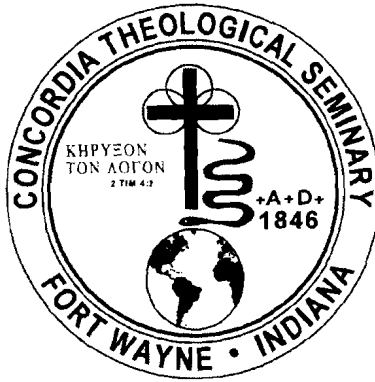


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Table of Contents

Editorial	98
The Third Use of the Law: The Author Responds to His Critics Scott R. Murray.....	99
The Lord's Supper as Symposium in the Gospel of Mark Peter J. Scaer.....	119
Revisiting Robert Barnes on the Eucharist Korey D. Maas.....	135
Step Up to the Altar: Thinking about the Theology and Practice of the Lord's Supper Joel D. Biermann	151
The Gift We Cannot Give Ourselves: The Eucharist in the Theology of Pope Benedict XVI James Massa.....	163
Theological Observer	180
Jaroslav Pelikan (1923–2006) Musings on the 2007 Annual Meeting of the Society of Biblical Literature (SBL) Is Christianity Today Looking for Liturgy? Season of Creation	
Book Reviews	187

The Law and the Lord's Supper

Since the law and gospel are so central to Lutheran theology, it should have been expected that their relationship to one another and their function in Christian life would eventually disrupt The Lutheran Church—Missouri Synod (LCMS). While the dust from the 1970s has settled down on our side of the fence, this is still a live issue in the Evangelical Lutheran Church in America (ELCA) which has not resolved the question of whether certain persons, because of different orientations, may be kept out of the ministry. The “gospel argument” as it started out in the LCMS is that biblical strictures were limited to Old and New Testament times and are not applicable today. Scott R. Murray’s *Law, Life, and the Living God*, which lays out historical and theological issues on the third use of the law among twentieth-century American Lutheranism, was at the center of a past symposium. Murray puts his oar in the water again in the lead article of this issue.

The remaining articles address the Lord’s Supper, each coming from a different angle. Peter J. Scaer finds in the miraculous feedings in Mark’s Gospel allusions to the Lord’s Supper as not only a well-ordered sacred banquet but also an occasion for discourse. With recent Lutheran rapprochements with the Episcopal Church in America and the Church of England, Lutherans remained haunted by how close their Reformation era forebearers were in the doctrine of the Lord’s Supper during the Reformation era. Answering part of this question is Korey D. Maas’s article on Robert Barnes. Who may be admitted to the Lord’s Supper is a perennial issue in the LCMS. Joel D. Biermann, from our sister seminary, presents familiar arguments in a fresh manner in “Step Up to the Altar.” The April 2008 visit of the pope to our country keeps alive the Reformation era discussion of how our church should relate to Rome. If a fence were drawn down the middle of world Christendom, Lutherans would be on the same side with Roman Catholics looking at the Reformed on the other side. Opportunity for further discussion has been made by the accession of Joseph Ratzinger as bishop of Rome. A world renowned theologian in his own right, Benedict XVI was friend to the late confessional scholar Hermann Sasse. Coming from Germany, he has an intimate knowledge of Luther that was lacking in his predecessors. Presenting an in-depth, insider’s examination of the current pope’s views on the Lord’s Supper is Father James Massa. We call attention to the third section of his article, “Difficulties with Luther,” especially footnote 18. These articles are sure to stimulate reflection on our own faithful confession and administration of this blessed sacrament.

David P. Scaer
Editor

The Third Use of the Law: The Author Responds to His Critics

Scott R. Murray

Charles Arand may have been right when, in his restrained Foreword to *Law, Life, and the Living God*, he suggested that the book “can serve as a starting point for a new consideration” of the third use of the law.¹ Arand’s hope has begun to be realized.² In this paper, I am responding to the critical treatments of the book as a way of continuing the discussion. The book was reviewed in print by seven reviewers.³ Several nonprint reviews also surfaced.⁴ It is impossible to deal with all that has been written about the book. So I will not deal with complaints of a methodological sort, because they do not necessarily get to the root of the theological issues involved.⁵ It is easy enough to complain that I should have produced some book other than the one that was written. I encourage those who think so to produce some other book themselves. The work was a sort of history of dogma on a very narrow topic in keeping with the normal parameters of an American dissertation.

