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Errata

There is an error on page 339 in the research note by Benjamin T.G. Mayes, “Apology of the Augsburg Confession Comparison Chart,” *CTQ* 80:3–4 (2016). A line was accidentally omitted. The missing line reads as follows:

Of Confession and Satisfaction [Triglot, etc.]: XII (VI) 1–81 [Tappert, etc.]: XII 98–178

Will the Real Martin Luther Stand Up?

David P. Scaer

For worldwide Protestantism, 2017 was the equivalent of the Holy Year of Mercy, with pilgrims rushing not through Rome's bronze portals but to the Wittenberg door that once held the Ninety-Five Theses, in order to view the grave of the great reformer. The original door no longer exists, and the door episode itself may be more apocryphal than historical—one episode discussed among others by Hartmut Lehmann in "Demythologizing the Luther Myths 1883–1983."¹ Myth or not, Luther's hammer blows are still heard around the world. Nothing could be more exhilarating than singing "A Mighty Fortress" in the Castle Church where it all began.

Some years ago, a Lutheran Church—Missouri Synod (LCMS) pastor was serving as a chaplain in the Castle Church when great things began to happen, or so it seemed. As he was about to conduct the prayers, he heard a choir singing the Luther hymn. These voices of the saints on earth sounded to him like voices of angels, until he learned that the mailing address of these saints was Salt Lake City, Utah. Not everyone who calls himself a saint is one, just as not everyone who claims to be a Lutheran or a Luther devotee really is. German territorial churches count as Lutherans those who do not even regard themselves as Christians. Lutheran hymns are still sung in these non-specific confessional Evangelical German territorial churches and often in German Catholic and Baptist churches as well. In turn, confessional Lutherans make use of the Reformed hymnody. What Luther said about the true and false churches in his *Lectures on Genesis* applies to Lutherans today. Boundaries between the false and the true Lutheran churches are fluid, and we cannot be sure who belongs on which side of the great divide. In the shadow of the true church looms the false church.² Sadly, Luther notes that within itself, the true church has the seeds of its own self-destruction.³ As Esau's children are mixed

¹ Hartmut Lehmann, "Demythologizing the Luther Myths 1883–1983," *Lutheran Quarterly* 30 (Winter 2016): 410–429.

² Jonathan D. Trigg, *Baptism in the Theology of Martin Luther* (Boston and Leiden: Brill Academic Publishers, Inc., 2001), 192.

³ Martin Luther, *Lectures on Genesis* (1535–1536): vol. 2, p. 12, in *Luther's Works, American Edition*, vols. 1–30, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955–76); vols. 31–55, ed. Helmut Lehmann (Philadelphia/Minneapolis: Muhlenberg/Fortress, 1957–86); vols. 56–82, ed. Christopher Boyd Brown and Benjamin T. G. Mayes (St. Louis: Concordia Publishing

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with Jacob's children, so, too, can Luther's progeny be found in non-Lutheran communions, and Calvin's progeny in Lutheran communions. In this commemorative year, pilgrims to Wittenberg will not be of one mind. Only the judgment day will separate the chaff from the wheat. In 1983, the quincentennial of Luther's birth, the German Democratic Republic, seeing an opportunity for financial gain, produced sound explanations of the reformer's doctrine of justification. Wheat grows in strange places. Thomas Müntzer remained the reformer of choice, and the Anabaptist-inspired Peasants Revolt was considered what Luther's Reformation should have been. A milder version of this hope is still promulgated by the Reformed in the accusation that Luther was too Catholic, a thought residing in the recesses of the hearts even of some Lutherans.

In an ideal world, all Lutherans, true or false, would make the pilgrimage to Wittenberg. But for those who can't, Luther relics are on display in colleges and seminaries, as well as in museums like the Minneapolis Institute of Art and the Morgan Museum in New York City. These Luther collections are the equivalent to Catholic basilicas for those who cannot make pilgrimage to Rome, or even the Reformation-era Santiago de Compostela. For some, the pilgrimage to Wittenberg will be as much an affirmation of their German or Scandinavian heritage as it is an act of religious devotion.

For travelers and nontravelers alike, the Lutheran thing to do in the year 2017 was to read several books on Luther besides the old standard by Schwiebert, *Luther and His Times* (Concordia Publishing House, 1950), which everyone should read at least once every three years. Highly recommended is *Martin Luther: Visionary Reformer* by Scott H. Hendrix (Yale University Press, 2015). For nonreaders, Luther movies or documentaries are substitute forms of devotion—something like faithful Catholics saying the rosary. Intriguing is the play *Martin Luther on Trial*, in which the reformer faces a jury consisting of Hitler, Freud, and his own wife.⁴ This is nothing new. In 1961, John Osborne used the stage in his play *Luther* to psychoanalyze the reformer, who was portrayed as being uncertain about the value of the Reformation at the end of his life. This was based on Erik H. Erikson's

House, 2009–), hereafter AE. For a discussion of three undefined boundaries of the church, see Trigg, *Baptism in the Theology of Martin Luther*, 176–179.

⁴ Here is the promotional piece advertised on the website of the Fellowship for the Performing Arts, which produced the play: "A trial for the soul of Martin Luther, and the prosecutor . . . is the Devil. In the new original play *Martin Luther on Trial*, Luther's beloved wife Katarina defends him as witnesses including Adolf Hitler, Sigmund Freud, Rabbi Josel, St. Paul, Martin Luther King Jr. and Pope Francis take the stand. Even as 2017 marks 500 years since Luther ignited the Protestant Revolt against Rome, he continues to spark intense debate. You be the judge in this witty, provocative exploration of one of history's most explosive personalities and the religious and political controversies he unleashed" ("Martin Luther on Trial," Fellowship for Performing Arts, accessed December 5, 2017, <https://fpatheatre.com/production/martin-luther-on-trial>).

