The difference between the one, true Gospel and conservative Biblicism
A look at Nicholas Hopman's criticism of Gerhard Forde

Contents

A. What's the problem?


Nicholas Hopman

1. Hopman claims Forde is wrong about law in Luther

Saul Bellow said: "A great deal of intelligence can be invested in ignorance when the need for illusion is deep."

Thomas Sowell said: "It is usually futile to try to talk facts and analysis to people who are enjoying a sense of moral superiority in their ignorance."

Luther said:

> "If I profess with the loudest voice and clearest exposition every portion of the truth of God except precisely that little point that the world and the devil are at that moment attacking, I am not confessing Christ, however boldly I may be professing Christ. Where the battle rages is where the loyalty of the soldier is proved, and to be steady on the battlefield moreover is merely flight and disgrace if he **flinches** at that point" (*WA Briefwechsel* 3:81ff).

Nicholas Hopman is intelligent and earnest, but he flinches.

2024 was a big year for Hopman. He earned a PhD (Piled high and Deeper) in Reformation History from Princeton Theological Seminary and was named Managing Editor of the *Lutheran Quarterly* (LQ). He also serves a thriving congregation in Iron Mountain, Michigan, and as of 2025, he is an Assistant Professor of History and Systematic Theology at Christ College, Brookings, South Dakota.

Hopman has a long association with the *Lutheran Quarterly* (LQ). He was employed and mentored by Paul Rorem throughout his doctoral studies at Princeton Seminary, and he served as a teaching assistant to both Steven Paulson and Mary Jane Haemig at Luther Seminary, where he earned an MDiv (2008).

Hopman's academic expertise is in early Lutheran hymnody in Strasbourg. He, together with Steven Paulson and Mark Mattes, edited the third volume of essays by Gerhard O. Forde, titled *The Essential Forde. Distinguishing Law and Gospel.*[1] Hopman has also written about Forde in 2016 in "*Luther's Antinomian Disputations* and *lex aeterna,"*[2] and in 2019 in "Forde Was for Proclamation."[3]

Hopman was financially supported in his PhD studies by the Augustana District of LCMC and writes: "[T]he Augustana District (LCMC) is home to the very nucleus of pastors interested in Forde, and has many of the best preachers in the country."[4]

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1 *The Essential Forde. Gerhard O. Forde. Distinguishing Law and Gospel.* Eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress, 2019).

2 Nicholas Hopman, "Luther's Antinomian Disputations and *lex aeterna*," *Lutheran Quarterly* 30:2 (2016) 152-80. Hereafter *LQ.*

3 Hopman, "Forde Was for Proclamation," *Lutheran Forum* (Winter 2019) 23-31. Hereafter *LF.*

4 Hopman, *LF* (2019) 27.

When the *Lutheran Quarterly* was revived in 1987, Forde's "Radical Lutheranism," set the course for the future, addressing problems and promoting Luther's two kingdom theology:

> **Forde:** "This is the source of what we might call the inner and outer aspects of Lutheranism's crisis. The attempt to combine two incompatible views means that internally it has always had to battle its fundamental scepticism, its uncertainty about the basis for its faith. So in its practice it has resorted mostly to a dogmatic absolutism largely dependent on a view of **scriptural inerrancy, which usually brought with it disguised moral absolutisms of various sorts as well.**"[5]
>
> "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 others . . . 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."[6]

Ten years later (1997), however, in his theological autobiography Forde wrote: "My biggest fear in the present is that the eschatological **two-age structure of theology** is once again simply being lost."[7]

By then Forde was struggling with a rare form of Parkinson's and was no longer able to produce as he had earlier.

He died in 2005 at the relatively young age of 76.

In 2004, the *Lutheran Quarterly* produced a volume of Forde essays, *A More Radical Gospel*, edited by Steven Paulson and Mark Mattes.[8] The editors included a few of Forde's sermons and several previously unpublished papers, but not as he had written them. They rewrote sermons, larding his crisp style and garbling the gospel.[9] They changed his manuscripts, making it seem as if he was a conservative Biblicist.[10] They did all this without informing readers of the changes they had made.

Who would do this but those who regarded themselves as his equals or even superior to him?

But they ruled the roost now and were chafing to promote inerrancy, not in science but in morals. And so they did. In 2017 James Nestingen, Steven Paulson, and Mark Mattes, together with representatives of the LCMS and LCC, produced "A Guiding Statement of the Character and Proper Use of the Sacred Scriptures," endorsing inerrancy, divine moral law, and "the perfect unity" of the Bible.[11]

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5 Forde, "Radical Lutheranism," *LQ* 1:1 (1987) 12-13. Bolding added here and below for emphasis.

6 Forde, *LQ* (1987) 16-17. Mark Mattes is teaching a course on the two kingdoms at ILT. Mattes describes Luther's two kingdoms as "a theology of politics." This, however, is a common misunderstanding of Luther. It can be corrected by reading Forde. The doctrine of two kingdoms is simply a way of stating what is meant by law and gospel. See Forde, *Where God Meets Man* (Minneapolis: Augsburg, 1972) 100-15. See also pages 29-31 below.

7 Forde, "The One Acted Upon, *dialog* 36 (1997) 61.

8 *A More Radical Gospel. Gerhard O. Forde. Essays on Eschatology, Authority, Atonement, and Ecumenism.* Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids, MI: Eerdmans, 2004).

9 https://crossalone.us/wp-content/uploads/2026/01/Forde-sermon-ForYou-final-combined.pdf

10 https://crossalone.us/wp-content/uploads/2026/01/Forde-Paulson-Scriptura-sacra.pdf

11 *The Necessary Distinction*. *A Continuing Conversation on Law & Gospel.* Eds. Albrt B. Collver III, James Arne Nestingen, and John T. Pless (St. Louis, MO: Concordia Publishing House, 2017). Available online.

Nestingen claimed that the "Guiding Statement" was needed because "some misused the [law-gospel] distinction to promote an allegedly **more liberated sexual ethic.**"[12] In other words, they would answer the LGBTQ agenda with God's law, God's answer.

Forde had seen it all before: ". . . In practice it [Lutheranism] has resorted mostly to a dogmatic absolutism largely dependent on a view of **scriptural inerrancy, which usually brought with it disguised moral absolutisms of various sorts as well.**"[13]

Forde had labored to bring Lutherans out of the long shadow of Biblicism, but his junior colleagues were beating a swift retreat. In your face, Forde.

Nicholas Hopman has risen to the rank of Managing Editor of the *Lutheran Quarterly.* He presents himself as a watchdog over Forde's legacy, but in fact he has been an attack dog, although the attack is veiled by his fulsome praise for Forde.

In his 2016 article, "Luther's Antinomian Disputations and *lex aeterna*," Hopman asks: "However, how different are Forde's descriptions of the law from Luther's?"[14] He finds a big difference. He claims that Luther "quite late in his life," held to law as God's eternal law, the *lex aeterna* for this world. In short, Hopman "found" a beachhead in Luther for inerrancy in morals, a beachhead to support his mentors' affirmation of eternal moral law in their 2017 "Guiding Statement on the Character and Proper Use of the Sacred Scriptures."

Poor, dumb Forde. "Law in Luther" was his area of expertise, the basis for his worldwide recognition. But he was dead, and by 2016, the *Lutheran Quarterly* was grooming a graduate student primed to announce that Forde described law differently than Luther. In other words, Forde was wrong about law in Luther. Poor Forde. If he had only been a better Luther scholar.

If Hopman was right, then Forde was wrong to claim inerrancy incompatible with Luther's theology, and Nestingen, Paulson, Mattes were right to embrace inerrancy in morals. In your face, Forde.

Forde's editors at the *Lutheran Quarterly* portray Forde as a reflection of themselves. The need for illusion is deep. Forde, however, was not a conservative Biblicist. He called himself a "radical Lutheran," a "post-liberal Lutheran":

> **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."**[15]

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[12] Nestingen, "Preface," *The Necessary Distinction,* 10.

[13] Forde, *LQ* (1987) 12-13.

[14] Hopman, *LQ* 30:2 (2016) 156.

[15] Forde, "The Catholic Impasse: Reflections on Lutheran-Catholic Dialogue Today," *Promoting Unity. Themes in Lutheran-Catholic Dialogue.* Eds. H. George Anderson & J. R. Crumley Jr. (Minneapolis: Augsburg, 1989) 72-73.

2. Hopman, one who knows "the essence of Lutheranism"

In 2019 Hopman wrote: "As a Ph.D. student in church history, I have concentrated on printed materials and popular piety, and my appreciation for **Forde's ability** to home (*sic*) in on **the essence of Lutheranism** has only grown."[16]

Hopman was confident he knew "the essence of Lutheranism" and could judge accordingly. He was impressed by Luther's and Forde's **"liveliness"**:

- "Mark Tranvik documented that Luther's **lively** doctrine of baptism as the locus of salvation . . .
- "Harnack admitted that there was **a liveliness** in Luther's theology that was lacking in orthodoxy. Forde sought to restore precisely **the liveliness** of Luther's teaching that both Harnack and Gustav Aulén noticed, and specifically to bring **this liveliness** into Lutheran pulpits once again . . .
- "The great flowering of Forde's **lively** confessional Lutheran theology may yet appear in Missouri pulpits and homes." [17]

Was Forde a conservative Biblicist who was "special" because he was "lively"? After all, there are other "lively" Lutherans, as well as lively Catholics, Baptists, Methodists, and even lively Episcopalians.