I. Reactions of Readers

Here are some of those reactions to the work. For a number of readers the book was a revelation. It gave them a framework for understanding the

¹ 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), 10.

² Several of the papers at the 2005 Symposium on the Lutheran Confessions, for which this response was originally written, engaged my book. Most of these were published in *CTQ* 69:3/4 (July/October 2005). This revised version of my response will engage various reactions to my book, including these articles.

³ *Law, Life, and the Living God* was reviewed by: John T. Pless, *Lutheran Quarterly* 17 (2003): 235-239; Larry M. Vogel, *Lutheran Forum* 37, no. 3 (2003): 62-64; Louis Smith, *Lutheran Forum* 37, no. 3 (2003): 64-67; Carl L. Beckwith, *Pro Ecclesia* 12 (2003): 366-368; Richard Neuhaus, *First Things* 128 (2002): 65; Thomas Manteufel, *Concordia Historical Institute Quarterly* 76, no. 1 (2003): 63-64; and David P. Scaer, *Logia* 11, no. 4 (2002): 51.

⁴ These reviews were by Mark Mattes, *Journal of Lutheran Ethics* 3, no. 9 (2003), <http://www.elca.org/jle/article.asp?k=71>, and Matthew Becker, *DayStar Network Web site*, <http://day-star.net/documents/murray-review.htm> (accessed September 9, 2004).

⁵ Those issues were that the book did not lay a deep enough background, did not interpret enough sources within the Evangelical Lutheran Church of America (ELCA), did not spend enough time on European sources, and did not provide any critical interpretation of exegetical material used to support dogmatic conclusions.

1960s and 1970s in the Missouri Synod. One person said he knew there was something wrong in the 1960s and 1970s, but had been unsure what it was until he read the book. Larry Vogel expressed it well when he wrote, "I found it very helpful as an explanation of how we in the Lutheran churches in America got to the point where we are today with respect to the Law."⁶

Predictably, others took the book as a mean-spirited attack on their favorite professors. Some of these persons shared a personal commitment to gospel reductionism. This is the reaction of many graduates of Valparaiso University, who supported their favorite professors, claiming that they "just preached the gospel." On the other hand, Missouri Synod bronze agers could not see what was deficient with the bronze age which they take to be the golden age of Missouri Synod Lutheranism. So they were unable to see that perhaps the third use doctrine had been abused so that it became a basis for legalism in preaching and practice, even if that legalism was entirely unintentional. This issue does at least raise the question as to whether or not the third use of the law is not always a basis for this legalism, but more about that below.

For those who lived through the "walk out" from Concordia Seminary in 1974, the book provided an interpretive lens to the theology that contributed to this event. David Scaer took it as a way of looking at the theological issues of 1960s and 1970s. "As his yardstick [for understanding the theological issues of the 1960s and 1970s] Murray uses how the third use of the law was understood among American Lutherans from 1940 to 1998."⁷ I did not intend the book to do that; I actually intended to ask what theological entailments might arise from the rejection of the third use. But perhaps Scaer is right and the book crystallized some of the catalytic issues that gave rise to the "walk out" and the theology that attended it.

Law, Life, and the Living God seems to have been launched on the crest of a wave of literature about justification and law and gospel that is now being published. Increased interest in these subjects arose primarily as a reaction to the "Joint Declaration on the Doctrine of Justification" and also because of the contemporary ecumenical crisis,⁸ in which perennial theological issues have come to the fore once again. For example, while not

⁶ Vogel, review of *Law, Life, and the Living God*, 64 (see n. 3 above).

⁷ Scaer, review of *Law, Life, and the Living God*, 51 (see n. 3 above).

