proclaims wrath and terrifies. Here it can clearly be seen that **‘law’ designates a function of the word of God.**”¹²⁷

e. Mattes is vague about Christian freedom and its practical consequences

Mattes:

- “Sanctification is not our ascent to God, but God’s descent as new being to us – **rearranging us** to become **spontaneously** a neighbor to those in need.”¹²⁸

¹²⁷ Forde, “Law in Lutheran Theology,” *Justification by Faith. Lutherans and Catholics in Dialogue 7*. Eds. H. George Anderson, T. Austin Murphy, and Joseph A. Burgess (Minneapolis: Augsburg, 1985) 294-95, Internal footnotes: #29: Ap 4:38; BS 167; BC 112. #30: SA 3, 2:1, 4; BS 435-36; BC 303. #31: FC SD 5:12; BS 955-56; BC 560; WA 15:228.

¹²⁸ Mattes and Paulson, “Introduction,” *The Preached God. Gerhard O. Forde*, 25.

- “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.”¹²⁹
- “On the basis of [God’s] generosity, Forde is confident that **lives can change**, and that people will **spontaneously appreciate the creation in all its wonders**, seek to support less-fortunate neighbors, and live into their callings in the world.”¹³⁰

Christians, however, do not have higher wisdom, nor are they exempt from the law of unintended consequences, nor is Lutheran ethics about having pure motives.

Forde: Faith frees you to use your head in the battles of life.

- “What the Christian is given is a faith that clarifies for him the nature of his existence under the law in this age. Faith tells him that the ‘naturalness’ of the law means that he does not have access to the will of God in the form of some eternal law of being, but rather that **in common with the rest of mankind he must use his reason** in the context of his situation to work out the best practical solutions to his problems.”¹³¹
- “Faith frees you to use your head in the battle.”¹³²
- “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.**”¹³³

3. Mattes’ one kingdom ethics: Obedience and a new motive

a. Mattes opposes a two-kingdom ethic: “Do no harm”

Mattes states: “No gospel preacher can possibly live by the motto ‘do no harm.’”¹³⁴ Mattes defines this motto as: “You ought to be as free to do whatever you wish provided you do no bodily harm to others.”¹³⁵

¹²⁹ Mattes, “Re-examining the Third Use of the Law,” *CTQ* 69 (2005) 282.

¹³⁰ Mattes, *The Essential Forde*, 8.

¹³¹ Forde, *The Law-Gospel Debate*, 211-12.

¹³² Forde, “Luther’s Ethics,” *A More Radical Gospel*. Gerhard O. Forde, 154. (The closing paragraphs of this lecture have likely been changed by Forde’s editors. See footnote 80 above.)

¹³³ Forde, *Where God Meets Man*, 111.

¹³⁴ Mattes, *The Essential Forde*, 16.

¹³⁵ Mattes, *The Essential Forde*, 6.

Mattes' "no harm principle" is a strawman, a twisted take on Paul in Romans 13. In Romans 13:8-9 Paul lifts up the Ten Commandments and summarizes them in verse 10: "Love does no wrong to a neighbor; therefore love is the fulfilling of the law." Paul's "do no harm" ethic is like the Hippocratic oath: "First, do no harm" (written between the fifth and third centuries BC) and an acknowledgment that Christians use common reason in ethics.

b. Mattes' one-kingdom ethic

1. Scripture, eternal moral law, and the third use of law

Mattes:

- "We are reborn so that we might do **good works**—to the glory of God and the good of the neighbor. The **third use indicates that very path** and presupposes a new **motive** (the 'new obedience' as the Augsburg Confession calls it) for walking that path."¹³⁶
- "We ought never to delight in **our own righteousness**."¹³⁷
- "**The law is relativized, suspended**, in the relation of the believer as believer to God (and only in this relation), since it is through Christ that our conscience relates to God. Given that the Christian as both new and old being, **the law remains** for the old being as a **good and guide**."¹³⁸

The problem is as Luther often said, quoting Isaiah 64:6: "All our righteous deeds are filthy rags." We are *totus/totus* until the end and the *forma* of works that pleases God is faith in Christ. Faith gives freedom, as Ebeling writes:

- "First, it is usual to regard the relation between faith and works—and for that we can now also say, between what God does and what man does—in the first instance as a relationship between power and performance. Faith is supposed to give the power for works. This way of speaking requires to be very critically examined. The basic relation of faith and works is not the communication of power for works, but **the communication of freedom for them**—that is, freedom to do the works in their **limitedness as works** and therefore also in **the limitedness of the powers that are at our disposal for them**."¹³⁹

2. Mattes: The Bible directs us in politics, economics, and all aspects of life

Mattes:

- "More than anything, we fail thereby to fear, love, and trust in God above all things, which would **unleash love** for the neighbor, **with specific consequences** for how we configure or evaluate **economics** and how we approach **the family**. . . . **secular politics must be evaluated more in light of Scripture and the chief article**."¹⁴⁰

¹³⁶ Mattes, *The Necessary Distinction*, 133.

¹³⁷ Mattes, "Re-examining the Third Use of the Law," *CTQ* 69 (2005), 282.

¹³⁸ Mattes, "Re-examining the Third Use of the Law," *CTQ* 69 (2005) 282-83.

¹³⁹ Gerhard Ebeling, "The Necessity of the Two Kingdoms," *Word & Faith*, 404.

¹⁴⁰ Mattes, "Re-examining the Third Use of the Law," *CTQ* 69 (2005) 286-87.

- The NALC/LCMS/LCC's "Guiding Statement on the Character and Proper Use of the Sacred Scriptures, Part 2.4.c. "We may not reduce scriptural reliability to 'spiritual' matters . . . a limitation of biblical reliability to 'spiritual matters' undermines **biblical authority in matters of morality and ethics. Therefore, we affirm scriptural reliability in every matter of doctrine and life.**"

Forde: The hubris in a third use of law.

- "The idea of a **third use** furthermore contains a certain amount of **hubris**. It seems to assume that humans are the users of the law, so that one can now speak of the Christian as 'using' the law in a third way. But that cannot ultimately be the case. God is the author of the law; God, not we, is the user of the law. We cannot preside over the law's use in order to speak of a third use which neither restrains evil nor convicts of sin.

"Ultimately it must be asked whether the idea of the **third use** does not entail a **covert antinomianism**. Antinomianism, we have said, roots in the fact that when the eschatological end of the law is missed, theology must step in to alter and tame that law. What are we to say of a law that has become a more or less harmless guide? What is actually proposed is an alteration in the view of law to fit the view of **the Christian life as immanent moral progress.**"¹⁴¹

- "**When God imputes righteousness he makes us sinners at the same time.** He makes it quite plain that we do not have righteousness in ourselves and never will."¹⁴²
- "It is not thinking or 'reason' as such that is at fault, but rather a *certain kind* of thinking—a thinking which leads to the theology of the ladder, a thinking which attempts to make that kind of simplistic connection between God and man. **Luther would never downgrade thinking or reason as such. Reason he insisted, was the highest gift of God to man.** Only when it is *misused* by being extended beyond its limits does it become dangerous. It is one of the ironies (or tragedies) of history that the very kind of theology he saw as the work of the 'whore reason' has come to be enshrined in the minds of many as 'orthodox.'"¹⁴³
- "The old being can be coddled in more ways than one. It may also have a penchant for legalism, for seeking **security in the law, and using the Word of God as a means to dominate**. In such cases the authority that people seem to hanker after usually means just **the authority to dominate**. Under the guise of putting oneself **under the Word of God, one puts oneself in the position of using it to control and dominate**. It calls to mind one of those passages in Luther's *Freedom of the Christian* where he speaks of pastors who like to use the Word of God as rods with which to beat people. That must go."¹⁴⁴

¹⁴¹ Forde, *Christian Dogmatics*, 2:450.

¹⁴² Forde, *Justification by Faith—A Matter of Death and Life* (Philadelphia: Fortress Press, 1982) 31.

¹⁴³ Forde, *Where God Meets Man*, 10.

¹⁴⁴ Forde, "The Authority of Scripture," from a panel presentation at Luther Seminary, April 24, 1984. Transcribed by Bradley Jenson.

