

# God as the First Locus in Theology

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## I. The 1960s Radical Theologians

While the discipline of theology should presume the existence of God, this basic tenet became less certain with the rise of the radical theologians Thomas Altizer and William Hamilton. *TIME* magazine put the question “Is God Dead?” on the cover of its April 8, 1966, issue.<sup>1</sup> At the time, The Lutheran Church—Missouri Synod (LCMS) was wrestling with the seemingly less sensational question of whether the law-gospel paradigm could replace the Scriptures as the norm of doing theology. This controversy led to the majority faculty walkout at Concordia Seminary, St. Louis, in 1974. Hamilton would lose his post at Colgate Rochester Crozer Divinity School. There comes a point when one can be too liberal, even for liberals.

Perhaps the real problem is that without God, the entire theological enterprise is financially compromised. At Hamilton’s death, Altizer commended Hamilton for teaching the way of Jesus without the burden of God. Fittingly, both were buried without benefit of clergy. As Lloyd Steffen, an apologist for Altizer and Hamilton, said, “Even if God is absent and nonfunctional, religious visionaries like Jesus or Buddha can still exemplify the best human beings can be.”<sup>2</sup> Here we ask this: How can anyone know what is best for human beings without an external standard like God? This is more than an abstract issue, since some universities employ atheist chaplains.

Eighteenth-century Rationalism’s denial of the supernatural was superseded by twentieth-century neoorthodoxy. Neoorthodoxy revived biblical studies, but not in the orthodox sense of verbal inspiration. Neoorthodoxy asserted that in the moment of the faith encounter, the Scriptures *become* the word of God. This was a theme revived by the late Gerhard Forde and then furthered by his disciples.<sup>3</sup> Neoorthodoxy did not require a belief that what the Scriptures reported actually happened. Language does not necessarily refer to anything outside itself. Words are self-contained realities. An eighteenth-century world devoid of the supernatural led to a

<sup>1</sup> *TIME* 87, no. 14 (April 8, 1966): 1, accessed September 9, 2025, <https://time.com/vault/issue/1966-04-08/page/1/>. See, e.g., Thomas J. J. Altizer and William Hamilton, *Radical Theology and the Death of God* (Indianapolis: Bobbs-Merrill, 1966).

<sup>2</sup> Lloyd Steffen, “Is God still dead?,” *Christian Century* (July 27, 2022): 29.

<sup>3</sup> Cf. Forde’s interaction with Barth in Gerhard O. Forde, *The Preached God: Proclamation in Word and Sacrament* (Grand Rapids: William B. Eerdmans, 2007), 69–85.

twentieth-century world in which God, as the most supernatural phenomenon of all, would have no place. For Karl Barth, God was so transcendent as to be inaccessible. Paul Tillich posed an alternative option of an immanent God found within ourselves as the ground of being.

Three years before the “God is dead” movement came to life, John A. T. Robinson brought together Tillich’s “God as the ground of our being” with Rudolf Bultmann’s hermeneutic of demythologizing the gospels in his *Honest to God*, a 141-page paperback.<sup>4</sup> The table of contents followed a classical dogmatics outline with the locus of God as creator merged into the locus on creation. Deprived of his divinity, Jesus had only a human nature. Prayer was the opening of the self to the ground of being of others.<sup>5</sup> Without a personal God to determine right from wrong, a person would use their circumstances to determine right from wrong, as the title of Joseph Fletcher’s *Situation Ethics* indicated.<sup>6</sup>

This provided a climate for the libertinism of a musical festival of five hundred thousand at Woodstock in Bethel, New York, in August 1969. A less sensational prelude had already erupted at the Lutheran School of Theology at Chicago in its consortium with other denominational seminaries in Chicago. Robert Benne, a newly minted professor, took note of the moral disarray from which even the Catholics in their section of the consortium were not immune.<sup>7</sup> A less publicized antinomianism with the denial of the third use of the law was afoot in the St. Louis seminary that pinnacled in the 1974 majority faculty walkout.<sup>8</sup> At the root of these disruptions was the assumption that law had no positive function as a guide to Christian life, which raises the corresponding question of how it has a function for God. This led the radical theologians to posit that without the role of moral accountability, God was superfluous. Sins, if there were any, were pardoned before they were committed.