Young Man Luther: A Study in Psychoanalysis and History, published in 1958 by W. W. Norton & Company.

A shortcut to Luther studies from one year to the next is provided in the steady supply of Luther articles, book reviews, and commentaries in the *Lutheran Quarterly*. Familiar names associated with the *Quarterly* are Oliver Olson, John T. Pless, Robert Kolb, Lawrence Rast, Mark Mattes, Carter Lindberg, and Steven Paulson, all past speakers at the annual symposium at Concordia Theological Seminary.⁵ Matthew Becker is also a familiar name. Any literary journey into Luther's life and work will be only a partial incursion into his mind, which no one scholar has fully mastered. Standard in dogmatic theology is the understanding that God, as he is in himself, is unfathomable; Luther comes in a close second. Here is a case where no one can grasp fully the reformer's thought, even on one subject. In the Autumn 2016 issue of the *Lutheran Quarterly*, Mary Jane Haemig offered a twenty-one page article entitled "Luther on Prayer as Authentic Communication." That ought to settle what Luther thought about prayer, but it does not. Added to the essay is a bibliography of fifteen full-length books, dating only as early as 1976, that discuss what Luther said about prayer. A shortcut to his writings is the book *What Luther Says* (Concordia Publishing House, 2006), in which his sayings are cataloged according to subject. At the end of 2017, the *Lutherjahrbuch*, a detailed bibliography published annually that lists articles and books about Luther published in the previous year, will be greatly expanded. Yet, still he remains beyond our grasp. To speak in biblical terms, of the writing of books about the great reformer there will be no end, at least so thinks the renowned Luther scholar Scott H. Hendrix.⁶ Again making use of biblical hyperbole, all the books in the world could not contain the things that have been written about Luther, and Concordia Publishing House continues to unveil translations of what he himself wrote. Had Luther lived before Abraham, the patriarch might have been directed to gaze at the books and articles written by and about the reformer to determine the number of his descendants. This

⁵ In 1997, Oliver K. Olson of Minneapolis lectured at the Twentieth Symposium on the Lutheran Confessions. *Lutheran Quarterly*, of which he had recently been made editor, had an ancient but less than a secure tradition reaching into the mid-nineteenth century to *Evangelical Review* in 1849, the *Lutheran Church Review* in 1882, the *Augustana Quarterly* in 1922, and *The Lutheran Church Quarterly* in 1928. In 1949, these were combined to form the *Lutheran Quarterly* that succumbed to journalist mortality around 1977 (Paul Rorem, "Lutheran Quarterly, Past and Future," *Currents in Theology and Mission* 43 [January 2016]: 10). By an act of sheer editorial strength, Olson called the *Lutheran Quarterly* back from its grave and staked out a claim for the old tradition. In 1997, the reconstituted *Lutheran Quarterly* had survived infancy, but it was not certain that it would make it through puberty. A provisional transfusion for the *Quarterly* was provided in a successful pitch for subscribers at the 1997 symposium and so the periodical was able to advance into a successful maturity.

⁶ Scott H. Hendrix, *Martin Luther: Visionary Reformer* (New Haven and London: Yale University Press, 2015), x.

is not only a quantitative frustration, but a frustration of content in coming to terms with an agreed upon composite of who Luther really was and what he thought.⁷ To rephrase Isaiah 44:15–16, every man has made a graven image of [Luther] and falls down before it and throws into the fire those parts that do not suit him.

If the most theologically influential and admired triumvirate in Christendom would be determined by the number of books written about them, it would be in this order: Jesus, Luther, and Paul.⁸ Jesus' first place is beyond challenge, but since the Enlightenment, he is disadvantaged by doubts of what we can know about him, if anything at all.⁹ Paul's name is at the head of more New Testament books than anyone else's, but his repertoire has been stripped of Ephesians, Colossians, and the Pastoral Epistles. His popularity survived on both sides of the East-West Schism of 1054 and the Protestant-Catholic split of the Reformation era. James proved the more useful to Rome, but Paul's doctrine of the indwelling of Christ in believers was put to good use. Several years ago, St. Peter's Cathedral in Scranton, Pennsylvania held a commemorative service to mark the two-thousandth birthday of St. Paul. Untold is how the year was determined, but it had to be June—the month in which the commemorative service was held. Blatantly Protestant-styled hymns were sung. And sections of Paul's epistles that had to do with Christ's indwelling in believers were read. Noticeably and understandably missing were Romans 3:20, "For no human being will be justified in his sight by works of the law," and Ephesians 2:8, "For by grace you have been saved through faith; and this is not your own doing, it is the gift of God." It was a Catholic service, and every confession has its favored biblical books and passages. I wondered why Lutherans, with their dependency on Paul for their signature doctrine, failed to commemorate his birth. Lutherans may think they have a hold on the apostle, but they do not.

Complicating the Reformation celebration is the New Perspective on Paul (NPP), an approach to Paul's theology in which E.P. Sanders, N.T. Wright, and James Dunn propose that Luther misunderstood Paul, whose Jewish opponents held

⁷ One such book is Kristian T. Baudler, *Martin Luther's Priesthood of All Believers: In an Age of Modern Myth* (New York: Oxen Press, 2016), in which he argues for a Protestant Luther who had little use for things Catholic. See also Kristian T. Baudler, "Luther's Only Common Priesthood: 1519–1523," *Logia* 25/4 (2016): 45–52. As Baudler's title indicates, he does not take Luther's later writings into account. For this, see Joachim Heubach, *Die Ordination zum Amt der Kirche* (Berlin: Lutherische Verlagshaus, 1956).

⁸ Hendrix, *Martin Luther*, ix.