⁸ What are the ecumenical consequences of gospel reductionism? "This remains an ecumenical principle for the ELCA, which calls for church fellowship with any church having the gospel, for example, Episcopalians, Reformed, and Moravians." Scaer, review of *Law, Life, and the Living God*, 51 (see n. 3 above).

directly dealing with the third use of the law, the spate of books being issued from Lutheran Quarterly Books, including books by Oswald Bayer⁹ and Gerhard Forde,¹⁰ have been a wonderful contribution to the discussion of law and gospel.¹¹ The Gerhard Forde festschrift, *By Faith Alone*,¹² demands inclusion in this list, as well as Reinhard Hütter's intriguing book, *Bound to Be Free*.¹³ A number of Concordia Publishing House volumes have been issued as well. John Pless's accessible *Handling the Word of Truth*¹⁴ is making a contribution in parish life where the proper division of law and gospel is of paramount importance.¹⁵ Werner Elert's *Structure of Lutheranism* has also been re-issued.¹⁶ The 2001 Symposium on Exegetical Theology gave considerable play to the issue of the law in Scripture, resulting in a significant volume entitled *The Law in Holy Scripture*¹⁷ that brings us back to the grounding of this subject in the sacred text.

Some of this literature is also a response to the theological/moral meltdown in American Lutheranism.¹⁸ My book has prompted people on

⁹ Oswald Bayer, *Living by Faith: Justification and Sanctification*, trans. Geoffrey W. Bromiley (Grand Rapids: Eerdmans, 2003).

¹⁰ Gerhard O. Forde, *A More Radical Gospel: Essays on Eschatology, Authority, Atonement, and Ecumenism*, ed. Mark C. Mattes and Steven D. Paulson (Grand Rapids: Eerdmans, 2004).

¹¹ Timothy Wengert has also shed some light on the development of the third use in the theology of Melancthon. See Wengert, *Law and Gospel: Philip Melancthon's Debate with John Agricola of Eisleben over Poenitentia* (Grand Rapids: Baker, 1997), and Wengert, ed., *Harvesting Martin Luther's Reflections on Theology, Ethics, and the Church* (Grand Rapids: Eerdmans, 2004).

¹² *By Faith Alone: Essays on Justification in Honor of Gerhard O. Forde*, ed. Joseph A. Burgess and Marc Kolden (Grand Rapids: Eerdmans, 2004).

¹³ Reinhard Hütter, *Bound to Be Free: Evangelical Catholic Engagements in Ecclesiology, Ethics, and Ecumenism* (Grand Rapids: Eerdmans, 2004).

¹⁴ John T. Pless, *Handling the Word of Truth* (St. Louis: Concordia Publishing House, 2004).

¹⁵ For a helpful and carefully argued contribution on the historical front, see the doctoral dissertation of Ken Schurb, *Philip Melancthon, the Formula of Concord, and the Third Use of the Law* (PhD diss., Ohio State University, 2001).

¹⁶ Werner Elert, *The Structure of Lutheranism: The Theology and Philosophy of Lutheranism especially in the Sixteenth and Seventeenth Centuries*, trans. Walter A. Hansen (1962; repr., St. Louis: Concordia Publishing House, 2003).

¹⁷ *The Law in Holy Scripture: Essays from the Concordia Theological Seminary Symposium on Exegetical Theology*, ed. Charles A. Gieschen (St. Louis: Concordia Publishing House, 2004).

¹⁸ "A quarter-century ago William Lazareth wondered why there was such a stir among some Lutherans regarding the 'so-called third use' of the law. A half-dozen years ago, as the presenter for an English District regional pastors' conference, Lazareth

both sides of the old divide between The Lutheran Church—Missouri Synod (LCMS) and the Evangelical Lutheran Church in America (ELCA) to ask: Is there a way to make common cause with friends who want moral standards to survive and want a law-free gospel to be proclaimed but are increasingly tired of the faddish dash into the latest culturally-normed political correctness? Is there a way that we can use and make sense of Article VI of the Formula of Concord for those beleaguered folks? While I take seriously the theological issues between us, I also appreciate the advice that we should “not shoot our allies.”¹⁹ Perhaps we share the fear of slowly being boiled in the same cultural water as the frogs in liberal American churches. Rightly or wrongly, many are asking themselves what moral domino falls next and what will the theological impact be upon the doctrine of justification?