With church and society seen as one thing, social action became the new evangelism. The radical theologians called their “God is dead” proposal “gospel,”<sup>9</sup> whereas in the New Testament “gospel” meant the account of Jesus’ life, death, and resurrection. Nowadays, the mainline denominations have come to tolerate moral alternatives that were unknown only half a century before. Membership has so declined that while these denominations once made up the majority of Protestants, they now claim only 15 percent. The last holdout was the United Methodist Church,

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<sup>4</sup> John A. T. Robinson, *Honest to God* (Philadelphia: Westminster Press, 1963).

<sup>5</sup> Robinson, *Honest to God*, 99.

<sup>6</sup> Joseph Fletcher, *Situation Ethics: The New Morality* (Philadelphia: Westminster Press, 1966).

<sup>7</sup> Robert Benne, “The Crucible of the Sixties as a Portal to Orthodoxy,” *Lutheran Quarterly* 38 (2024): 204–212.

<sup>8</sup> Scott R. Murray, “The Third Use of the Law,” in *Rediscovering the Issues Surrounding the 1974 Concordia Seminary Walkout*, ed. Ken Schurb (St. Louis: Concordia Publishing House, 2023), 105–121.

<sup>9</sup> Altizer and Hamilton, *Radical Theology and the Death of God*, 166.

which at its 2024 convention allowed for the blessing of same-sex marriages and the ordination of openly gay clergy. What was once wrong has become morally acceptable and, with that, a morally intolerant God has been pushed to the side.

In 2022, the *Christian Century* article “Is God still dead?” affirmed that man could be religious without God.<sup>10</sup> William Hamilton’s son wrote that the God his father killed was still dead, for which he coined the word “theothanatology.”<sup>11</sup> If God is dead, he can hardly be the first locus in theology. Some pastors took advantage of the phrase “God is dead” to affirm that in Jesus God became man that, in dying, he could offer himself as a sacrifice for sin, a now contested doctrine among those Lutherans who disposed of the law. Death for orthodox Christians is not the termination of life, but it is God receiving our souls back to himself. God has neither body nor soul, but in Christ he could die a death like ours.

What the radical theologians meant, they put up front on the cover of their book: “God has died in our time, in our history, in our existence.”<sup>12</sup> They never intended to say that God ever existed in a way in which we do, but rather he was a phenomenon in culture in which he was no longer included. For our part, God, who is life in himself and the source of life, cannot deprive himself of life. Nonexistence is not an option for him. Similarly, a righteous God cannot sin, and neither can he forgive by issuing pardons without atonement. The phrase “God is dead” has since lost its grip on the public psyche. Hamilton and Altizer have slipped into oblivion and are no longer theological rock stars. They failed to realize that a negative cannot be proven. Only so many books can be written about that which does not exist.

Obituaries for the divine demise offered different times for the fatal illness. Jewish scholars placed it in the Holocaust, since a benevolent God would not allow such suffering. Within a Christian context, death began to overtake God in Renaissance humanism when man began to recognize his own potential. Life support was removed by the Rationalism of the eighteenth-century Enlightenment, which supplied natural explanations for biblically reported supernatural events. With Rationalism submerging the supernatural into the natural, a nonfunctional deity could survive only as a cultural artifact, an idea for which Friedrich Schleiermacher laid the groundwork. Denial of the supernatural led to empty church pews. Like the ceremonial European monarch of today, God had no real power.

## II. Pinnock’s “Openness of God”

Parallel to the “God is dead” hypothesis was evangelical scholar Clark Pinnock’s theory of the “openness of God,” which theoretically gives God the freedom to empty himself of certain divine prerogatives. Pinnock argued that denying this

<sup>10</sup> Steffen, “Is God still dead?,” 29.

<sup>11</sup> Don Hamilton, “When my dad killed God,” *Christian Century* (July 27, 2022): 29–32.

<sup>12</sup> Altizer and Hamilton, *Radical Theology and the Death of God*, 95.

would be an impingement upon God's omnipotence.<sup>13</sup> God's omnipotence, as the Latin origin of the word suggests, has to do with God's authority over things and not over himself. He is not a thing and cannot be an object of his omnipotence. God cannot change himself. "For I the LORD do not change" (Mal 3:6 ESV). This is captured in the Lesser Gloria, "as it was in the beginning, is now, and will be forever." Since God cannot act contrary to who he is, he cannot change himself. What God does flows from who he is and not from what is outside himself. If the law has anything to do with God, it must come from within himself.