⁹ For recent discussion of various views concerning what can be known about Jesus, see *The Historical Jesus: Five Views*, ed. James K. Beilby and Paul Rhodes Eddy (Downers Grove, IL: InterVarsity Press, 2009). The most radical view is proposed by Robert M. Price in his chapter, "Jesus at the Vanishing Point," 55–83. For an extensive collection of scholarly essays about who Jesus was and whether he existed at all, see *Jesusforschung in vier Jahrhunderten: Texte von den Anfängen historischer Kritik bis zur "dritten Frage" nach dem historischen Jesus*, ed. Werner Zager (Berlin: De Gruyter, 2014).

to salvation by grace. The error of these opponents is thought to be that they imposed Jewish laws on Gentile converts. Should the NPP prove to be correct, the entire Reformation enterprise would collapse and 2017 would be little more than a historical commemoration.¹⁰ Stephen Westerholm takes on the NPP in his essay “Did Luther Get Paul Right on Justification?”¹¹ For some time, these individuals have held that Paul is responsible for corrupting the teachings of Jesus. Ironically, this has secured Paul’s place in history. As one scholar aptly says, “Doubts about Paul’s existence are never voiced by critics who hold him responsible for alleged evils perpetrated by the church in Jesus’s name, . . . since people who never lived make poor scapegoats.”¹² Let us take this one step further. Paul can hardly be blamed for corrupting the teachings of Jesus if we cannot be sure what Jesus taught, or, for some, if he even existed. So let us put things in a row.

Reformation celebration is not only a Lutheran thing. Like brothers born of the same mother but conceived by different fathers, the Reformed cannot ignore it. They present themselves as Luther fans but hold that he did not go far enough in removing the idolatrous practices and symbols of Rome. Calvin’s understanding of idolatry results in his assertion that God cannot be depicted, even in the human form—this includes that of Jesus. So also do some Lutherans prefer empty crosses to crucifixes. When it comes to justification, the Reformed are with Luther on the doctrines of *sola fide* and *sola gratia*, but they compromise these doctrines by subordinating them to God’s sovereignty and predestination.¹³ Secreted away in the hearts of the truly Reformed is that Ulrich Zwingli, not Luther, was the first reformer. Zwingli took umbrage at those who said he was walking in Luther’s footsteps, and Luther returned the favor by not allowing Zwingli to be called his disciple.¹⁴ Like Esau and Jacob, the Reformed and the Lutherans were at odds even before the Reformation came to full term. Luther and Melancthon did not want to meet with Zwingli in October 1529 at the Marburg Colloquy, which Philip of Hesse arranged to solve a dispute between Luther and Zwingli regarding the real presence of Christ in the Lord’s Supper. Later, Luther took the argument beyond that of the sacrament in holding that the resurrected body of Jesus was present wherever God was and so confirming that Jesus’ presence in bread and wine was

¹⁰ James D. G. Dunn, *The New Perspective on Paul* (Grand Rapids: Eerdmans, 2005).

¹¹ Stephen Westerholm, “Did Luther Get Paul Right on Justification?” in Carl E. Braaten, ed., *Preaching and Teaching the Law and Gospel of God* (Delhi, NY: ALPB Books, 2013), 67–90.

¹² Patrick Gray, *Paul as a Problem in History and Culture: The Apostle and His Critics through the Centuries* (Grand Rapids: Baker Academic, 2016), 86. Paul’s existence has been questioned (see *Paul as a Problem in History and Culture*, 86n3).

¹³ Carlos M. N. Eire, *Reformations: The Early Modern World, 1450–1650* (New Haven, CT: Yale University, 2016), 295, 311.

¹⁴ Eire, *Reformations*, 219–220

possible. This is a position that the Reformed, beginning with Zwingli, still refuse to acknowledge. Zwingli had a static view of heaven “as a detached place to which Christ was confined” and a belief that Christ’s presence in earthly elements was incomprehensible.¹⁵ Whatever issues Calvin had with Zwingli, they shared a common metaphysic that placed a gulf between spirit and matter, invisible and visible, creator and creature. Such a metaphysic then saw any human image of the divine as idolatry. It was this belief that they applied to their understanding of Christ and the sacraments. The Reformed place the Holy Spirit outside the sacraments. Luther placed the Spirit within the sacraments.¹⁶

Different beliefs about Christ and the sacraments were symptoms of fundamentally opposing worldviews. For Lutherans, “things” are necessary. For the Reformed, they are obstacles. The Reformed join the Luther celebration claiming that Calvin’s doctrine of the spiritual presence in the Supper offered a mediating position between Luther and Zwingli, but this is not so. Calvin devoted a lengthy chapter in his *Institutes* against Luther’s view that Christ’s body and blood should be received by the mouth.¹⁷ He also tried to contact Luther by writing to Melancthon, who, knowing what Luther thought of Calvin, did not tell him.¹⁸ Alliances between their followers took place after the reformer’s death, when one region after another compromised Luther’s distinctives. This culminated in the creation of the Evangelical Church in 1830, with one liturgy used by both Lutheran and Reformed churches. For that celebration, crucifixes were placed in the Berlin cathedral. These crucifixes still remain in the reconstructed cathedral. According to the Reformed, these are idols. So, things are not always as cut-and-dried as we would like. Calvin’s religion took hold in the Netherlands, Scotland, and England, and from there moved to New England through the Puritans. From New England, it then worked its way westward throughout North America via revivals.¹⁹

Like children rejected by their father, the Reformed cannot fully rid themselves of a sublimated affection for Luther. They have a fascination with the episode of Luther drinking beer with Melancthon and Amsdorf, when he said that God’s word brought about the Reformation.²⁰ A similar episode in Calvin’s life would be

¹⁵ Hendrix, *Martin Luther*, 207.