What could "the essence of Lutheranism" be other than concern for the truth of the gospel (Galatians 2:5, 15)? What is the gospel? That's **the** Pauline/Lutheran question. As Forde wrote in the Twentieth Century fight over inerrancy:

> **Forde: "We are fighting for the restoration of the gospel.** It must be made absolutely clear here that it is *not* dedication to historical-critical research, it is *not* dedication to science or any other human endeavor which decides the matter. It is purely and simply **dedication to the gospel.** For the twentieth century the burning question is the question 'how do you know?' and **one cannot compromise on this question today without compromising and hence distorting the gospel."**[18]

If Hopman were to write today: "Don't sell out. Forde is right. Compromising on inerrancy is compromising and distorting the gospel," he would likely have no future in the *Lutheran Quarterly,* the *Institute for Lutheran Theology*, or the Augustana District of LCMC.

B. Luther/Forde: The gospel limits and humanizes the law

In real estate what matters is location, location, location. In theology what matters is method, method, method. Your starting point matters because theology is like navigation. Small errors are magnified over a long distance.

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[16] Hopman, *LF* (2019) 26.

[17] Hopman, *LF* (2019) 25, 26, 27.

[18] Forde, "Law and Gospel as the Methodological Principle of Theology," *Theological Perspectives. A Discussion of Contemporary Issues in Theology by Members of the Religion Department at Luther College* (Decorah, Iowa: Luther College Press, 1964) 67.

If Forde's contribution to modern theology could be put in a nutshell, this might be this sentence of his: **"Precisely the proper distinction between law and gospel limits and humanizes the law."**[19]

What was his starting point? Revelation. What is revelation? Paul: "Christ and him crucified" (1 Corinthians 1:18-25, 2:2). Luther: "The cross alone is our theology." The cross alone divides God's two kingdoms. That's a different starting point than saying: "the Book alone" is our theology.

What is revelation? Forde writes thirty-three times (!) in the last fifteen pages of *The Law-Gospel Debate* that **revelation is the cross and resurrection, the Christ event.**

Forde's doctoral dissertation, *The Law-Gospel Debate*, is about: What is revelation? Forde:

> **Forde: "**Studying this background [the first 12 chapters of *The Law-Gospel Debate*] leads us to several conclusions. The first is that the recovery of **the eschatological act character of revelation is quite necessary for the proper understanding of the gospel.** For if my analysis has been correct, the demand to understand **revelation** in this way is not due merely to pressures which are external or accidental to theology. That is to say, it is not due merely to such historical accidents as the advent of **historical criticism** and **the failure of the 'search for the historical Jesus,'** nor to such external pressures as the influence of **existentialism** and the drive to be **'relevant.'** Such factors have no doubt been influential, but it is an oversimplification to see the development of **the eschatological act character of revelation** only in that light. For my investigation has shown that there has been a constant pressure exerted **from *within* theology itself** which has called for a more viable formulation of **the nature of revelation.**"
>
> "The assertion of the eschatological act character of revelation is the **result of a long development.**"[20]

Revelation, **the Christ event,** has necessary consequences for how the Bible is used and how "law" is defined and used. Forde:

> **Forde: "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*."[21]

What about Biblical law, the Ten Commandments? Below are representative Forde statements:

> **Forde: "The gospel** as the unconditional promise of the kingdom **humanizes and naturalizes the law.** No doubt we can say even that it "contextualizes" the law—as long as we realize that the

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[19] Forde, "Forensic Justification and 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 Publishing, 1985) 301. Hereafter L/RC 7.

[20] Forde, *The Law-Gospel Debate* (Minneapolis: Augsburg Publishing, 1969) 217. Hopman, Paulson, and Mattes, the editors of *The Essential Forde*, reprint select chapters of *The Law-Gospel Debate* in *The Essential Forde,* but they omit Forde's last two chapters in which he shows how Luther's two-kingdom theology works today.

[21] Forde, *Where God Meets Man,* 30.

gospel does this and not just the passage of time or historical expediency. The distinction between **the two kingdoms** or kinds of rule is made precisely to foster such **humanization**."[22]

Forde: "Law belongs to earth, not to heaven. **It is natural, not supernatural.** It is a servant, not a master. 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."**[23]

Forde: "God's command and God's continuing creation belong together. 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 principes in advance of any concrete situation.

". . . [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 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." [24]

Forde: "For Luther the crucial question was not so much what the law *says*, i.e. the information it contains, but what it actually *does* to you when you hear it. This is why Luther puts so much stress on the question of the *uses* of the law. The question is one of how the law is intended to be *used*, what it is actually supposed to do. What he worked out was **the doctrine of the 'two uses' of the law.**"[25]

Forde: "[T]he Christian [does not have] 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.**"[26]

Forde: "In the problem of the knowledge of the law, the man of faith must join with the rest of mankind in searching for knowledge in given situations as best he can. Nor should the Christian refuse to recognize the possibility that certain of his 'unbelieving' brothers could be blessed with better insight than he is. Even **the laws of the Bible give the Christian no warrant for superiority,**

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[22] Forde, *Christian Dogmatics* 2. Eds. Carl Braaten and Robert Jenson (Philadelphia: Fortress Press, 1984) 459.
[23] Forde, *Where God Meets Man*, 111.
[24] Forde, *The Law-Gospel Debate*, 177.
[25] Forde, Where *God Meets Man,* 15.
[26] Forde, *The Law-Gospel Debate*, 211-12.

for as law they are fully available to man apart from faith as they are to man in faith. These laws too must be interpreted in their context and applied with the best skill and knowledge at man's disposal."[27]

Forde: ". . . **not content but function** decides what law or the office of law is."[28]

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.**"[29]

Forde: "**The law that must be preached is the absolute offense of the unconditional gospel**, the 'letter' which kills, so that the spirit can make new—**the kind of law which destroys the illusions about law as the way** and thus drives the demons from the house."[30]

Forde: "Where **the gospel** is not grasped, **the law** will not be grasped either."[31]

Forde: "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."**[32]

C. Hopman: The gospel merely limits "divine law" to this world

Hopman presents himself as knowledgeable about Forde, but he has nothing to say about revelation as the Christ event, nothing about how the gospel humanizes the law, creates the two kingdoms, and frees the Christian to use common reason in daily life, God's left-hand kingdom. Nothing.

Hopman overlooks the basics: What is revelation? What is law? Why two kingdoms? Rather, he constructs a couple of sentences that are misleading without being flagrantly false or true.

Hopman: "Forde saw that the end result of the law's hegemony in orthodox theology is the centrality of theories about the reliability of **the data (words) of revelation in the text of Holy Scripture.** Forde notes that because such legally derived doctrines became the foundation of theological certainty, historical criticism dealt it **a catastrophic blow.**"[33]

Opaque jargon. Is the problem "the centrality of [certain] theories," or "the Book" as revelation, that is, "**the data (words) of revelation in the text of Holy Scripture**"? Huge issues about revelation, scripture, and method are at stake. But to face these issues would call into question his mentors' retreat into

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[27] Forde, *The Law-Gospel Debate*, 229.
[28] Forde, *"Forensic Justification and Law in Lutheran Theology,"* L/RC 7, 295.
[29] Forde, *Christian Dogmatics,* 2:415.
[30] Forde, *Christian Dogmatics,* 2:424, fn. 24.
[31] Forde, *Christian Dogmatics* 2:448.
[32] Forde, "The Viability of Luther Today," *Word & World* 7 (1987) 27.
[33] Hopman, *LF* (2019) 24.

inerrancy. He can't do that. As Churchill said about Stanley Baldwin: "Occasionally he stumbled on the truth, but hastily picked himself up and hurried on as if nothing happened."

Ignoring Forde, Hopman proceeds by presuming "the law" is an objective, eternal order. In short, an orthodox conception of law. He announces that the gospel merely limits God's divine law to this world: "[T]he gospel **limits** the law."[34] "Luther . . . **limited** the law."[35] And: "[Forde] . . . did not reject God's use of law to **limit** evil and structure life in this world."[36] Even when Hopman refers to law as "natural," he means also "supernatural"; law is God's eternal law—the *lex aeterna,* and it governs this world.