Pinnock's proposal that God, by an act of his omnipotence, could change his divine prerogatives resembles the proposal of Gerhard Forde advanced by James Nestingen and Steven Paulson. Their idea is that God's omnipotence trumps his righteous wrath in justifying sinners without atonement. But we must assert that righteousness is as intrinsic to who God is as are life and love. As Robert Preus explained, for the Lutheran Orthodox theologians, God carried out "His work of redemption in response to both God's mercy and justice."<sup>14</sup> God's righteousness requires atonement for sin. If it were otherwise, Satan would have a reason for accusing God of compromising his own righteousness and doing the wrong thing.

The basis for coming to terms with the death of Jesus as an atonement for sin is a matter of the First Commandment. Had God saved man without an atonement, Satan's attempt to put himself in the place of God in Genesis 3 would have at last succeeded. Jesus did not succumb to Satan's temptation in Gethsemane to avoid crucifixion (Matt 26:42). This was a theme introduced by Satan in the temptation narrative, that homage to Satan was a more preferable way to glory than crucifixion (Matt 4:9). Jesus defeated Satan not with an omnipotent word but by Jesus' atonement, and so he deprived Satan of accusing God of unrighteousness. God does the righteous thing and pays the debt man owes him. In the atonement, God's love and righteousness come together. The righteousness that required atonement for sin also required God to raise Jesus from the dead, as Peter said: "But you denied the Holy and Righteous One, and asked for a murderer to be granted to you, and you killed the Author of life, whom God raised from the dead" (Acts 3:14–15 ESV).<sup>15</sup> God's raising of Jesus from the dead is no less an act of God's righteousness than his requiring an atonement for sin. With his wrath satisfied, God again shows his

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<sup>13</sup> Clark H. Pinnock, Richard Rice, John Sanders, William Hasker, and David Basinger, *The Openness of God* (Downers Grove, IL: Intervarsity Press, 1993); see also Clark H. Pinnock, *Most Moved Mover: A Theology of God's Openness* (Grand Rapids, MI: Baker, 2001).

<sup>14</sup> Robert D. Preus, *The Theology of Post-Reformation Lutheranism*, 2 vols. (St. Louis: Concordia Publishing House, 1972), 1:95.

righteousness by justifying the sinner.<sup>16</sup> Justification is a result of the atonement and not an alternative for it.

### III. Schleiermacher's God-Consciousness

While the question of God's existence was slipping out of the wider Protestant purview in the 1960s, the LCMS was coming to terms with the law-gospel paradigm taking the place of the Scriptures as a basis for doing theology. The law-gospel paradigm expanded on Schleiermacher's concept that the God-consciousness (*Gottesbewusstsein*) of the Christian community (*Gemeinschaft*) was the source of what can be known about God.<sup>17</sup> The word "faith" in the title of his dogmatic *The Christian Faith* referred to what the community believed and, for Schleiermacher, this was found in the confessions of the Reformation era. Unlike the Rationalists, he did not provide natural explanations for what the Scriptures presented as supernatural, but he also did not challenge the Rationalists' conclusions. God-consciousness (*Gottesbewusstsein*) rises up from within the human nature and this leads to a fellowship (*Gemeinschaft*) where theology evolves.<sup>18</sup> Instead of religious truth beginning with God as the first locus in theology, truth begins with the God-consciousness (*Gottesbewusstsein*) of the community, which provides the substance of theology, which, for Schleiermacher, could be found in the historic Reformation-era documents. The value of the Scriptures and the Confessions was determined by the piety of the community that produced them. This was a Pietism in spades. With a substandard moral piety, the Old Testament did not qualify as a source of God-consciousness, and the Reformation-era documents took precedence over the New Testament. Reversed was the classical *quia* subscription that the Confessions were to be accepted because (*quia*) they agreed with the Scriptures. The New Testament was accepted *quatenus*, insofar as it agreed with the Confessions. In spite of their doctrinal differences, Lutherans and the Reformed shared a common piety calling for fellowship.<sup>19</sup> God, who is more properly called "the Supreme Being" rather than

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<sup>16</sup> A more recent mishandling of the attributes of God has allowed the evangelical favorite New Testament scholar Richard Hays to claim that behaviors once thought to be perversions are now acceptable. As the title of his much anticipated *The Widening of God's Mercy* indicates, Hays argues that boundaries of God's mercy have been quantitatively expanded now to include LGBTQ+; see Christopher B. Hays and Richard B. Hays, *The Widening of God's Mercy: Sexuality within the Biblical Story* (New Haven: Yale Univ. Press, 2024).