¹⁶ Marc Lienhard, *Luther: Witness to Jesus Christ*, tr. Edwin H. Robertson (Minneapolis: Augsburg Publishing House, 1983), 200–219.

¹⁷ John Calvin, *The Institutes of the Christian Religion*, tr. Henry Beveridge (Grand Rapids: Eerdmans, 1966), 2:555–605.

¹⁸ Eire, *Reformations*, 232–235.

¹⁹ Eire, *Reformations*, 287–288.

²⁰ Luther, *Eight Sermons at Wittenberg* (1522), AE 51:77. This often-cited reference to Luther drinking beer is taken from a sermon delivered on March 10, 1522, the Monday after Invocavit. Luther also speaks of God working while he slept, an allusion to Mark 4:26–29, a pericope without

difficult to document. Reformed scholars regard Luther as more endearing than Calvin, who is described as just plain cold.²¹ Consider the title of the 1971 book *The Humanness of John Calvin*.²² This book raises the question of whether side-by-side images of Luther, Calvin, and Zwingli in German and Austrian churches commemorate a history that never happened. In spite of their admiration for Luther's *Bondage of the Will*, the Reformed cannot fully embrace a reformer who could not fully extricate himself from Catholicism.

Reformation is also a Catholic affair. Just how successful the Joint Declaration on the Doctrine of Justification was in resolving Lutheran and Catholic differences remains a matter of debate.²³ Typically, Rome takes these kinds of documents less seriously than do their co-signers. What the Catholics call justification resembles what Lutherans call sanctification, but since Lutherans are not in agreement among themselves on justification, any agreement with others is flawed at the outset. The Augsburg Confession and the Catholic Confutation showed basic agreement on what is confessed in the creeds. A joint service commemorating the start of the Reformation anniversary year was held in the cathedral in Lund. The female archbishop of Sweden presided along with Pope Francis, who took note of the gifts that have come through the Reformation. Without specification, one of these gifts could be the Counter-Reformation, and so it can be said that Luther helped the Catholic Church remove the shackles of medieval Christianity. Along with retaking lands lost to Protestants, Catholics began missionary work in the Americas and the East Indies. If we dare speak of a negative cause, the Catholic Church would not be what it is today without Luther.²⁴ On the return flight from Sweden, Francis said Rome would not ordain women priests—what a relief that was. Another intriguing event was the international symposium on Luther's teachings on the sacraments held in Rome during February 2017, sponsored by the Pontifical Gregorian University.

Luther's place in history is secure but not immune from censure. A confession that he pushed Humpty Dumpty off the wall and reassembled the broken shells

parallel in the synoptic Gospels. "I simply taught, preached, and wrote God's Word; otherwise I did nothing."

²¹ Eire, *Reformations*, 287. This was the view classically offered at the 2016 symposium by Carl Trueman in his essay, "Liking and Disliking Luther: A Reformed Perspective," *Concordia Theological Quarterly* 81/1–2 (2017): 137–151.

²² Richard Stauffer, *The Humanness of John Calvin*, tr. George Shriver (Nashville: Abingdon Press, 1971).

²³ See Concordia Seminary and Concordia Theological Seminary, *The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective* (St. Louis: The Lutheran Church—Missouri Synod, 1999).

²⁴ Consider that in his encyclopedic *Reformations*, 367–522, Eire devotes more space to the Counter-Reformation than to Luther's.

of medieval Catholicism is unlikely. So, in this commemorative year, we have not expected the pope to pull his garments above his knees and receive the prodigal son into the church's loving arms. That would be asking too much; though it would be a nice gesture for the pope to extend the Year of Mercy by reopening the doors of St. Peter's for just a few moments to receive the great reformer back into St. Peter's fold.

Rather than speaking of *the* Reformation, it might be better to make use of the title of Carlos M. N. Eire's book: *Reformations*.²⁵ When asking the question "Will the real Martin Luther stand up?," we face multiple Luther resuscitations, and every man can choose the one that best fits his ideology. So, Luther becomes one size made to fit all. Frustration with what constitutes an adequate commemoration of the Reformation is expressed by Hartmut Lehmann in his commentary "The Quincentenary of the Protestant Reformation in Germany."²⁶ For some Americans, Reformation means Germany, and the Federal Republic pulled out all the stops for the celebration. Six regional conferences were held in what was formerly the German Democratic Republic, with a festive service on May 28, 2017, in Wittenberg. Events were planned in sixty European cities. Protestants and Catholics planned a joint pilgrimage to Jerusalem and special ecumenical services with the aim of healing Reformation-era memories. Lehmann asks why the Reformed churches of the Netherlands and Scotland were not asked to join, but the cloud hanging over the celebration is that the Reformation will be celebrated "in the most secularized, almost de-christianized parts of Germany, the former East."²⁷ Communism, already deceased for nearly thirty years, still gives birth to stillborn children. Statistics for religious affiliation in Germany are dismal. Twenty-seven percent belong to Protestant churches, twenty-nine percent to the Catholic Church, and thirty-four percent are nonbelievers. Of those who belong to Protestant churches, only five percent are active. In Luther's Wittenberg, less than ten percent belong to any church, let alone Luther's church. Lehmann predicts that the same fate that befell the Orthodox will fall on Germany.²⁸ To bolster up the Reformation celebration, Lehmann suggests that Baptists and Pentecostals be asked to participate.²⁹

²⁵ Supporting the argument that Zwingli was the original reformer, Eire says, "Ulrich Zwingli was preaching straight out of the Bible . . . calling into question many of the teachings and practices of the Catholic church" (*Reformations*, 219). Zwingli attributed his conversion to Erasmus sometime between 1514 and 1515 (*Reformations*, 224).