> **Hopman:** ". . . **Forde could define the law** as God's attack on human beings undo their death. Forde's opponents attack **this definition of divine law** . . ."[37]
>
> **Hopman:** "Forde's [LCMS] opponents begin with their own definition of *positive* and apply it to **God's law.**"[38]
>
> **Hopman:** "Feuerbach's position was not only picked up by Marxism-Leninism, as it piled up over a hundred million corpses in its pursuit of social justice, but in essence also by mainline Protestantism, which place human political agendas, these days Marxists ones, above **God's law** while claiming that they are the gospel itself."[39]
>
> **Hopman:** "Forde understood the orthodox doctrine of *lex aeterna* as a theological projection of divine, eternal, objective order . . . **Forde,** conversely, **understood the law** as an essentially threatening and condemning **personal force.**"[40]
>
> **Hopman:** "Obviously, Forde could go right around Bultmann and Kant back to Luther to find a properly 'existential' (namely, experiential) understanding of the law. This understanding of the law does not exclude the fact that **the law is natural, summarized in the Decalogue, comes in specific commandments, tells people what to do,** and in God's first use of it, extracts works which are good *coram hominibus.*[41]
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> **Hopman:** "Forde's affinity for defining **the law as the law written on the human heart** and as its oppression of the heart does not make the law subjective according to human whim; **it is the Creator's law** and condemns the creature."[42]

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[34] Hopman, *LQ* (2016) 170.
[35] Hopman, *LQ* (2016) 172.
[36] Hopman, *LF* (2019) 28.
[37] Hopman, *LF* (2019) 27.
[38] Hopman, *LF* (2019) 28.
[39] Hopman, *LF* (2019) 28.
[40] Hopman, *LQ* (2016) 153.
[41] Hopman, *LQ* (2016) 157.
[42] Hopman, *LQ* (2016) 158.

D. Five big things Hopman misses about law in Luther

1. For Luther, law is not a revealed heavenly code

It is incorrect to say, as Hopman does: ". . . **Forde could define the law** as God's attack on human beings unto their death. Forde's opponents attack **this definition of divine law.**"[43]

No. The problem is the basic questions: What is revelation? What is law? Thus, Forde writes: "The assertion of the eschatological act character of **revelation** is the result of **a long development.**"[44]

> **Forde:** "**Gerhard Ebeling** concurs with **Haikola:**
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> > **'For Luther, law is not a revealed statutory norm** to which man relates himself thus and so, but law is an existential category in which the entire theological interpretation of man's actual existence is comprehended. Law is not therefore an idea or a collection of propositions **but the reality of fallen humanity.**'
>
> ". . . This means that law 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 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."[45]

Hopman is not listening. He simply presumes revelation is "the Book." Law is "divine law."

2. Law is human, changing, a matter of God's continuing creation

Hopman incorrectly presumes that Luther and Forde held to law as *lex aeterna.* But as Forde writes:

> **Forde:** "Luther's view, Haikola says, is quite different from the *lex aeterna* doctrine of later Lutheran orthodoxy, even though Luther does on occasion use the term . . . The will of God is not made known to man in once-for-all fashion, least of all can man capture this will in the form of eternal principles. Rather man must learn to known God's will anew in each new situation. **God's command** and **God's continuing creation belong together.** 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."[46]
>
> **Forde:** "Faith tells him [the Christian] 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** . . . Faith tells him that the 'naturalness' of the law means that he does not have access to the will of law in the form of some eternal *law of being,* but rather that in common with the rest of mankind **he must**

[43] Hopman, *LF* (2019) 27.
[44] Forde, *The Law-Gospel Debate,* 218.
[45] Forde, *The Law-Gospel Debate*, 177.
[46] Forde, *The Law-Gospel Debate,* 176-77.

use his reason in the context of his situation to work out the best practical solutions possible to his problems."[47]

3. The law "written in the heart" is not a divine code, but man as a reasonable creature

Hopman is incorrect when he writes that for Forde, "the law written on the heart" is "the Creator's law," a particular heavenly code. Forde doesn't say that; neither did Luther.

> **Hopman:** "Forde's affinity for defining **the law as the law written on the human heart** and as its oppression of the heart does not make the law subjective according to human whim; **it is the Creator's law** and condemns the creature."[48]

No, "the law written on the heart" refers to man as a reasonable creature:

> **Forde:** "For Luther, law is 'natural' to man in the sense that it represents the way he naturally thinks and reacts; this cannot be escaped apart from faith. **The law is 'written in the heart.' But this does not mean that everyone (or anyone, for that matter) has an innate and accurate knowledge of the divine in the form of a timeless moral code; this is ruled out. Law is**, on the one hand, 'in its expressly rational character the form of being of **the reality of man as a reasonable creature in this world'; it is also the 'mask' through which God works.** One may have only a dim knowledge of law, or he may have a highly refined ethical system derived from the philosopher. He may even derive his ethical code from the Bible which is *quantitatively* more correct. But whatever it is, his code is still law, and on this level there can only be a question of degrees of correctness at a given time. Hence the decalogue is the best statement of the natural law. If man does not know the law, he must be taught. But on this level, within the old age, it remains, it would seem, only a question of the relative appropriateness of a course of action in a given situation. **On this level there is no decisive break between what is natural and what is revealed."**[49]

4. "Law" is a general term describing life in this world

> **Hopman:** Forde "understood the law as an essentially threatening and condemning **personal force.**"[50]

A "personal force"? What's that? This is an absurdly minimal statement. It's like saying: "I drive a white car," and expecting others to identify your car in a parking lot. Hopman seems invested in not understanding Luther and caricaturing Forde as obscure and different from Luther.

Forde's Luther research, however, represents the mainstream of modern Luther interpretation. It is inerrantists who are stuck in an orthodox view of law, a view foreign to Luther and modern scholarship.

> **Forde:** "Thus **modern Luther interpretation** has led to a view of law which differs somewhat from that of Barth. Instead of an increasing particularization of the law . . . there is **an increasing *generalization.* 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

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47 Forde, *The Law-Gospel Debate,* 210-212.
48 Hopman, *LQ* (2016) 158.
49 Forde, *The Law-Gospel Debate*, 193.
50 Hopman, *LQ* (2016) 153.

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 the 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.**"[51]

5. The Ten Commandments are golden rule, not supernatural law

Hopman incorrectly claims that Luther, "quite late in his life," held the Ten Commandments as revelation of God's objective, eternal moral law, but not ceremonial law, for this world.

> **Hopman:** "This fundamental argument in the *Antinomian Disputations* does not prevent Luther from repeatedly **defining the law as the Decalogue**[29] and mentioning specific sins condemned by specific commandments and natural law including avarice,[30] vainglory, pride,[31] anger, despair, presumption,[32] lust,[33] fornication, adultery,[34] murder,[35] unbelief, despair, hatred of God, and blasphemy.[36] Apparently Luther saw no contradiction in acknowledging **the law's specific commandments** and defining it according to its effect."[52]

Rather, as Luther writes in the *Antinomian Disputations:* Whereas the gospel "came from heaven through the Son of God. **The law, however, seems to come from earth.**"[53]

Hopman doesn't tell readers that. Hopman also doesn't report accurately what Forde says:

> **Forde:** "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 no 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.**"[54]
>
> **Forde:** "For faith in the end of the law leads to the view that its purpose is to take care of this world, not prepare for the next. That means **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, we must write our own decalogues to fit the times."[55]

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[51] Forde, *The Law-Gospel Debate*, 194.

[52] Hopman, *LQ* (2016) 157.

[53] Sonntag, *Solus Decalogus Est Aeternus.* Edited and translated by Holger Sonntag (Minneapolis: Lutheran Press, 2008) 149.

[54] Forde, *Christian Dogmatics*, 2:454-60.

[55] Forde, "*Lex semper accusat*?" *A More Radical Gospel*, 49.

E. Hopman turns a blind eye to Forde on Lutheran Orthodoxy

1. Hopman: The problem of Lutheran Orthodoxy was "rational theology"

In his article, "Forde Was for Proclamation," Hopman states that Lutheran Orthodoxy was limited to "the tightly controlled world of Lutheran university faculties," which was "a very limited area of late sixteenth- and seventeenth-century Lutheranism," separate from "the actual history of the Lutheran churches."[56]

Hopman concludes that the problem was: "the beautiful, rational god of the metaphysicians." And the cure: "Biblical theology is all about divine election."

> **Hopman: "The God Who speaks in Scripture** is not **the beautiful rational god of the metaphysicians.** He is an electing jealous God, Who chose Israel as his own and is so jealous for her that He is now electing Gentiles in order to make Israel jealous (Romans 9-11). **Biblical theology** is all about divine election."[57]

[Hopman's claim that the Lord elects Gentiles to make the Jews jealous is vile and foreign to Paul, Luther, and Forde. This, however, is a subject for another time.]

2. Forde: The problem of Lutheran Orthodoxy was "the orthodox-biblicistic system" [58]

Hopman doesn't report honestly what Forde says about Lutheran Orthodoxy. Why not? Who can't handle the truth? Pastors in the Augustana District of LCMC? Or Hopman and his mentors who claim Forde's mantle but are leading Lutherans to retreat into Biblicism and eternal moral law?

In *The Law-Gospel Debate,* Forde shows the orthodox view of law as an eternal order (*lex aeterna*) was not confined to philosophical theology. It was also pervasive in the Biblicistic reaction to philosophical theology. He uses E. W. Hengstenberg (Professor in Berlin, 1828-69) to show the problem.