<sup>17</sup> This concept was taken over into biblical studies in that hearers were a factor in how the Scriptures were to be understood; see Shawn P. Behan, *The Congregation as Hermeneutic of the Gospel* (Eugene, OR: Wipf & Stock, 2024).

<sup>18</sup> Friedrich D. E. Schleiermacher, *The Christian Faith*, ed. H. R. Mackintosh and J. S. Stewart, 2 vols. (New York: Harper & Row, 1963), 1:26–28; see also Friedrich D. E. Schleiermacher, *The Christian Faith*, trans. Terrence N. Tice, Catherine Kelsey, and Edwina Lawler, ed. Catherine Kelsey and Terrence N. Tice, 2 vols. (Louisville: Westminster John Knox Press, 2016). Subsequent notes here refer to the Mackintosh-Stewart edition, unless otherwise noted.

<sup>19</sup> Schleiermacher, *The Christian Faith*, 1:107–111.

“Father,” is relegated to the conclusion of the dogmatics with proviso that the Nicene articulation may not be the best or final expression of this doctrine.<sup>20</sup> So it followed “that acceptance of the doctrine of the Trinity is [not] the necessary precondition of faith in redemption and in the founding of the Kingdom of God.”<sup>21</sup> The anti-Trinitarianism of Sabellianism is an alternative for what Schleiermacher called “the Athanasian hypothesis.” Christ as divine and the Holy Spirit are “expressions of Christian consciousness.”<sup>22</sup> But the Trinity “is not an immediate utterance concerning the Christian self-consciousness, but only a combination of several such utterances.”<sup>23</sup> Schleiermacher laid out the way for the twentieth-century radical theology, so that theology can be done without a locus on God.<sup>24</sup>

#### IV. Werner Elert: Revoking Canonization

Lutherans traveling to Wittenberg are likely to have their pictures taken at the Luther statue. A favored destination for Luther scholars is Werner Elert’s grave in Erlangen; Elert served at Erlangen’s university with Hermann Sasse and Paul Althaus. With the publication of *Eucharist and Church Fellowship in the First Four Centuries*, Elert came to enjoy widespread popularity among LCMS pastors.<sup>25</sup> In an age of ecumenical enthusiasm that gave birth to the World Council of Churches and set in motion the union of Lutheran synods in America into the Evangelical Lutheran Church in America (ELCA), Elert provided historical support that the LCMS practice of closed Communion was that of the ancient church. He surfaced as the lead theologian in conferences with German theologians at Bad Boll working toward accommodation with the LCMS.<sup>26</sup> Unrecognized by the LCMS was that Elert’s

<sup>20</sup> Schleiermacher, *The Christian Faith*, 2:738–751.

<sup>21</sup> Schleiermacher, *The Christian Faith*, 2:749.

<sup>22</sup> Schleiermacher, *The Christian Faith*, 2:749–750.

<sup>23</sup> Schleiermacher, *The Christian Faith*, 2:738. Italics original.

<sup>24</sup> Ludger Schwienhorst-Schönberger, “Marcion on the Elbe: A Defense of the Old Testament as Christian Scripture,” *First Things* no. 288 (December 2018); Schleiermacher, *The Christian Faith*, 2:750; cf. Tice, Kelsey, and Lawler edition of Schleiermacher, *The Christian Faith*, 1:166. For Schleiermacher, Trinitarian Christianity originates in the faith of the community but is not a necessary expression of the *Gottesbewusstsein*, which is not bound to specific times and places, and so it can be adjusted, as the Reformation did for medieval Catholicism. The *Gottesbewusstsein* as the basis of theology reflected Schleiermacher’s spirit. His father was a Reformed chaplain strongly influenced by Pietism. Entering the university at eighteen at the height of Rationalism, he soon denied God’s existence, and he fell back on the Pietism of his youth but went no further than identifying God as the supreme being who might be found in non-Christian communities.

<sup>25</sup> Werner Elert, *Eucharist and Church Fellowship in the First Four Centuries*, trans. N. E. Nagel (St. Louis: Concordia Publishing House, 1966).