²⁶ Hartmut Lehmann, "The Quincentenary of the Protestant Reformation in Germany," *Lutheran Quarterly* 30 (Autumn 2016): 327–335.

²⁷ Lehmann, "The Quincentenary," 333.

²⁸ Luther, *To the Councilmen of All Cities in Germany (1524)*, AE 45:352–353: "And you Germans need not think that you will have [the gospel] forever, for ingratitude and contempt it will not make it stay."

²⁹ Lehmann, "The Quincentenary," 332–334.

Rapprochement would have to overcome any hard feelings for Luther's dislike of the Anabaptists.³⁰ Joint commemorations require a bit of historical amnesia. Eamon Duffy cites Jean Delumeau, a French Catholic historian, who proposes that a solution for a common commemoration is understanding "the emergence of Protestantism and the transformation of Catholicism after Trent as twin aspects of a process of 'Christianization'." By this, he meant that

both Catholic and Protestant reformers labored to replace the inherited half-pagan folk religion of late medieval Europe with something more authentically Christian, focused on the person of Christ rather than often legendary saints, prioritizing orthodox catechesis and preaching over quasi-magical ritual, and imposing religious and moral discipline on a reluctant populace.³¹

His proposal resembles the theme chosen by the LCMS for its Reformation celebration: "It's Still All about Jesus." Salvation came in Christ in the first century and was clarified in the sixteenth century. Yet, more serious negatives exist in the Reformation celebration.

Duffy notes that "The principle of *sola scriptura* and Protestantism's consequent inability to arrive at workable criteria . . . contributed to the breakdown of Christendom and the emergence of a secular society."³² A more likely cause for secularization of the West is the philosophical humanism of the Renaissance espoused by Erasmus and passed on through Zwingli and Calvin into the Enlightenment. Benedict XVI noted that the constitution of the European Union made no reference to its Christian past. Some churches offer a morality that is often indistinct from the surrounding culture. Matters are exacerbated by biblical approaches that call into question core Christian beliefs of the creeds. Wittenberg, which bears the noble title *Lutherstadt* and is the destination of Luther pilgrims, is a secularized world in miniature. As part of the Reformation celebration, Lehmann calls for an assessment of

the negative aspects of Luther's legacy, as for example the unrestrained criticism of adult baptism, the century-long polemic against Roman Catholics, and the unreflected discrimination of Jews, and by doing so clearing the way for a better future for all religions in Europe.³³

³⁰ Eire, *Reformations*, 199–214. Modern Baptists cannot be identified with Reformation-era Baptists, but both rejected infant Baptism and rebaptized those baptized as infants.

³¹ Eamon Duffy, "The End of Christendom," *First Things* 267 (November 2016): 57, www.firstthings.com/article/2016/11/the-end-of-christendom.

³² Duffy, "The End of Christendom," 52.

³³ Lehmann, "The Quincentenary," 335.

He might have added the Turks—Luther’s term for Muslims. The ELCA has already apologized for what Luther said about the Jews. But Luther was not such a politically correct kind of man. He offered equal opportunity in his dislike for opponents, whether they were Jews, papists, Germans, Muslims, the pope, Henry VIII, or Duke George. Scholars will continue to come to different and contrary conclusions about who Luther was and what his meaning is for today. With his love for creation, he might even become a patron of the environmental movement some day.³⁴ Today, Luther is all things to all people; yet in his time, he was not.

Organizational Lutheranism is in a state of centrifugal separation with the International Lutheran Conference (ILC), establishing an identity apart from the staid Lutheran World Federation (LWF). By establishing fellowship with churches that affirm beliefs Luther emphatically rejected, the LWF has undone what Luther’s distinctive doctrines on the sacraments and justification sought to accomplish.³⁵ With the LWF establishing fellowship with Reformed, Methodist, and Anglican communions, Schleiermacher’s dream for a united Protestant Christendom is achieved. Lehmann goes even further by wanting to include non-Christians in the Reformation commemoration, thus creating the religious equivalent of the European Union. So, in this year of commemoration, Luther survives as a historical and cultural marker without the annoying edges that his children find embarrassing. Within the context of contemporary biblical studies, Luther’s theology is no longer viable. But by ignoring the conclusions of contemporary biblical studies, confessionally minded Lutherans can join Luther scholars who do not share their confessional commitment. So, the sixteenth-century bubble becomes a self-contained canon and no one need be concerned if Luther scholars hold to Jesus’ resurrection.

The North American Lutheran Church (NALC) was formed by congregations opposed to the moral direction of the ELCA. A convocation was held recently on the law and the gospel, but chiefly on the law.³⁶ In his introduction to the published essays from this convocation, Carl Braaten laments “the downhill slide of Lutheranism into antinomianism” at Lutheran seminaries and claims, “Neglect

³⁴ Lehmann, “The Quincentenary,” 335.

³⁵ Luther wrote *A Short Catechism on the Lord’s Supper*, which Eire reports was seen as a “‘savage’ blast against all Reformed theologians.” Calvin had hoped to use Melanchthon as intermediary with Luther, but knowing Luther’s temperament, Melanchthon did not share Calvin’s correspondence with him (*Reformations*, 287).