Part 4: Mattes/NALC's call to retreat into inerrancy and eternal law

1. Mattes is among those calling Lutherans to retreat

Mattes, along with Nestingen and Paulson, represented the NALC on the NALC/LCMS/LCC dialogue committee and voted to adopt the dialogue's "Guiding Statement on the Character and Proper Use of the Sacred Scriptures." This Statement in effect calls Lutherans to retreat:

- **Retreat into verbal inspiration.** Part 1:3. "But **men spoke from God** about these things as they were moved by the Holy Spirit (2 Peter 1:20-21). . . . The apostle Paul can declare of the Scriptures that nurtured Timothy (and us as well) that 'all Scripture is breathed out by God' (2 Tim 3:16)."
- **Retreat into the view that as Christ was without sin, so the Bible is without error:** Part 2. "The divine and the human **in the Bible** are combined in an inseparable union analogous to the union of the two natures of Christ."
- **Retreat into the Bible as a perfect unity.** Part 2:3. "[The Bible as] *A perfect unity* ... b. a perfect theological unity . . . [the] self-evident truth that God's revelation of Himself in the sacred Scriptures is always **perfectly consistent with itself.**"
- **Retreat into inerrancy and eternal moral law.** Part 2:4. "An *inerrant book* – a book that is completely reliable. . . .c. We may not simply reduce scriptural reliability to 'spiritual' matters. . . . a limitation to 'spiritual matters' undermines **biblical authority in matters of morality and ethics.** Therefore, we affirm **scriptural reliability in every matter of doctrine and life.**"

At the same time Mattes and Paulson, under the auspices of the *Lutheran Quarterly*, have republished many of Forde's essays and even changed some to suit their own viewpoints. Forde spent his career trying to help Lutherans get out of the long shadow of inerrancy/biblicism and recover Luther's two kingdom theology. But Mattes, Paulson, and Nestingen chose not present Forde as he saw him, as **a post-liberal Lutheran**. Rather, they present him as if he conforms to their embrace of inerrancy and eternal law.

This is a big set-back for Twenty-First Century Lutherans, but it is also an opportunity for pastors, seminarians, and graduate students to take a fresh look at what leaders of the Twentieth Century Luther Renaissance, including but not limited to Forde, achieved and build on that.

2. Forde: The post-liberal Lutheran way for the Twenty-first Century

Forde:

- "**The 'post-liberal Lutheran'** is, of course, something of a shadowy, if not menacing, figure on the contemporary scene, perhaps not yet clearly defined, often **a puzzle to both friend and foe**, usually mistaken simply for a hard-line conservative confessionalist or orthodoxist. But that is seriously to misread the situation. It is a post-Enlightenment, post-liberal position. **A post-liberal Lutheran** is one who has been through the options spawned since the

Reformation and realizes that they have all been used up. **Least of all** does infallibilism or **reactionary conservatism of any sort** provide an answer.”¹⁴⁵

- “The fundamental death/life structure is, of course, intimately connected and indeed structurally identical with the thoroughgoing ‘dialectic’ of Lutheran theology in general: God hidden and revealed; *simul peccator et iustus*; old/new; law/gospel; killing letter/life-giving Spirit; **left and right-hand rule of God**, etc. The dialectic is compelling not only because of its inherent ability to expound the faith I learned from the beginning but also because it reflects and illumines **the basic eschatological structure of the New Testament**. Virtually all of my writing, teaching, and lecturing circles around these themes.

“It is difficult precisely to sum up what my thirty plus years teaching at Luther Seminary have meant for my theological understanding. I suppose I have said it already in what I have set down above. I am not conscious of any radical changes of mind theologically, but rather of **a constant deepening and sharpening**, and I would like to think, even **radicalization** of the views I either held or was seeking from the beginning.

“My biggest fear in the present is that the eschatological two-age structure of theology is once again simply being lost.”¹⁴⁶

¹⁴⁵ Forde, “The Catholic Impasse,” *Promoting Unity*, 72.

¹⁴⁶ Forde, “The One Acted Upon,” *dialog* 36 (1997) 61.