> **Forde:** ". . . **Hengstenberg appealed to the Bible as the sole objective basis for faith.** His aim, which involved excluding all subjectivity and human reason, was to listen simply and completely to the words of the Bible as the objectively given source of revelation. His only goal was to learn to think and to teach biblically.
>
> "Hengstenberg made a kind of substitution of **biblical objectivity** for rational objectivity. Rationalism sought its 'scientific' objectivity in the universally valid truths of reason. Hengstenberg's repristination theology sought **its objectivity solely in its object, the Bible.**
>
> "The complete subjection of man's mind to **the objective authority of scripture** brought with it for Hengstenberg **a return to orthodoxy in doctrine** . . . The net result of Hengstenberg's work was simply **a restoration of orthodoxy under the aegis of Biblicism.** This meant, of course, the **reinstatement of the orthodox position on law and gospel.**

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[56] Hopman, *LF* (2019) 25.
[57] Hopman, *LF* (2019) 30.
[58] Forde, *The Law-Gospel Debate*, 11.

". . . . for those who really took historical criticism seriously and who could not simply dismiss the developing historical world view as something antithetical to Christianity, Hengstenberg's **biblicism could hardly be a viable alternative.**"

"To attack this Biblicism, though, meant to attack the entire system of which it was a part. The man who saw this most clearly was J. D. K. von Hofmann. His attempt to reconstruct the entire system on the basis of a *heilsgeschichtliche* scheme was an attack on **the basic presuppositions of the orthodox-biblicistic system.**"[59]

Hopman completely omits Forde's critique of Biblicism. Hopman is, of course, free to disagree with Forde, but in an article titled, "Forde Was for Proclamation," an honest scholar would report accurately Forde's view that the problem of Lutheran Orthodoxy was "the orthodox**-biblicistic** system."

Perhaps Hopman omits Forde on Biblicism because he, Hopman, and his mentors want to promote Biblicism today, and they don't want Forde to get in their way.

3. Hopman doesn't see Forde's rebuke of Paulson

Recall what happened to Forde before he died. He had long planned to write a book on the *Bondage of the Will*. But he lost his health to a rare form of Parkinson's and was unable to do this. His designated heir, Steven Paulson, then helped him put together a book, *The Captivation of the Will.* James Nestingen contributed an introduction. Applause all round?

No. Forde, sick and dying, saw what Paulson and Nestingen had done and felt compelled to add a postscript. Though neutral in tone, it reads like a rebuke.

Forde: "Luther recognized that Erasmus put his finger on the heart of matter. . .

"The issue is exposed when one comes up against **the *deus absconditus***. Erasmus does not know what kind of a trap he is in. The fallacy of his whole argument is that he is left to infer what God must be like merely from the law, while the Holy Spirit is out making assertions apart from the law concerning the Father's only Son, Jesus Christ. In the middle of the argument Luther breaks out in the confession, **'He sent his *Son* to save us.'** That is the heart and soul of his entire argument. **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.**"[60]

That is, of course, what Paulson boasts of doing intentionally, all the time.

Paulson: "The second volume [*Luther's Outlaw God*] will address this greatest of all theological dialectics, **unpreached and preached God**, and show how Luther employed it prolifically in his exegetical theology. This allowed him to avoid **abstract** questions by attending to **the details of**

[59] Forde, *The Law-Gospel Debate,* 10-11. *The Essential Forde*, 43-44.

[60] Forde, "Postscript to the Captivation of the Will," *Lutheran Quarterly* 19 (2005) 77. Forde, *The Captivation of the Will. Luther vs. Erasmus on Freedom and Bondage.* Ed. Steven Paulson (Grand Rapids: Eerdmans, 2005) 77.

> **Scripture's text as they show God's two words of law and gospel at work, and then apply them directly to people in need.**"[61]

Contrast Paulson's way of using the Bible (above) with Forde's (below):

> **Forde:** "For faith in the end of the law leads to the view that its purpose is to take care of this world, not prepare for the next. That means **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, we must write our own decalogues to fit the times."[62]

Hopman seems blind to the difference between Paulson's inerrancy and Forde's two kingdom theology:

> **Hopman:** "**Steven Paulson**, who edited **Forde's final book** on the bound will, **has followed in his footsteps.** *The Bondage of the Will* is the central source for his three-volume *Luther's Outlaw God*. Paulson's work—for example, this sentence, "the only answer to the unanswerable absolute is by absolution" – swills Forde."[63]

Paulson "swills Forde"? Like one swills beer?

To the contrary, Forde rebukes Paulson when Forde writes: "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.**"[64]

Why not? Because revelation is the Christ event which creates God's two kingdoms, this world in which law is natural, human, and changing—God's left-hand kingdom. And God's future kingdom of grace to come, where sin, death, and law are no more. For this reason: "Precisely the proper distinction between law and gospel limits and **humanizes the law.**"[65] The law always accuses, and: "Men on this earth simply don't have access to **eternal laws.**"[66]

4. "Election" is not a sticker one can slap on "Biblical theology" to get the gospel right

Hopman writes: "Biblical theology is all about divine election."[67] But is it? Not if you say, as Hopman does, that the "Book" gives revelation of God's eternal law—the *lex aeterna* for this world. Forde:

> **Forde:** "If we grasp what Luther's theology is about we will see that at stake is a different understanding of how a truly 'objective' reality is mediated. **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."[68]

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61 Steven D. Paulson, *Luther's Outlaw God* (Minneapolis: Fortress Press, 2018) 1:245.
62 Forde, "*Lex semper accusat*?" *A More Radical Gospel*, 49.
63 Hopman, *LF* (2019) 27.
64 Forde, "Postscript," *LQ* 19 (2005) 77. Forde, *The Captivation of the Will*, 77.
65 Forde, "Forensic Justification and Law in Lutheran Theology," L/RC 7, 301.
66 Forde, *Where God Meets Man,* 111.
67 Hopman, *LF* (2019) 30.
68 Forde, "The Meaning of *Satis Est*," *Lutheran Forum* 26 (1992) 17-18; *A More Radical Gospel*, 168.

> **Forde:** "The eschatological act character of revelation is **quite necessary** for a proper understanding of the gospel."[69]
>
> **Forde:** "Where **the gospel** is not grasped, **the law** will not be grasped either."[70]
>
> **Forde:** "**Precisely** the proper distinction between law and gospel, limits and **humanizes the law.**"[71]

"Election" means freedom, down-to-earth freedom. It means the law is humanized.

> **Forde: "The gospel** as the unconditional promise of the kingdom **humanizes and naturalizes the law.** . . The distinction between **the two kingdoms** or kinds of rule is made precisely to foster such **humanization**."[72]

Forde was not making up stuff. Rather, he and others was recovering Luther's two kingdom theology. Note Heiko Oberman below on the medieval motto, *sola scriptura* and Luther's rejection of Biblicism in *The Bondage of the Will*:

> **Oberman:** "That this motto [*sola scriptura*] had fallen into disuse [in Luther's day] would be no loss from Luther's point of view. He started from a different and, in fact, contradictory principle, which was to be ignored in the Protestant longing for a 'paper pope': 'God and the Scriptures are two different things, as different as Creator and creature' [LW 33:25]. This 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.**"[73]

Luther goes on in *The Bondage of the Will* to say: "Take Christ out of the scriptures and what will you have left in them?" (LW 33:26). The answer is not: God's eternal law—the *lex aeterna* for this world. As Forde writes:

> **Forde:** "For the fact is that the Catholic theology of the West going all the way back to the gnostic crisis was built on **the ontological *lex aeterna* base** rather than on **an eschatological two-age base. This is a problem we all share.** The Reformation – with its jarring dialectics consequent upon justification by faith alone: *simul iustus et peccator*, distinction between law and gospel, two kingdoms, hidden and revealed God, and on and on—is the first dawning of the eschatological sunrise. But as history amply demonstrates, it is always in danger of being obscured by ontological clouds."[74]
>
> **Forde:** "Thus Lutheranism has attempted to foster a theology which preserves the eschatological dialectic of the two ages. **This, in sum, is what the distinction between law and gospel is really about.** It means that for the Lutheran one cannot theologize in terms of a one-membered, eternal,

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[69] Forde, *The Law-Gospel Debate*, 217.
[70] Forde, *Christian Dogmatics* 2:448.
[71] Forde, L/RC 7, 301.
[72] Forde, *Christian Dogmatics*, 2:459.
[73] Heiko A. Oberman, *Luther. Man Between God and the Devil* (New Haven: Yale, 1982) 221.
[74] Forde, "What finally to do about the (Counter-) Reformation Condemnations?" *LQ* 11 (1997) 14.

ontological scheme, one must instead learn to think in terms of **two ages** and the fact that **the Christ event itself can be the only point of transition between these two ages.**"[75]

F. Hopman avoids Luther, claims Forde just moved *lex aeterna*

Hopman makes the bizarre claim that Forde moved eternal law out of **the center** of Lutheran theology.

> **Hopman:** "Luther's theologoumenon, put on full display in *The Bondage of the Will*, is the distinction between God preached and God not preached. By adopting the theologoumenon as his own, **Forde displaced the superstructure of orthodoxy's eternal law (*lex aeterna*) as the center of Lutheran theology.** This move gave Forde the freedom to preach, describe, and deal with the law—not in the abstract, which was orthodoxy's favorite kind of law,[11] but as it really is in the concrete (or better said: flesh and blood) reality of created life under God."[76]

Yeah, sure. And Rachel Levine is a woman. What Hopman writes above is demonstrably false.