³⁶ It was held on August 15–16, 2012, in Golden Valley, Minnesota and the essays were published in Carl E. Braaten, ed., *Preaching and Teaching the Law and Gospel of God*.

and misinterpretation of the law-gospel paradigm led to unintended consequences.³⁷ This is a not-so-slightly veiled reference to ELCA decisions and even to theologians associated with the NALC. Braaten observes, “Too many of us abrogated our confessional teaching on law and gospel, and carried on as though Lutherans who love the ‘gospel’ must at the same time be enemies of the law.”³⁸ Braaten is not speaking of the law-gospel controversy of the 1960s and 1970s at the St. Louis seminary, whose faculty majority made the gospel—defined as the proclamation of forgiveness—the only theological standard. Insistence on the historical content of the Bible was not necessary as long as the gospel was proclaimed. That approach and the law-gospel paradigm Braaten has in mind agree that the essential element in theology is the gospel, which relieves the sinner from the predicament of sin. Braaten cuts to the heart of the matter in asking whether “Lutherans who love the ‘gospel’ must at the same time be enemies of the law.”³⁹ So, in this paradigm, the real issue is the role of the law in theology. Uncontested is the role of the law and the gospel in preaching, but David S. Yeago rightly “contest[s] the view 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.”⁴⁰ The opposition of the law and gospel in preaching may be indispensable, but as Yeago affirms, it “is *not* the principle in terms of which Christian belief hangs together.”⁴¹ Theologians who propose a program in which the gospel eliminates the law are receiving a warm welcome from those who are otherwise recognized as conservatives. In this approach, “The law oppresses *because it is law*, that is, because it is an ordered demand, a requirement, a command. The law oppresses because of the kind of word it is, not because of the situation in which we encounter it. . . . Salvation [then] is [seen as] liberation from form and order and the law’s cruel demand for them.”⁴² A symptom of this law-gospel theology is the oft-repeated claim that the third use of the law as set forth in the Formula of Concord originates with Melancthon, not Luther, and that it resembles Calvin’s definition.⁴³

³⁷ Braaten, “Law and Gospel: The Hallmark of Classical Lutheranism,” in *Preaching and Teaching*, 17.

³⁸ Braaten, “Law and Gospel,” 17.

³⁹ Braaten, “Law and Gospel,” 17.

⁴⁰ David S. Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” in *Pro Ecclesia* 2/1 (1993): 38.

⁴¹ Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” 39. Italics original.

⁴² Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” 40–41. Italics original.

⁴³ The organizing committee of the NALC for the symposium on the law and the gospel “invited Dr. Piotr Malysz to address the thorny issue of the third use of the law, giving due consideration to both the freedom of the gospel in Christ and obedience to the commandments of God in the Christian life” (Braaten, “Law and Gospel,” 15). Malysz notes that “The Formula’s blindness to the christological renewal of the Christian is one reason for its turn to the law in search of a rationale for, and structure of, Christian obedience” (Piotr J. Malysz, “Freedom and Obedience

In *Reading the Bible with Luther*, Timothy J. Wengert provides an extensive argument against what he calls “the ‘notorious’ third use of the law” among Lutherans.⁴⁴

A second symptom of this law-gospel theology is the elevation of the Latin phrase *lex semper accusat* (Ap IV 38) to an absolute theological principle. One cannot fail to note the irony in the fact that in 1531, Melanchthon’s position about the law as accusation was made the standard for theology, but then just three years later, he became the villain for offering a Calvin-like definition of the third use of the law. In this law-gospel program, after the law condemns the sinner, it is eliminated from the theological task. The battle cry for the *lex semper accusat* position could be a variation of Cato’s *Carthago delenda est*—that is, *lex delenda est*, “the law must be destroyed.” In this approach, faith relies on the proclaimed word and not on such concrete “things” outlined in the creeds like the virgin birth and the resurrection. Gospel liberates from hearing the law at all.⁴⁵ With good reason, Yeago calls this approach Gnosticism followed by antinomianism, which is, after all, Braaten’s concern.

By itself, the law-gospel becomes its own Gnosticism, and a more damaging antichrist than the papacy. In saying “Lutherans who love the ‘gospel’ must at the same time be enemies of the law,”⁴⁶ Braaten could have any number of theologians in mind. But it fits Stephen D. Paulson, who, in *Lutheran Theology* says that for Luther, “Where Christ is preached as crucified for our sins and sakes, the law

in the Christian Life,” in *Preaching and Teaching*, 133). He goes on to attribute to the Formula a position that resembles Calvin’s. “The law is brought in because, as it turns out, the gospel is unable to touch one’s entire being, part of which must now be admonished and prodded by means of the law” (“Freedom and Obedience,” 133). He correctly observes that the Formula does not present the gospel as the law fulfilled by Christ, and this may be a hindrance in having a less than positive view of the law. He favors the view proposed by the late William Lazareth, who, in place of a third use of the law, offers a second use of the gospel called “the second or parenetic use of the Gospel,” described as a shadow of the life Christians must follow, but in which they dare not trust (“Freedom and Obedience,” 135–136). Paraenesis, a term used by Pauline scholars of advice given in the epistles, avoids, perhaps deliberately so, imposing the law-gospel distinction on biblical imperatives. The end result of this proposal is a confusion of the law and the gospel, a loss of the proper distinction. Although Malysz does not explicitly say that the second use of the gospel is a replacement for the third use of law, this is what it is. Malysz can hardly attribute to the law a third use, since he holds that the law is an overwhelming negative critiqued by the gospel. This is the same view proposed by Forde and Paulson.

⁴⁴ Timothy J. Wengert, *Reading the Bible with Luther* (Grand Rapids: Baker Academic, 2013), 37–39.

⁴⁵ Yeago locates the origin of this thinking in Paul Tillich’s Protestant principle that grace appears in finite forms without being identical to any particular form (Paul Tillich, *The Protestant Era*, tr. James Luther Adams [Chicago: University of Chicago Press, 1948], 212; Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” 45).