Not every fear of moral inundation is irrational. Reinhard Hütter certainly sees antinomianism as an abiding problem, even a Protestant pathology, so deeply ingrained in the fiber of liberal Protestantism that it can no longer properly assess the depth of its critical rejection of the law.²⁰ Hütter charges modern Protestantism with what he identifies as “modernity’s daydream of Promethean freedom,” in which he describes modernity’s flight into the heights of self-actualized freedom from the law and morality.²¹ Hütter is contending that Protestantism has been completely absorbed into the concept of liberty and freedom as license and action unbounded by truth, just as Mark Mattes has contended.²² Hütter also charges that Protestantism has taken up a fundamentally anti-Roman Catholic consideration of ethical norms “with the relentless polemic against Roman Catholic ‘legalism.’”²³ His criticism should sting both in the ELCA and LCMS.

II. Clarifying Criticisms of the Third Use

Just why is the term the “third use of the law” so widely maligned? Why is it that the doctrine from the Formula of Concord can be so heartily rejected? Why is it that the question “do you still teach a third use of the

expressed no small frustration with the ELCA’s drift—some might say collapse—in the direction of sexual antinomianism.” Vogel, review of *Law, Life, and the Living God*, 62 (see n. 3 above).

¹⁹ Vogel, review of *Law, Life, and the Living God*, 64 (see n. 3 above).

²⁰ Hütter, *Bound to Be Free*, 133.

²¹ Hütter, *Bound to Be Free*, 116–117.

²² Mark C. Mattes, “Beyond the Impasse: Re-examining the Third Use of the Law,” *CTQ* 69 (2005): 271–291.

²³ Hütter, *Bound to Be Free*, 133.

law?" is the theological equivalent of "when did you stop beating your wife?" Why is it that opponents of the third use of the law put quotation marks around the term "third use" of the law? These quotation marks mean the same thing as the quotation marks around a sign at a Klu Klux Klan rally that reads, "Everyone Welcome." It is something nobody could believe. It is dismissively denominated the "so-called third use of the law." What are we afraid of, "third" or "use"?

Opponents of a denomination of the third use of the law presume that the formulators of Concord introduced at best a useless distinction and at worst a pernicious one by defining a third use of the law. Matthew Becker considered it Judaistic²⁴ and Gerhard Forde called it "the serpent's story."²⁵ I struggle with these accusations on several levels. First, on the level of logic, I have a hard time believing that the formulators introduced a distinction without a difference. Many who deny a third use of the law argue that the third use is merely first or second use for Christians. This makes the distinction provided by the Formula of Concord quite useless. Historically speaking, the formulators of Concord were masters of careful distinctions and would not have readily imposed a useless complication or meaningless distinction on a work intended to build doctrinal harmony among Lutherans. I doubt that they made this most fundamental logical and theological error in such a carefully crafted work. It would not be an impossible error, of course, but it is incumbent upon those who presume such an error to prove their case. In my opinion, that has not yet happened.

Second, most critics of the third use of the law in the Formula of Concord simply presume that it is anti-gospel and a re-imposition of the law into the article of justification, despite the specific statements of the Formula of Concord to the contrary. The third use of the law is condemned by those who presume that the third use is the law's backdoor into the gospel.²⁶ If the third use of the law brings the law back into the gospel,

²⁴ Becker, review of *Law, Life and the Living God* (see n. 4 above).

²⁵ Forde, *A More Radical Gospel*, 145.

²⁶ A significant and related issue, but one beyond the scope of this paper, is in what way the law and its ability to point out human deficiencies also shows forth the glory of the rescue of God in the gospel. Many commentators are critical of Melancthon for defining the gospel's work by the law. Yet we find precisely this kind of language in Luther himself. "Christ was not only found among sinners; but of His own free will and by the will of the Father He wanted to be an associate of sinners, having assumed the flesh and blood of those who were sinners and thieves and who were immersed in all sorts of sin. Therefore when the Law found Him among thieves, it condemned and executed Him as a thief. This knowledge of Christ and most delightful comfort, that

then it should be called the “serpent’s story” and condemned with every breath in us as anti-gospel and opposed to Christ and the chief article of our faith.