Three humongous problems:

1. **Hopman: "Forde** displaced the orthodox concept of law." **No, it was Luther**

Luther displaced the orthodox concept of law with a functional concept of law. Forde on Luther:

> **Forde:** "This [**Luther's**] eschatological understanding of law necessitates a fundamental reorientation at a number of crucial points. First, of course, 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."**[77]

> **Forde:** "For the fact is that the Catholic theology of the West going all the way back to the gnostic crisis was built on **the ontological *lex aeterna* base** rather than on **an eschatological two-age base. This is a problem we all share.** The Reformation – with its jarring dialectics consequent upon justification by faith alone: *simul iustus et peccator*, distinction between law and gospel, two kingdoms, hidden and revealed God, and on and on—is the first dawning of the eschatological sunrise."[78]

> **Forde:** "The eschatological act character of revelation is **quite necessary** for a proper understanding of **the gospel.**"

> **Forde:** "Where **the gospel** is not grasped, **the law** will not be grasped either."[79]

Note that Hopman avoids Luther on law. It's as if Hopman is invincibly ignorant about Forde's Luther research, and, for that matter, Haikola's and Ebeling's, too.

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[75] Forde, *The Law-Gospel Debate*, 213-24.
[76] Hopman, *LF* (2019) 27.
[77] Forde, *The Law-Gospel Debate*, 195.
[78] Forde, *LQ* 11 (1997) 14.
[79] Forde, *Christian Dogmatics* 2:448.

It was Luther who broke with the ontological view of law as an eternal order. Luther understood law as natural, human, and changing, and it was Luther who operated with a functional view of law.

2. Theology is not a game of hide-the-ball with eternal law

> **Hopman:** "By adopting the theologoumenon as his own, Forde displaced the superstructure of orthodoxy's **eternal law** (*lex aeterna*) as **the center** of Lutheran theology."

No. Luther **displaced** the orthodox concept of law as an ontological order; he **discarded** it and **replaced** it with a different concept of law, a functional one. Forde:

> **Forde:** "This [Luther's] eschatological understanding of law necessitates a fundamental reorientation at a number of crucial points. First, of course, 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."**[80]

> **Forde:** "The problem is that man as sinner must learn **the proper use of law**, and that means learning to accept both the limits of law and his own limits as a creature in this world. What man needs is to be saved for existence in *this* world . . . 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 *super*natural pretensions** and limited to this age . . . Faith alone makes and keeps the law 'natural' . . . the Christian [doesn't have] some special epistemological advantages over the non-Christian when it comes to 'knowledge' of the law . . . 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** . . . Faith tells him that the 'naturalness' of the law means that he does not have access to the will of law 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 possible to his problems."[81]

3. Hopman hijacks Haikola, tapes his mouth, and stuffs him in the trunk

> **Hopman:** "This gave **Forde** the freedom to preach, describe, and deal with the law—not in **the abstract,** which was **orthodoxy's favorite kind of law,**[11] but as it really is in **the concrete** . . ."[82]

Recall that Hopman's premise is wrong. It is Luther who displaced the view of law as an eternal order, who understood law as natural, human, and changing, and who operated with a functional view of law.

Hopman's internal footnote #11 states: "Haikola shows the historical development of **the third use of the law** was dependent on the previous step of defining the law 'in the abstract.'" This is a kind of misdirection; it implies that Haikola said philosophical theology (law in the "abstract") is the problem. Rather, he saw the problem in Biblical theology, too.

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[80] Forde, *The Law-Gospel Debate*, 195.
[81] Forde, *The Law-Gospel Debate,* 210-12.
[82] Hopman, *LF* (2019) 27.

Recall, too, Forde summarizing modern Luther research:

> **Forde:** "**Gerhard Ebeling concurs with Haikola**:
>
> > **'For Luther, law is not a revealed statutory norm** to which man relates himself thus and so, but law is an existential category in which the entire theological interpretation of man's actual existence is comprehended. Law is not therefore an idea or a collection of propositions **but the reality of fallen humanity.**'"[83]

Haikola, Ebeling, Forde, and others saw the problem:

> **Forde:** "The history of the idea of the 'third use of the law' offers little encouragement for its use in a truly evangelical ethic. It has its roots ultimately in **the orthodox concept of the *lex aeterna*** and has hardly served any other purpose than to impose **a new kind of legalism."**[84]

Hopman refuses to see that Forde was not eccentric. Hopman's claim that Forde moved "eternal law" out of the center of Lutheran theology is just bollocks.

4. Hopman describes Forde as a conservative Biblicist. He wasn't

Hopman's willful blindness to Luther and Forde on law has practical consequences. For example, Hopman claims that Forde supported "the traditional Christian doctrine of marriage," based on "tradition, primarily Scripture."[85]

But that's an authoritarian claim based on the view that the Bible is revelation of God's eternal law and thus enables us to stand with God and look at law from God's point of view.

This is not Forde's argument. He didn't appeal to the Bible as giving us "God's answer." Rather, he set forth common sense reasons why kids do best with a mom and dad and why societies do better with mom-dad families. This is thinking in terms of two kingdoms. Forde rejected using the Bible as "God's answer" to left-hand kingdom problems today:

> **Forde: "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.** In any case, Lutherans have always been uneasy with infallibilist solutions to faith's questions. Even where they have flirted with the ideas of **scriptural infallibility,** they have had some anxiety and suspicion that it might be contrary to a gospel appropriation of the scriptural message.**"**[86]

Forde's defense of marriage as the union of one man and one woman is based on the proper use of law—thinking about how to minimize harm (Romans 13:10)—using common reason, as well as tradition, and yes, the wisdom of Scripture, but not using Scripture as "God's answer." As Forde's New Testament colleague Donald Juel put the matter in relation to the problem of homosexuality: "The wisdom of

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[83] Forde, *The Law-Gospel Debate*, 177.
[84] Forde, *The* Law-*Gospel Debate,* 226-27.
[85] Hopman, *LF* (2019) 29.
[86] Forde, *Promoting Unity. Themes in Lutheran-Catholic Dialogue,* 72-73.

Scripture and the tradition cannot be cited as 'God's answer' to the matter, but neither ought that wisdom be dismissed as irrelevant or outdated."[87]

G. Hopman's gambit: Forde was wrong about law in Luther

Recall that while Hopman was claiming in his 2016 article, "Luther's Antinomian Disputations and *lex aeterna*" that Luther held to law as *lex aeterna*, Nestingen, Paulson, Mattes, and others, along with LCMS representatives, were drafting their "Guiding Statement on the Character and Proper Use of the Sacred Scriptures," in which they endorse divine moral law (*lex aeterna*) and a third use of law:

> "**A Guiding Statement on the Character and Proper Use of the Sacred Scriptures**
> **"Part 2: What Kind of Book is the Bible?**
> "4. An *inerrant book* – a book that is completely reliable.
> "4. c. We may not simply 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."[88]

Hopman's rising profile in the *Lutheran Quarterly* can be seen as a sign that the *Quarterly* is diminishing Forde's legacy and rehabilitating inerrancy and eternal moral law.

1. Interpreting the total Luther

Luther said many things in many different situations. He even said "unLutheran" things, such as good works are evidence of true faith. If you find Luther quotes that support works-righteousness, does that mean Luther had no coherent stance?

To the contrary, when looking at the total Luther, it's evident that his theology (the cross alone; the bondage of the will, the freedom of the Christian, God's two kingdoms, and the like) has a dynamic that is consistent from the young Luther to the older Luther.

Therefore, when someone claims that what Luther wrote "quite late in his life" is different and decisive, hold on to your wallet. It's an old ploy which has been tried on this and other issues.

2. Hopman: Luther 'quite late in his life' held to law as an eternal order

> **Hopman:** "Luther dealt most directly with the role of the law in the Christian life in the *Antinomian Disputations.* **More than on any other occasion** he was forced by the Antinomians, **quite late in his life**, to praise and support the preaching of **the law** in the church."[89]

Of course, Luther supported the preaching of law (in its two uses). The real question is: What is "law"? But he didn't hold to "law" as an unchanging heavenly code, as God's eternal law—the *lex aeterna*. Rather, he saw that law was a pervasive power of this world, evident in law codes (the Mosaic law, the Code of Hammurabi, and the like), as well as in the rustling of leaves on a dark night, and even the cross itself. Through law, the Lord works to restrain evil and drive us to Christ.

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87 Donald H. Juel, "Homosexuality and Church Tradition," *Word & World* X:2 (1990) 160.
88 NALC/LCMS/LCC "A Guiding Statement on the Character and Proper Use of the Sacred Scriptures," Part 2.4.c.
89 Hopman, *LQ* (2016) 172.

"[The gospel] came from heaven through the Son of God. **The law, however, seems to come from earth,**"[90] writes Luther in the *Antinomian Disputations*. Hopman doesn't tell readers this. Law is of the earth, as Luther writes in representative key passages elsewhere:

- 1535: "Indeed, we would make new decalogues, as Paul does in all the epistles, and Peter, but above all Christ in the gospel."[91] (*Theses concerning Faith and Law*)
- 1525: "This text makes it clear that even the Ten Commandments do not pertain to us." And: "The Gentiles are not obligated to obey Moses. Moses is the *Sachsenspiegel* for the Jews."[92] (*How Christians should regard Moses*)
- 1525: "God and the scriptures are two different things—as different as Creator and creature." And: "Take Christ out of the scriptures and what do you have left in them?"[93] (*The Bondage of the Will*)

3. Hopman: Revelation, "the data (words) of revelation in the text of Holy Scripture."

As we have noted above, behind the question: What is law? is the question: What is revelation?