<sup>26</sup> See David P. Scaer, “Gospel Reductionism: Then and Now,” *Concordia Theological Quarterly* 88, no. 4 (October 2024): 328–336; and David P. Scaer, “The Law Gospel Debate in the Missouri Synod,” *The Springfielder* 36, no. 3 (December 1972): 162–163. For reports and analyses of the Bad Boll conferences, see F. E. Mayer, *The Story of Bad Boll* (St. Louis: Concordia Publishing House, 1949); M. H. Franzmann, *Bad Boll, 1949* (St. Louis: Concordia Publishing House, 1950); Martin Hein, *An Evaluation of Bad Boll 1948 and 1949* (St. Louis: LCMS, n.d.); George Merz,

*Eucharist and Church Fellowship* was a historical and not a theological study. For the Germans, professors of systematic theology have typically first served as professors of historical theology, so for them it is not so much what the Scriptures say but what the theologians of the past have said. It should be noted here that the Bad Boll conferences led to a stream of LCMS graduate students studying theology in Germany. Among others, Robert C. Schultz studied with Werner Elert at Erlangen, while I, at the prompting of Paul Bretscher Sr., studied with Ernst Kinder at Münster.<sup>27</sup>

For Elert, the source of theology was not the Scriptures but what he called *der evangelische Ansatz* (the impact, or the effect, that preaching of the gospel had in igniting the Reformation). Here Elert followed Schleiermacher in locating the source of theology in the Christian consciousness of the community (*Gemeinschaft*),<sup>28</sup> which played the same role for Elert in the twentieth century as for Schleiermacher in the sixteenth century.<sup>29</sup> For the Bad Boll conferences, Elert insisted that the basis of the discussions had to be the Augsburg Confession and not the Scriptures as the LCMS had wanted.<sup>30</sup> The norm of doctrine for Elert was the gospel found in the Scriptures, but it was not identical to the Scriptures.<sup>31</sup> Deriving theology from the Bible for Elert was “Biblicism.”<sup>32</sup> The *evangelischer Ansatz* (the impact of the preached gospel) replaced the Scriptures as the starting point and standard of theology.<sup>33</sup> Elert took the next step that the “Law does not apply to the believer as a

“Symbolist Theology,” *Concordia Theological Monthly* 20, no. 2 (February 1949): 119–124; Frieder Huebner, “Begegnung in Bad Boll,” *Concordia Theological Monthly* 20, no. 12 (December 1949): 922–929; Paul M. Bretscher, “Review of Bad Boll Conferences,” *Concordia Theological Monthly* 25, no. 11 (November 1954): 834–848; Hans Spalteholz, “The Bad Boll Enterprise 1948–1954” (BDiv thesis, Concordia Seminary, St. Louis, June 1955), accessed September 9, 2025, <https://scholar.csl.edu/bdiv/939>; and Karl J. R. Arndt, “Missouri and World Lutheranism at Bad Boll in 1949,” *Concordia Historical Institute Quarterly* 54, no. 2 (Summer 1981): 50–62. For Hermann Sasse’s warnings about the potential for harmful influence on the LCMS from the Bad Boll conferences, see Hermann Sasse, “Letter to J. W. Behnken from Hermann Sasse—May 14, 1948,” trans. Albert Collver III and Charles P. Schaum, *Concordia Historical Institute Quarterly* 93, no. 4 (Winter 2020): 25–40.

<sup>27</sup> See Scaer, “Law Gospel Debate,” 162–165. Following Elert’s death, Ernst Kinder served as the editor of Elert’s *Der christliche Glaube* and *Das christliche Ethos*; see “Ernst Kinder,” Wikipedia: Die freie Enzyklopädie, accessed September 11, 2025, [https://de.wikipedia.org/wiki/Ernst\\_Kinder](https://de.wikipedia.org/wiki/Ernst_Kinder).

<sup>28</sup> Schleiermacher, *The Christian Faith*, 1:26–28, 108–111.

<sup>29</sup> Schleiermacher, *The Christian Faith*, 1:88–93. For Schleiermacher, the community as the source of faith is the one existing at the time the theologian is writing and therefore theology is subject to change.

<sup>30</sup> Scaer, “Gospel Reductionism,” 323–346.