⁴⁶ Braaten, “Law and Gospel,” 17.

comes to an end.”⁴⁷ This view reappears in his article in the Reformation 2016 issue of *Logia*—a publication that presents itself as “A Journal of Lutheran Theology.” To advance his argument that the gospel replaces the law, Paulson shifts to the civil realm that will be replaced by the gospel in the new kingdom.⁴⁸ This shift also takes place for Paulson in theology. He proposes that the legal scheme offered by second generation Lutherans “forced a series of unsuccessful theories of atonement that brought Christ’s ‘work’ on the cross under the confines of the law.”⁴⁹ “Unsuccessful theories of the atonement” are not identified but are those discussed by Paulson’s mentor Gerhard O Forde: “1) the vicarious satisfaction idea; 2) the victory idea (that Christ won the victory over all man’s adversaries) and 3) the idea that Christ was an inspiring example.”⁵⁰ In determining the value of Christ’s death, Paulson does not allow for the idea that compensation or payment is made to the devil, the law, or God. He never tires of repeating his aversion to the idea of payment, especially payment to God.⁵¹ Forde is even more vehement in his dismissal of Christ’s vicarious satisfaction, saying that it fosters the false idea that God can be bought off and that we cannot know if Christ has paid enough.⁵² As if this was not enough, Forde claims that divinity and suffering are so distinct that the idea of the God-Man offering

up a sacrifice is questionable.⁵³ While it would be hard to find anyone who now holds that Christ made payment to Satan to redeem lost souls, Paulson, like Forde, has his sights on the vicarious satisfaction by which Christ offers himself as payment to God. This is the view known as the Anselmic or Latin theory of the atonement and is the one that Paul Althaus attributed to Luther.⁵⁴ Marc Lienhard also affirms that Luther held to Christ’s death as a payment for sin.⁵⁵ Paulson wants to distance Luther and himself from what he calls “unsuccessful theories of atonement,”

⁴⁷ Steven D. Paulson, *Lutheran Theology, Doing Theology* (New York: T & T Clark International, 2011), 4.

⁴⁸ Steven D. Paulson, “The *Simul* and the Two Kingdoms,” *Logia* 25/4 (2016): 17–26.

⁴⁹ Paulson, *Lutheran Theology*, 88–89.

⁵⁰ Gerhard O. Forde, *Where God Meets Man: Luther’s Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg Publishing House, 1972), 41.

⁵¹ Paulson, *Lutheran Theology*, 91.

⁵² Forde, *Where God Meets Man*, 11–12.

⁵³ Forde, *Where God Meets Man*, 11–13.

⁵⁴ “Luther, like Anselm, views Christ’s work in terms of satisfaction. Christ must bring a satisfaction to God for our sins” (Paul Althaus, *The Theology of Martin Luther*, tr. Robert C. Schultz [Philadelphia: Fortress Press, 1966], 202).

⁵⁵ “The law cannot be overcome unless it is first fulfilled, but just like the wrath of God, it must also be undergone as punishment. This punishment Jesus Christ has suffered for us, in our place” (Marc Lienhard, *Luther, Witness to Jesus Christ*, tr. Edwin H. Robertson [Minneapolis: Augsburg Publishing House, 1982], 281).

especially the vicarious satisfaction.⁵⁶ However, in speaking of Christ destroying Satan and evil forces, he borrows heavily from the *Christus Victor* theory of Gustaf Aulén.⁵⁷ Paulson makes a rarely seen move in associating Albrecht Ritschl’s moral theory of atonement with the third use of the law by claiming both views hold that the law is eternal. For Paulson, the law is not eternal and cannot be identified with God. “Obedience to the Father and obedience to the law are two different things. . . . God and the law are not the same; he uses the law as a tool with a definite purpose in mind.”⁵⁸ Since the law does not belong to who God is—that is, to his nature—Paulson follows his own logic that law is not eternal.⁵⁹ This raises the question of whether God is moral. If he is moral, in what sense is this so? If God and law are not the same, does God then prescribe a moral standard for man that has little or no resemblance to his own? To make short of a controverted issue, the phrase *lex semper accusat* is misappropriated to defend a view that eliminates the law from Christian life. All three theologians—Gerhard Forde, Timothy Wengert, and Stephen Paulson—present their positions as Luther’s and are received as such by many identifiably confessional Lutherans.⁶⁰

Perhaps in response to misunderstandings over *lex semper accusat*, the Formula of Concord specifies that because of and after the fall, “God’s law accuses and condemns human nature and the human person” (FC SD I 6).⁶¹ The law accuses only because, and in so far as, man is a sinner. It did not accuse Adam while he lived in a state of moral perfection, nor does it accuse Christians as they are regenerated in Christ. Those who die in Christ are also free from the accusations of the law. In his explanations of the Ten Commandments in the Small Catechism, Luther does not limit the law as accusation against sin but sees it as a description of Christian life. For example, “You shall not murder” combats the obverse of assisting the neighbor to retain a life given to him by God’s act of creating him. The life that man possesses by being made in God’s image originated with the Father who possesses life in himself—a life that he shares eternally with the Son and the Spirit. Thus the Fifth Commandment, like all the commandments, originated in God’s trinitarian

⁵⁶ Paulson, *Lutheran Theology*, 89.

⁵⁷ “It is true that Christ pays debt, suffers punishment, and pays ransom to the old lords of this world, but not to let the legal scheme rule” (Paulson, *Lutheran Theology*, 91). This seems to be line with the old classical view that Christ paid a ransom to Satan.

⁵⁸ Paulson, *Lutheran Theology*, 174–175.

⁵⁹ Paulson, *Lutheran Theology*, 104, 202.

⁶⁰ For a succinct and adequate critique of Forde, see Jack D. Kilcrease, “Gerhard Forde’s Theology of Atonement and Justification: A Confessional Lutheran Response,” *Concordia Theological Quarterly* 76/3–4 (2012): 269–273.