Revelation is the cross and resurrection. Forde: "**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."[94]

If you were to ask Hopman: What is revelation? He would not answer: "The cross and resurrection," and then tell you, as Forde does: "The recovery of the eschatological act character of **revelation** is quite necessary for a proper understanding of the gospel. . . . [and it is] the **result of a long development.**"[95]

Hopman ignores the "long development." Though "young," he is old school and the objectivity faith seeks is for him located in the past — in "the data (words) of revelation in the text of Holy Scripture" [96] – rather than in the future, in "the 'alien' word which comes entirely from without, from God's future."

Hopman was trained to read Scripture and Luther through an "orthodox-biblicistic" lens. Thus, he finds in the *Antinomian Disputations* "the law" as *lex aeterna,* God's objective, eternal order:

> **Hopman:** "In fact, he [Luther] **literally defines the law's very being** as synonymous with its office (not distinguished from it):
>
> > "18. Whatever shows sin, wrath, and death exercises the office of the law, be it in the Old or in the New Testament.

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[90] Sonntag, *Solus Decalogus Est Aeternus.* Edited and translated by Holger Sonntag (Minneapolis: Lutheran Press, 2008) 149.
[91] *LW* 34:112.
[92] *LW* 35:165, 167.
[93] *LW* 33:25, 26.
[94] Forde, *LF* 26 (1992) 17-18; *A More Radical Gospel*, 268.
[95] Forde, *The Law-Gospel Debate*, 218.
[96] Hopman, *LF* (2016) 24.

> "19. For to reveal sin is nothing else—nor can it be anything else—than to be law (*esse legem*) or to be the effect and power of the law *in the most proper sense* (*proprissimam*)."

[A paragraph later Hopman adds the following from Luther]

> "20. The law and the showing of sin, or revelation of wrath, are synonymous terms as are man and risible and rational."[97]

Hopman claims that Luther here is saying, in effect: The Bibles gives us God's divine law, the *lex aeterna,* his objective, eternal order. This divine content always condemns. Content and function go together.

But that's not what Luther is saying. Rather, as Forde writes: For Luther, "not content, but function decides what law or the office of law is."[98]

Hopman footnotes Jeffrey Silcock on Luther in the *Antinomian Disputations*: "Luther however argues that **whatever performs the function of law,** that is, produces the effects of the law, **is really law** irrespective of whether it has its source in the law or the gospel."[99]

But Hopman dismisses Forde with the favorite smear word of conservative Biblicists: "existential":

> **Hopman:** "However, **how different are Forde's descriptions of the law from Luther's?** Some **variant of 'existential'** may well be a word to describe Luther's definition above of law 'in the most proper sense' as showing (revealing) sin, for Luther claims this is how **the law** actually *exists.* Although human beings in their (sinful) subjectivity do not like **this revelation**, there (revealing sin) **the law *is.*** it *is* 'in the most proper sense.' Luther here knows much more than Kant thought possible. In this statement **Luther purposefully (knowingly and dogmatically) equates the law's being and its effect.** This is not a case of a thing that cannot be known in itself, but **a thing that really *is* and *is on the attack*** (*lex semper accusat*) despite the dismay of human subjectivity and its epistemological limits."[100]

Poor, dumb Forde. Hopman doesn't even consider the evidence from Haikola, Ebeling, Forde, and the wider world of modern Luther research. Hopman is willfully blind to all that and just asserts Luther "purposefully . . . equates the law's being and its effect." In short, the Bible is revelation of God's eternal moral law. The content and function of this divine moral law go together. Issue settled: Luther "quite late in his life" held that the Bible is revelation of God's eternal law. Forde is wrong. Nestingen, Paulson, and Mattes are right to assert inerrancy, not in science, but in morals.

4. Forde: Luther and the Lutheran Confessions insist on a functional understanding of law.

Forde wasn't a pedestrian scholar, as Hopman implies when he asks: "However, how different are Forde's descriptions of the law from Luther's?" Good grief. Forde was neither pedestrian nor eccentric. He was building on the long development of Christian thinking about "law" and Lutheran thinking about the law-gospel dialectic.

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97 Hopman, *LQ* (2016) 154, quoting two theses of Luther in the *Antinomian Disputations*.
98 Forde, L/RC 7, 295.
99 Hopman, *LQ* 175, footnote 25.
100 Hopman, *LQ* 30 (2016) 156.

In the renown U.S. Lutheran-Catholic Dialogue, Forde earned the trust of his fellow scholars so much so that the Lutheran team looked to him as their quarterback (L/RC 6 through 9). This Dialogue was watched globally because it was where top scholars from both traditions were doing creative work clarifying commonalities and differences. One Catholic scholar remarked that if needed, he would pay his own way to the meetings of this Dialogue, the work was that fascinating and significant.

Consider the following from Forde's essay, "Law in Lutheran Theology," in L/RC 7, *Justification by Faith*:

> **Forde:** "If justification by faith is the proposal of dogma which the Lutheran Reformation made to the church catholic, then the proper distinction between law and gospel is **its major methodological proposal. It is a distinction that is to be applied to all doctrines and their use in the church.**
>
> "For Lutheran theology, therefore, the terms law and gospel can be defined on two levels: the level of content and **the level of function.** On the level of content, **law means demand** and gospel designates promises given in Christ. On the level of **function,** however, the words law and gospel designate **functions:** the accusing and comforting character of the living word of God. The task of theology is to learn not merely to define the words, but to **use** the word in such a way that faith is created.
>
> "The crucial question in this regard is therefore that of **what the word does,** the question of its **function** in the living present, or as Luther repeatedly said, its ***usus.***
>
> "Thus the Lutheran insistence on **a functional understanding of law.** The Lutheran Confessional writings often speak of law in this sense. . . **Especially articles 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 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.**"[101]

Anything, including the cross itself (not law according to content) and the rustling of leaves on a dark night (Leviticus 26:36), can function as law, can threaten man in his self-sufficiency.

5. The triumph of law in Hopman's theology

Hopman concludes that despite Forde's failure to understand law in Luther, Forde is nevertheless vindicated in his claim that the law is not the ordering principle of heaven:

> **Hopman:** "The totality of Luther's statements in the *Antinomian Disputations* about **the law's relationship with God's heavenly kingdom vindicates Forde's explanation of this passage.** The *res* of the law, Christ, is not the essence of the law, but the end of the law (Rom. 10:4)."[102]
>
> "Luther does not define the law as existing in God or apart from creation and human beings and their sin in the creation . . .
>
> "Through this distinction of law and gospel, rather than through distinctions within the law itself, the law is properly defined, meaning properly limited. When, conversely, a distinction is placed within the law itself causing the law in its most proper eternal sense to be unrelated to human sin, the distinction of law and gospel becomes secondary. **The static *lex aeterna*** becomes the framework for **the whole theological system**, thereby destroying the inherently eschatological nature (Rom 10:4) of the law-gospel distinction."[103]

In other words, "the static *lex aeterna*" doesn't govern heaven, thus the whole theological system, but it does govern earth, and the Bible is revelation of God's divine law, which is one in both content and function. Christ only limits divine law, a claim which witnesses to the triumph of law in Hopman's theology. Christ can act only as an outlaw, because the law is central, the *lex aeterna,* the objective, eternal order of this world.

In this view of law represented by Hopman, Forde would be wrong when he writes:

> "Law belongs to earth, not to heaven. It is natural, not supernatural. It is a servant, not a master. 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.**"[104]

Hopman's praise of Forde disguises his rejection of Forde's findings on law in Luther, namely, that revelation is the Christ event, law is of this world, and the Christian is called to be a steward of law in this world. As Forde writes: ". . . [**C**]**are for the proper use of the law** must be our constant and never-

[101] Forde, L/RC 7, 294-95, Internal footnote 31: "FC SD 5:12; BS 955-56; BC 560; WA 15:228."
[102] Hopman, *LQ* (2016) 167.
[103] Hopman, *LQ* (2016) 172.
[104] Forde, *Where God Meets Man*, 111.

ending concern in this world. For we are not called merely to be law-abiding, but to take care of this world, and law must be tailored to assist in that task."[105]

6. Paulson's "attaboy" to Hopman for holding to law as an eternal, objective order

> **Paulson, 2019: "Eternal law** does not remain ontologically in the form of **the ordering principle of heaven, or the real heart of God. As Hopman has point out,** the sentence continues: 'Only the Decalogue is eternal—as such (*res*), that is, not as law—because in the coming life things will be like what the Decalogue has been demanding here."[106]

Recall that Paulson consistently insists on defining law as an eternal, objective order:

> **Paulson, 2011:** "But instead of fidelity to the promise in Christ, God's trustworthiness was fastened to **the eternal, objective order of the world provided by God's law.**"[107]
>
> **Paulson, 2024:** "The new obedience, if we use Melanchthon's word for the new Adam, is not a life **under the umbrella of the objective, unchanging form or order of the Law**; it is the freedom of the Christian."[108]

7. What about Forde on "the content" of the law not changing?

In an article on homosexuality, Forde writes: "The widespread notion that the doctrine of the uses of the law gives permission for fundamental changes in the *content* of the law is quite mistaken."[109]

But note: Forde is not saying that the Bible gives us "God's answer." Rather, he goes on: "It is not enough to say that a given command is 'The Word of God,'" and he acknowledges the church has changed on divorce and the ordination of women. [The ordination of women question is in a different category than moral questions.] The point: Questions about the civil use of law are to be decided on a case-by-case basis.