<sup>31</sup> Werner Elert, *The Structure of Lutheranism*, trans. Walter A. Hansen (St. Louis: Concordia Publishing House, 1962), 184–185. See especially Ken Schurb, “Gospel and Scripture,” in Schurb, *Rediscovering the Issues*, 15–37, esp. 18–19.

<sup>32</sup> Elert, *The Structure of Lutheranism*, 184–185. Elert had laid out his approach about fifteen years before *Morphologie des Luthertums* in 1931, but it is unlikely the LCMS conferees had read it. The English translation, *The Structure of Lutheranism*, appeared in 1962.

<sup>33</sup> Elert, *The Structure of Lutheranism*, 12–13, 181.

believer” and that “the evangelical content of Scripture continues to have for the believer an authority with which its legal content can no longer interfere.”<sup>34</sup> Here was the basis for the denial of the law’s third use, but also for placing law and gospel in such opposition to each other so that the one had to eliminate the other. While asserting that the written form of the word of God establishes authenticity for the gospel, Elert asserted that the account of Christ’s life first becomes gospel for the believer “when you ‘accept and recognize Him as a gift and present given to you by your God and as your own.’”<sup>35</sup> For all their differences, on this point Elert was in line with Barth.

Elert’s method of the *evangelischer Ansatz* assesses the effects or results of the preaching of justification in doing theology and does not go directly to the Scriptures. It may be compared to a method used by geologists in drilling through the surface to determine the subterranean rock. Elert took core samples from the sixteenth-century Reformation documents to construct the *evangelischer Ansatz*. He found this in the confessional documents but not exclusively so. Since the Reformation reached its zenith in 1530, Elert found room under the umbrella of the *evangelischer Ansatz* for Ulrich Zwingli and for those who made the “claim that [John] Calvin was [one of] Luther’s ‘most loyal disciples.’”<sup>36</sup> Elert moved from one Reformation-era document to another like a skilled organist moving his hands from one rank on the organ to another. Elert knew that sociology played a part in how he did theology so he mused on what Lutheran theology would be like in a non-German context.<sup>37</sup>

Walter A. Hansen, the translator of Elert’s *Morphologie des Luthertums* into *The Structure of Lutheranism*, wrestled with finding an English equivalent for *der evangelische Ansatz*, the phrase Elert used to explain how he did theology. The term focuses on how the preached gospel justifies its hearers.<sup>38</sup> At the suggestion of Theodore Engelder, Hansen held that the “impact of the Gospel” was synonymous with the doctrine of justification. Rather than regarding Scripture as the source of theology, theology is derived from observing what preaching accomplishes in justifying the hearers, that is, in the effect of the gospel, in what it does. Another definition for *evangelischer Ansatz* might be “epicenter of the gospel.” Just as “epicenter” refers to that part of the earth’s surface beneath which an earthquake has taken place, the *evangelischer Ansatz* is the preaching of the gospel that set in motion the cosmic changes of the Reformation. Elert’s insistence that the Bad Boll conferences with the LCMS had to follow the Augsburg Confession set in place the principle that the

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<sup>34</sup> Elert, *The Structure of Lutheranism*, 181, 3–14, 179–210.

<sup>35</sup> Elert, *The Structure of Lutheranism*, 188–189. “A question of what Scripture *is* was answered by what it does” (Schurb, “Gospel and Scripture,” 19).

<sup>36</sup> Elert, *The Structure of Lutheranism*, 10.

<sup>37</sup> See Elert, *The Structure of Lutheranism*, 12–14.

<sup>38</sup> Elert, *The Structure of Lutheranism*, xix.

*evangelischer Ansatz*, i.e., the experience of justification and not the Scriptures, was the norm for doing theology. That said, Elert took exception to article I because it insisted that the Nicene Creed “must be believed” and for him this stood at odds with the *evangelischer Ansatz*. For Elert this was law. Regarding the Nicene Creed, he wrote the following:

But, much worse than this, here the decree of a synod is designated as something to be believed. Here the ship of the Reformation, which has just recently departed from land, seems to be sailing back into the harbor of the medieval church, which produced laws of faith and demanded obedience to them. Faith itself, the most precious treasure, seems to be betrayed!<sup>39</sup>

Elert observed that the remaining articles of the Augsburg Confession, like the rest of the Confessions, “established the essential elements of Luther’s doctrine of justification.” However, in Elert’s view, article I erred in making the first locus of God a law for faith.<sup>40</sup> There can be no argument that justification is the effect of the gospel, but the effect of the gospel as justifying the sinner should be distinguished from the gospel as defined by the evangelists as the life, death, and resurrection of Jesus Christ. Preaching the gospel is preaching Jesus Christ; of this Paul is not ashamed (Rom 1:16).