⁶¹ All quotations from the Lutheran Confessions in this article are from Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, trans. Charles Arand, et al. (Minneapolis: Fortress Press, 2000).

existence (Gen 1:26; John 5:26; 6:63). Murder is not simply an offense against a divinely given code of law, but it is also an affront to the God who is life and who gives life. So, for the believer, the positive and original side of the Fifth Commandment is that the believer engages in the divine act of helping his neighbor retain and improve his life.⁶² The Apology, from which the oft-cited *lex semper accusat* is taken, also says,

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

The commandments are not arbitrary prohibitions imposed by a sovereign deity but a description of what God is in himself and how he created his rational creatures. Negatives in the law with threats of punishment for forbidden behaviors, such as in the first and second uses, are adjustments of the law so that man can be retrained from overt evil and realize his condition. Law functions as accusation, but in itself, it remains good. Even the law's threats are acts of divine mercy, without which we would never know our fallen condition and would therefore be forever lost. Only in the condition of sin does law become for God *opus alienum* and for the hearer *lex accusat*. In response to Melancthon emphasizing repentance over sin and Agricola emphasizing forgiveness, Luther

presented the Ten Commandments as both prohibitions of sinful behavior and encouragement of the opposite: the correct way to honor God and treat others. The Small Catechism begins not with threat but a call to faith and each commandment begins with “we are to fear and love God” and followed by a prohibition and a positive instruction.⁶³

Though it is pedagogically cliché to say Luther's catechism follows a law-gospel outline,⁶⁴ the presupposition of the commandments is nothing else but faith. The commandments are not addressed to unbelievers, but to believers. Therefore, their prohibitions are boundaries showing from where believers came and where they dare not return—but of course they do. The other side of the law's prohibitions are the commandments in their primordial form as indicatives of what Adam once was and what Christians are now in Christ. Wengert, Forde, and Paulson see law

⁶² For a fuller development of this argument, see my “Sanctification,” *Concordia Journal* 41/3 (2015): 236–249.

⁶³ Hendrix, *Martin Luther*, 196–197.

⁶⁴ David Aaron Fiala, “Martin Luther's Small Catechism: A History of English Language Editions and Explanations Prepared by the Lutheran Church—Missouri Synod,” *Concordia Historical Institute Quarterly* 86/4 (2016): 24.

intrinsically as enemy and cannot allow for any positive use of the law in Christian life. Hence, no third use of the law. For them, the law is a self-contained, autonomous, negative, evil “thing” that was not overcome by the atonement but conquered in the believer’s life by proclaiming the gospel. This law-gospel proposal is a theology of the word in the extreme and shares in the same fundamental principle of the St. Louis faculty majority of the 1970s. In response, law and gospel are not in themselves “things” but have to do with our relationship to the “things” set forth in the creeds: God’s trinitarian life; Christ’s incarnation, atonement, and resurrection; the church; and eternal life. These are the things of substance that must be believed. Law in its three uses does not have to do with three different things or three different kinds of laws but with how one law functions in three different situations. Gospel is the proclamation of how God has relieved the dilemma in which the sinner finds himself under the condemnation of the law, the *lex semper accusat*. The gospel then puts him in a new relationship with God so that he knows and does the good things that are required by the law and that Christ did. Law and gospel are the lenses through which the “things” in the creeds are presented to man first as a sinner and then as a saint. Without the things of the creed, the gospel is an empty proclamation and promise of forgiveness, life, and salvation and yet is capable of delivering such gifts. Without the things, faith has nothing to rely on.⁶⁵

Formula VI does not say everything that must be said about the third use of the law. Left undeveloped is the christological component that the good works of faith are the works Christ does through believers. So, the Formula slips gears from the third to the second use, law as accusation. It appears, then, that *lex semper accusat* is what the law is all about. Since man is quantitatively more sinner than saint, law as accusation is its chief function. But this is not the law’s first, last, original, or essential function as it exists in God. Sin does not define the law’s essence, that is, how the law exists in God. Until these distinctions are grasped, the door stays open to the antinomianism that Braaten decries in contemporary Lutheran theology and church

⁶⁵ The unintended father of the law-gospel theology is Werner Elert, who properly noted that law and gospel, that is, justification, bound the articles of the Augsburg Confession together. However, they are not the content of theology. Yeago takes note that Elert came up against a blank wall with the first article of the Augsburg Confession, which demanded faith in the triune God quite apart from the law-gospel paradigm. He expresses his frustration in that “the decree of the Nicene Synod concerning the unity of the divine essence and concerning the three Persons is true and must be believed without doubting” (Yeago, “Gnosticism, Antinomianism, and Reformation Theology,” 43). Elert’s own verdict is that “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!” (Werner Elert, *The Structure of Lutheranism: The Theology and Philosophy of Life of Lutheranism Especially in the Sixteenth and Seventeenth Centuries*, tr. Walter A. Hansen [St. Louis: Concordia Publishing House, 1962], 200–202).

life. In the face of the moral disorder that follows the denial of the third use of the law, Calvin's view—threats working alongside the gospel prodding Christians to do good works—will be attractive to those who want the immediate results that the law produces.⁶⁶ Sadly, in the half-millennium celebration of the Reformation, Lutherans are less likely to agree on his core doctrine of law and gospel. In identifying the real Luther who will stand up, scholars will continue to offer different options. It is left unresolved, much like the question of whether the ghost of Samuel conjured by the witch of Endor was really the prophet or a satanically fabricated apparition. Thus, the search for the real Luther continues, just as the search for historical Jesus continues with some biblical scholars.

⁶⁶ For a detailed account of this theology, see Scott R. Murray, *Law, Life, and the Living God: The Third Use of the Law in Modern American Lutheranism* (St. Louis: Concordia Publishing House, 2002), esp. 167–200.



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