Then about the *content* of the law, he writes: "What the law enjoins is love and service to the neighbor. That is its fundamental and ineradicable **content.**"[110]

In short, Forde was not arguing for Biblical inerrancy in morals. It's not a question of an eternal law. Rather, Forde asks: "Should the civil use of law be so extended as to allow the church, or even society itself, to bless committed same-gender relationships? . . . The **civil use** is concerned with moral and social good." And he answers, "No," because of the harm to children and societies when the boundaries around heterosexual marriage and the family are not upheld.

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[105] Forde, "*Lex semper accusat*?" *A More Radical Gospel*, 49.
[106] Paulson, *Luther's Outlaw God*, 2:225.
[107] Paulson, *Lutheran Theology* (London: T & T Clark International, 2011) 11.
[108] Paulson, "Introduction," *Usus Legis, The Use of the Law.* Trans. Kenneth Howes. Eds. John H. G. Rasmussen and Timothy J. Swenson. (El Paso, TX: Crux Christi Publications, 2024) xxiv-xxv.
[109] Forde, "Law and Sexual Behavior," *LQ* 9:1 (1995) 8.
[110] Forde, *LQ* 9:1 (1995) 18.

As noted above, Lutheran ethics follows Paul in Romans 13:10: "Love does no wrong to the neighbor; therefore, love is the fulfilling of the law." Lutherans ask: Who is harmed in changing this norm or that behavior? What are the consequences for individuals and society?

H. Luther: Law is of the earth, natural, human, and changing

1. Christians have law in common with the rest of mankind

As Forde writes:

> **Forde:** "[T]he Christian [does not have] 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.**"[111]
>
> **Forde:** "In the problem of the knowledge of the law, the man of faith must join with the rest of mankind in searching for knowledge in given situations as best he can. Nor should the Christian refuse to recognize the possibility that certain of his 'unbelieving' brothers could be blessed with better insight than he is. Even **the laws of the Bible give the Christian no warrant for superiority, for as law they are fully available to man apart from faith** as they are to man in faith. These laws too must be interpreted in their context and applied with the best skill and knowledge at man's disposal."[112]

Forde's New Testament colleague, Donald Juel, puts it succinctly:

> **Donald Juel.** "We [Lutherans] mean by 'law' the order by which the creation is preserved from destruction and chaos. Our tradition has chosen to speak of a 'natural law' rather than a 'divine law' to characterize the structures by which evil is restrained and life ordered for the good of all. We do not believe there is a single heavenly code which religious people know better than others. 'Natural law,' through which God ordains order, is embodied in **human codes—some better, some worse.**"[113]

2. The whole law ends in Christ, both the moral and ceremonial law

Hopman rightly notes that Luther says Christ is the end of the whole law:

> **Hopman:** "For Luther, **Christ's fulfillment of the law is total** and it ends the law: 'Christ fulfilled the whole law. For he is the end of the law (*finis legis*) (Rom. 10:4), not only of the ceremonial laws or

[111] Forde, *The Law-Gospel Debate*, 211-12.
[112] Forde, *The Law-Gospel Debate*, 229.
[113] Juel, *Word & World*, X:2 (1990) 167.

judicial laws, *but also of the Decalogue itself*; in this life through the remission of sins which the Gospel offers to all who believe in him; in the life eternal, however, also formally.'"[114]

This is a major theme in Luther throughout his life, as Forde emphasized repeatedly.[115]

But if that is true, then Hopman is wrong about law in Luther, and Nestingen, Paulson, Mattes are in conflict with Luther and Forde in their advocacy for a third use of moral law in "A Guiding Statement on the Character and Proper Use of the Sacred Scriptures":

"**A Guiding Statement on the Character and Proper Use of the Sacred Scriptures**
"Part 2: What Kind of Book is the Bible?
"4. An *inerrant book* – a book that is completely reliable.
"4. c. We may not simply 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."**[116]

3. "Precisely the proper distinction between law and gospel limits and humanizes the law"

Consider the following:

- Revelation is the Christ event (the cross and resurrection)
- "The cross alone is our theology." (*WA* 5.176.32)
- "The Book" is the stained-glass window through which the light of Christ shines.
- Luther: "God and the scriptures are two different things, as different as Creator and creature" (*LW* 33:25). "Take Christ out of the scriptures and what will you have left in them?" (*LW* 33:26).
- "[T]here is no really decisive break between 'natural' and 'revealed' law."[117]
- "The law written on the heart . . . is the reality of man as **a reasonable creature** . . . it is also the **'mask'** through which God works." [118]
- Law is not *lex aeterna,* an unchanging order, but an aspect of "God's continuing creation."[119]
- "Men on this earth simply don't have access to eternal laws."
- What matters is the "*usus*": "Not content, but function decides what law or the office of law is."[120]

I. Gospel freedom is down-to-earth freedom

1. The Christian life "under the law," with "law" understood as an objective, eternal order

In the conservative Biblicist/inerrantist view, contrary to Scripture and Luther, "the law" is separated into "ceremonial law" and "moral law," and it is said that the ceremonial law ends in Christ, but the moral law continues.

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[114] Hopman, *LQ* (2016) 165.
[115] See the attached appendix.
[116] NALC/LMCS/LCC "A Guiding Statement on the Character and Proper Use of the Sacred Scriptures," Part 2.4.c.
[117] Forde, *The Law-Gospel Debate,* 193.
[118] Forde, *The Law-Gospel Debate*, 193.
[119] Forde, *The Law-Gospel Debate*, 177.
[120] Forde, *"Forensic Justification and Law in Lutheran Theology,"* L/RC 7, 295.

If you are a conservative Biblicist/inerrantist, you then have two choices: Either you affirm a third use of the moral law (LCMS), or you speak in confusing ways about the Christian life because you know a third use of law is wrong, but you don't know what else to do.

In this conservative Biblicist/inerrantist view, Christian freedom is an elusive, inner something, without practical, down-to-earth consequences. This is evident in Hopman's conservative Biblicism. For example:

> **Hopman:** "The law is not established **in front** of the believer in 'positive demand' or a third use, but **behind** the believer as fulfilled."[121]
>
> **Hopman:** "The law does not demand the law. Its office does not demand compliance with **its eternal essence.** Instead the law (office, essence, and all) demands the gospel."[122]
>
> **Hopman: "These good works are the beginning of the fulfillment of the law** in Christians, because the work of the Spirit is to love to the neighbor. Christians, who dwell in heaven by faith, freely and **graciously place themselves under the law** and take up earthly vocations. In these vocations the Spirit/new creature in Christ does his good works 'without the law.'"
>
> **Hopman:** "While the law must be proclaimed, precisely in order to kill, time must be taken in the old creation to announce that Christ and Christians are '*sine lege*' (without the law) as Luther's example shows. Not only is this the proper teaching of justification, but also **good works are done only 'without the law.'"**

The law is "behind the believer"? No, law is an ever present, pervasive power of this world, and the simultaneity of the Christian as righteous and sinful is *totus*/*totus*.

We "graciously place ourselves under the law?" No, law is an ever present, pervasive power of this world, but law is not an objective, unchanging, eternal order.

"Good works" are done without the law? No, law is an ever present, pervasive power of this world. Faith tells us what law is for and faith tells us that all works are broken, sinful, even our best works. "All our righteous deeds are filthy rags" (Isaiah 64:6). Faith frees us to use the law for its proper purpose, that is, to care for this world, not prepare for the next.

For those in mental bondage to the "orthodox-biblicistic" view of law, the Christian life is confusing and contradictory. Forde:

> **Forde:** "The Finnish scholar, Lauri Haikola, has maintained that at bottom all the confessional controversies are really one controversy. They arose and continued to arise because later Lutherans failed to make the distinction between law and gospel in as thoroughgoing an eschatological fashion as Luther made it, with the result that **Luther's theology simply falls apart into confusing and contradictory segments.**"[123]

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[121] Hopman, *LQ* (2016) 167.
[122] Hopman, *LQ* (2016) 167.
[123] Forde, "The Formula of Concord Article V: End or New Beginning?" *dialog* 15 (1976) 190.

2. The Christian life "under the law," with "law" understood as natural, human, and changing

Forde, 1969. The Law-Gospel Debate.

"In faith one finds himself a participant in the new age at the same time as he continues to live in this age . . . it is *only to faith* that the distinction between law and gospel is apparent."[124]

"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.**"[125]

"The history of the idea of the 'third use of the law' offers little encouragement for its use in a truly evangelical ethic. It has its roots ultimately in **the orthodox concept of the *lex aeterna*** and has hardly served any other purpose than to impose **a new kind of legalism."**[126]

Forde, 1970. "The Revolt and the Wedding. An Essay on Social Ethics in Light of Luther's Theology.