For both Schleiermacher and Elert, the sixteenth-century confessions provided the substance out of which theology was constructed.<sup>41</sup> For Schleiermacher, this substance arose in the consciousness of the Christian community, and for Elert it was the *evangelischer Ansatz* (the preaching of the doctrine of justification). This gave reason for Elert to have concerns about article I, as it did for Schleiermacher, for whom the Trinity was “not an immediate utterance concerning the Christian self-consciousness, but only a combination of such utterances.”<sup>42</sup> For Elert, doctrines had to be understood in regard to salvation, and the Trinity, as presented in article I, was not a result of the impact of the gospel, *evangelischer Ansatz*.<sup>43</sup> In holding that the doctrine of the Trinity was constructed from what Scripture said about each divine person and then concluding that God was the Trinity, Elert’s method was similar to Schleiermacher’s. It was a “bottom-up” approach so that doctrine is regarded as the effect of preaching the gospel, what Elert called the *evangelischer Ansatz*.<sup>44</sup>

Since justification is accomplished by preaching, Elert gives preference to the oral over the written word. Even the written narrative of Christ’s life becomes the

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<sup>39</sup> Elert, *The Structure of Lutheranism*, 202.

<sup>40</sup> Elert, *The Structure of Lutheranism*, 202–203. It should be noted that Elert accepted the doctrine of the Trinity. What he disapproved of in AC I was the statement that the doctrine of the Trinity “must be believed” as a kind of law for faith.

<sup>41</sup> Elert, *The Structure of Lutheranism*, 230.

<sup>42</sup> Schleiermacher, *The Christian Faith*, 2:738.

<sup>43</sup> Elert, *The Structure of Lutheranism*, 220–221.

<sup>44</sup> Elert, *The Structure of Lutheranism*, 185–189.

gospel only when the hearers “accept and recognize Him as a gift” and “herein it establishes its character as ‘a book of divine promises.’”<sup>45</sup> Proclaiming the law and the gospel in effecting the justification of the sinner replaces the Scriptures as the standard of doctrine.

### V. Look, Ma! No Law!<sup>46</sup>

In the introduction to his doctoral dissertation, *Gesetz und Evangelium*, written under Elert and finished under Althaus, Robert C. Schultz lays out how the law-gospel paradigm, as he took it over from Elert, could be used as a principle for dogmatics and biblical hermeneutics. He acknowledges that C. F. W. Walther intended the law-gospel distinction as a paradigm for pastors dealing with parishioners with troubled consciences and did not intend that it should be a principle for dogmatics and hermeneutics or an outline for preaching.<sup>47</sup> In 1961, Schultz would later reverse his assessment and claim that Walther *did* intend law and gospel as a generally applicable theological principle,<sup>48</sup> as it would become for the St. Louis seminary faculty in its February 1974 walkout.

Antinomianism as a definition is as applicable to the radical theologians who said “God does not exist” as it is to Elert, Forde, and their disciples. One shoe does not fit all. Consider the moderating view of Steven Paulson that “God gave the law to creatures but is not law.”<sup>49</sup> This raises the question that if the law does not originate in God, from where or whom did it come? Our response is that the moral law is an expression of God’s attributes, his character, and that man, by being made in God’s image, shares in his moral righteousness, so that man knows right from wrong. Adam’s primordial sin was not breaking this or that arbitrary law, but

<sup>45</sup> Elert, *The Structure of Lutheranism*, 189.

<sup>46</sup> The wording of the heading comes from Steven Paulson, “The Law-Gospel Distinction in Lutheran Theology and Ministry,” in *God’s Two Words: Law and Gospel in the Lutheran and Reformed Tradition*, ed. Jonathan A. Linebaugh (Grand Rapids, MI: Eerdmans, 2018), 128.

<sup>47</sup> Robert C. Schultz, *Gesetz und Evangelium* (Berlin: Lutherische Verlagshaus, 1958), 11–16, 148–168.