"The eschatological vision makes it clear that **the secular is our sacred task**. It tears the mask from our pretensions and bids us become human beings. That, I think, is the real significance of Luther's resistance to the Peasant's Revolt, whatever we may think of his final action. He saw quite clearly that if one is to apply this principle, then there could be absolutely no exceptions. Not even those who undertake revolutions for the sake of so-called 'Christian principles' can be excepted. **Nobody,** Prince, Peasant, Preacher, President or what have you, **carries out a revolution or a political program in the name of Christ.** That is so first of all because Luther categorically refused to allow Christ to become a club with which to beat anyone (a 'New Law' as he called it), and secondly because revolutions and political programs can be carried through only in the name of humanity **without appeal to either myth or religion.** Luther means that quite radically. You don't need Christ, or even the Bible, necessarily, to tell you what to do in social matters. You have a reason, use it!"[127]

Forde, 1970. "*Lex semper accusat*?"

"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, we must write our own decalogue to fit the times."

"Is it too much (or perhaps too little?) to say, I think, that **respect for law must be the political religion of the nation.** That seems to imply that law is an absolute before which we must all unquestionably bow. It would be better to say that **care for the proper use of the law** must be our

[124] Forde, *The Law-Gospel Debate*, 225.
[125] Forde, *The Law-Gospel Debate*, 211-12.
[126] Forde, *The* Law-*Gospel Debate,* 226-27.
[127] Forde, "The Revolt and the Wedding: An Essay on Social Ethics in the Perspective of Luther's Theology," *The Reformation and the Revolution* (Sioux Falls, S. Dak.: Augustana College Press, 1970) 85-86.

constant and never-ending concern in this world. For we are not called merely to be law-abiding, but to take care of this world, and law must be tailored to assist in that task."[128]

Forde, 1972. *Where God Meets Man.*

"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.'"[129]

"Law belongs to earth, not to heaven. **It is natural, not supernatural.** It is a servant, not a master. 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."**[130]

Forde, 1984. *Christian Dogmatics* 2

"If you lose your 'virtue,' what will protect you then? Luther's advice in such situations was: 'Be a sinner and sin boldly, but believe even more boldly.' The point is not to go out and find some sins to commit. The point is rather **not to be deceived by the glitter of ideals, of sanctity and piety, by the quest for the Holy Grail. Christ and Christ alone has dealt with sin and saves sinners.**"[131]

"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 '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."[132]

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[128] Forde, "*Lex semper accusat*?" *A More Radical Gospel*, 49.
[129] Forde, *Where God Meets Man*, 10.
[130] Forde, *Where God Meets Man*, 111.
[131] Forde, *Christian Dogmatics*, 2:438.
[132] Forde, *Christian Dogmatics*, 2:450.

Forde, 1987. "The Viability of Luther Today," *Word & World.*

"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."**[133]

"Does justification by faith alone spell the end to the human quest for justice? By no means! We establish the law! But if justification proceeds by way of negation, it demands **a *distinction* for the time being** between what can be seen as **God's two ways of fostering justice**: the way of the law and the way of the gospel…. Here the controversial and variously interpreted **'Doctrine of the Two Kingdoms'** comes into view.

"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."[134]

J. Even Stevie Wonder could see this; you can, too

Hopman writes a short overview of Forde's life in *The Essential Forde.*[135] What's striking is that he omits Forde's recovery of Luther's law-gospel dynamic and two-kingdom theology. Nothing to see here folks, move along.

Rather, Hopman wants readers to know that Forde opposed the historic episcopate and quotas. Why these two issues? Forde also opposed inerrancy, feminist language for God, liberation theology, and praying to Mary, among many other things.

[133] Forde, "The Viability of Luther Today," *Word & World* 7 (1987) 27.
[134] Forde, *Word & World* 7 (1987) 29.
[135] Hopman, "Forde's Life," *The Essential Forde*, 2-4.

Moreover, many other Lutherans opposed the historic episcopate and quotas, but none of them recovered Luther on the proper distinction between law and gospel.

Perhaps Hopman mentions the historic episcopate and quotas because these issues appeal to conservative Biblicists and LCMS Lutherans, important constituencies of the *Lutheran Quarterly*.

Contrast Hopman on Forde, with Forde on Forde, writing on "Lutheranism" in *Blackwell's Encyclopedia*:

> "The distinctive character of current Lutheranism, however, is largely the result of its continuing search for its own roots in the Reformation and Luther's thought itself. Beginning in the 1840's when J.C.K. von Hofmann appealed to Luther in the argument over atonement, Luther was for the first time set against Lutheran orthodoxy on a substantive doctrinal issue (Hirsch, 1954, vol. 5, p.427) **and the uniqueness of Luther's own thought began to emerge as a viable alternative.** Subsequent Luther research, most notably that inspired by Karl Holl and his students as well as by Swedish scholars (Carlson, 1948), thereby becomes crucial for the development and understanding of contemporary Lutheranism. Luther's understanding of the living Word, **the distinction between law and gospel (Forde, 1969)** and the theology of the cross continue to emerge as decisive critical factors for Lutheranism and contemporary theology in general."[136]

None are more blind that those who will not see.

But you can see – it's about gospel truth and gospel freedom.

[136] Forde, "Lutheranism," *Blackwell's Encyclopedia of Modern Christian Thought.* Ed. Alister McGrath (Cambridge, MA; Blackwell, 1993) 357.

K. Appendix: The presupposition for true freedom

Forde: "The presupposition for true freedom, for Luther, is that Christ is the end of the law in its entirety."[137] (See the last sentence on page 2 below.)

Below representative Forde quotes:

1983: "Fake Theology," *dialog.*

"But once again, this is fake theology. If overt antinomianism is impossible, covert antinomianism is even more so. It will not work. The law just changes its tack and becomes, if anything, worse. **Is there any comfort in the idea that the ceremonial law ends, but not the moral? And what, finally, is the difference between them? Are the first three commandments ceremonial or moral?** Does the law attack any less just because theologians say it is a friendly guide? Or does that only make matters worse? Is the idea that Torah was a blessing to ancient Israel of any comfort to a twentieth-century gentile? Have we really escaped from anything by all the contextualizing and interpreting and relativizing? Or have we succeeded only in bringing the voice of despair closer?"[138]

1984: *Christian Dogmatics*.

"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 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 most 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 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

[137] Forde, "Called to Freedom," Presidential Address to the International Congress for Luther Research, 1993, *The Preached God. Proclamation in Word & Sacrament. Gerhard O. Forde* Eds. Mark C. Mattes and Steven D. Paulson (Grand Rapids, MI: Eerdmans, 2007) 259-60.

[138] Forde, "Fake Theology: Reflections on Antinomianism Past and Present," *dialog* 22 (1983) 249.

sealed, as well as of its eschatological outlook. **Natural law became the structural backbone of the theological system, displacing eschatology.**"[139]

1993: "Luther and *Usus Pauli," dialog.*

"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. 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.' 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."[140]

1993: "Called to Freedom," Presidential Address to the International Luther Congress.

"Theologically both before and after the Reformation, the most common move toward domesticating freedom has been the attempt to qualify the Pauline claim that Christ is the end of the law to those of faith. 'Reason,' as Luther would put it, simply cannot entertain such an idea, the conviction that in Christ the law comes to an end, that law is over and freedom begins. As we have seen, freedom as usually conceived needs law as the mediator of possibility. What shall we do if there is no law to tell us what to do? But is Paul then wrong in his claim? Theologians as usual, however, have found a way to have their cake and eat it, too. They made a distinction in the content of the law – something Paul never did – between ceremonial or ritual laws on the one hand and moral law on the other. **Then they proceeded to say that Christ was the end of ceremonial law but not the moral law.** Christ ended the necessity, that is, for sacrifice, circumcision, food and ritual regulations, etc., but not the demands of moral law (e.g., the Decalogue). Christ died, it seems, to save us from the liturgiologists! One might grant, of course, that this is no small accomplishment, but the price does seem a bit high!

"Luther categorically rejected all attempts to qualify the claim that Christ is the end of the law, the whole law. Freedom is not a defensive doctrine. It is 'offensive.' It is about the new creature, the new creation. Both the early and late Luther attacked the idea that Christ is the **end of the ritual law but not the whole law**. In both the early (1519) and later (1531-36) Galatians lectures he pounded away on this issue whenever he got a chance.[13] …The presupposition for **true freedom**, for Luther, is that **Christ is the end of the law in its entirety.**"[141]

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[139] Forde, *Christian Dogmatics,* 2:447.

[140] Forde, "Luther and the *Usus Pauli*," *dialog* 32 (1993) 275-82, here 278.

[141] Forde, "Called to Freedom," *The Preached God,* 259-60. Internal footnote 13: For the 1519 Commentary see *LW* 27:188, 223, 230, 248, 256-57, 264-65, 287, 358; For the 1521-36 Commentary, see *LW* 26:122, 130, 156-57, 180, 181, 202, 203, 330, 333, 446-47; *LW* 27:139, 161.