<sup>48</sup> Robert C. Schultz, “The Distinction between Law and Gospel,” *Concordia Theological Monthly* 32, no. 10 (October 1961): 591–597. Schultz stated, “Walther stands head and shoulders not only above almost all his contemporaries but also above many of his most orthodox successors in the depth of his understanding of the distinction between Law and Gospel and its application to practical, systematic, and exegetical theology in the church of the Lutheran Confessions.” Even though Schultz did not serve on the St. Louis faculty as Edward Schroeder did, Schultz was considered by Schroeder to be the godfather of the law-gospel movement in the LCMS. Other leaders in that movement named by Schroeder include Richard Koenig, Martin Marty, Ralph Zorn, Kenneth Mahler, Edgar Krentz, Ken Kraemer, Don Meyer, Bob Clausen, and Warren Rubel; see Edward Schroeder, “Robert C. Schultz’s Response to the Gay/Lesbian Ordination Resolution,” *Crossings* (July 2, 1998), accessed September 9, 2025, <https://crossings.org/robert-c-schultzs-response-to-the-gaylesbian-ordination-resolution/>. See also Scaer, “Gospel Reductionism,” 333–334.

<sup>49</sup> Steven Paulson, “Ten Theses on How to Stop Making Gospel into Law,” in Linebaugh, *God’s Two Words*, 128.

assuming the prerogatives of his creator, as Satan had, in challenging his subordinate relationship to God. With that, Adam saw God's righteousness as accusation. God himself provided the solution by placing Christ under his wrath with the result that man, as a sinner who could see the law only as accusation (*lex semper accusat* [Ap 4:125]), but now as a believer sees the *lex aeterna*. He sees God as God is in himself, whom, according to Jesus, we can love with all that we are and have (Ap 4:132–133). By faith, the impossibility of fulfilling the law is transformed into the reality that Christ, working in believers, does in believers the good things that God does. Luther lays out all of this in his explanations to the Commandments.

Common to both the radical theologians and those who followed Elert is the idea that the law is expendable in our coming to terms with God. For Elert, the gospel remains intact, but not the law. He stated, “For the knowledge that the Law does not apply to the believer as a believer is one of the fundamental postulates of the impact of the Gospel (*evangelischer Ansatz*).”<sup>50</sup> Elert was inconsistent with his own principle in seeing that the doctrine of Christ’s descent into hell did not fit the law-gospel paradigm.<sup>51</sup> He was also comfortable with the Smalcald Articles, in which Luther “placed the high article on the divine Majesty ahead of all the rest as beyond controversy and dispute.”<sup>52</sup> Recognizing the law-gospel paradigm as absolute may stand behind the often-heard saying that some things recorded in the Scriptures are just stuff. Typically, in preparing a sermon, a first-year seminary student faces a pericope in which he does not find the law and gospel expressed in a stereotyped manner, yet still feels obligated to preach a sermon in which the law-gospel paradigm is included. David S. Yeago rightly takes issue with the concept that “the distinction and opposition of law and gospel constitutes the last horizon of Christian belief, that the opposition of law and gospel to one another is the prime structuring principle.”<sup>53</sup> This paradigm, that the word of God becomes authoritative in its being proclaimed, is at the heart of the theological proposal offered by Forde, Nestingen, and Paulson, who go one step further in holding that the atonement and predestination are completed in the proclamation.<sup>54</sup>

On our part, we must be observant that our *quia* subscription to the Lutheran Confessions does not follow the method of Schleiermacher and Elert. Their positions can be summarized that we hold to the Scriptures only insofar as (“quatenus”) the Scriptures agree with the Confessions, and only insofar as (“quatenus”) the Scriptures agree with the Confessions can they be a source of theology. Finally,

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<sup>50</sup> Elert, *The Structure of Lutheranism*, 181.

<sup>51</sup> Elert, *The Structure of Lutheranism*, 249.

<sup>52</sup> Elert, *The Structure of Lutheranism*, 203.

<sup>53</sup> David S. Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” *Pro Ecclesia* 2, no. 1 (1993): 38.

<sup>54</sup> See David P. Scaer, “Is Law Intrinsic to God’s Essence?,” *Concordia Theological Quarterly* 82, no. 1 (January/April 2018): 3–18.

justification is not the gospel but the gospel's result. The gospel is the proclamation of the life, death, and resurrection of Jesus Christ. Mark, therefore, claims that his book is the gospel of Jesus Christ (Mark 1:1) and of this Paul says he is not ashamed (Rom 1:16).