Can the third use be used to “sneak the law in the back door” or tame down the law to a manageable size, what Gerhard Forde calls “covert antinomianism”? Certainly. The Missouri Synod’s bronze age, contemporary “life-style” preaching, head-counting evangelism, or a book on the “three-part goal of the Gospel: obedience, outreach and living to the glory of God”²⁷ would give us plenty of support for this view. These actions, however, hardly invalidate the Formula’s position. *Abusus non tollit usum*. The contention of the opponents of Article VI amounts to the presupposition that it overwhelmingly tends to re-impose the law upon the conscience and cannot be correctly understood, no matter what intention the original formulators might have had in mind in this article.

A great deal of the argument about the third use necessarily revolves around the differences between Melancthon and Luther on the one hand, and Luther and the Formula of Concord on the other.²⁸ Why is the Formula of Concord taken for such an obvious betrayal of Luther’s doctrine of justification, as a re-entry of the law into the gospel? Forde repeats the famous quote of Luther from his preface to Romans showing what Forde called Luther’s (and Paul’s!) changed tropology. By tropology Forde means an overarching theme or motif whereby mere ethics is superseded by the eschatological movement from life to death in baptism. In this tropology justification is the end of the law. Here is how Luther puts it: “Faith is a divine work in us that changes us and makes us to be born anew of God. It kills the old Adam and makes us altogether different

Christ became a curse for us to set us free from the curse of the Law—of this the sophists deprive us. . . .” Martin Luther, *Luther’s Works*, American Edition, 55 vols., ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T. Lehmann (Philadelphia: Fortress Press; St. Louis: Concordia Publishing House, 1955–1986), 26:278 *et passim*, hereafter *LW*. See also Martin Chemnitz, *Loci Theologici*, trans. J. A. O. Preus, (St. Louis: Concordia Publishing House, 1989), 2:432.

²⁷ Philip M. Bickel and Robert L. Nordlie, *The Goal of the Gospel: God’s Purpose in Saving You* (St. Louis: Concordia Publishing House, 1992), 95–118. See the scheme for preaching “God’s commands as our guide for Christian living, showing us the obedience in mission commitment which our Savior seeks from us, so that God may be glorified.” Bickel and Nordlie, *The Goal of the Gospel*, 112.

²⁸ See Smith, review of *Law, Life, and the Living God*, 67 (see n. 3 above). For a helpful view of relationship between Luther and Melancthon, see Schurb, “Philip Melancthon, the Formula of Concord, and the Third Use of the Law.”

men. . . ."²⁹ It is so obvious from the quotation that righteousness begins and ends with grace and that faith does good works without being told. Yet that same quotation is prominently featured in the Formula of Concord.³⁰ Could it really be that the formulators of Concord featured Luther's view that the gospel is the end of the law and that ethics could not proceed apart from faith, but then proceeded to betray that view with a simplistic re-injection of the law into Article VI of the Formula of Concord, without being aware that it represented such a betrayal and, indeed, an adoption of "the serpent's story"?³¹ This presumes a degree of theological illiteracy on the part of the formulators.

It is not as though critics of the third use reject separate uses of the law. They will indeed champion the separate and distinct first and second uses of the law. Gerhard Forde represents most eloquently this point of view, which is now being carried on and ably developed by his students, such as Mark Mattes. "One who has been grasped by the eschatological vision looks on law differently from one who has not. But this 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."³² For Forde there are distinguishable first and second uses of the law. But how are they distinguished? Is it merely the distinction between law and gospel, or something more?

²⁹ "Faith, however, is a divine work in us which changes us and makes us to be born anew of God, John 1:[12-13]. It kills the old Adam and makes us altogether different men, in heart and spirit and mind and powers; and it brings with it the Holy Spirit. O it is a living, busy, active, mighty thing, this faith. It is impossible for it not to be doing good works incessantly. It does not ask whether good works are to be done, but before the question is asked, it has already done them, and is constantly doing them. Whoever does not do such works, however, is an unbeliever. He gropes and looks around for faith and good works, but knows neither what faith is nor what good works are. Yet he talks and talks, with many words, about faith and good works. Faith is a living, daring confidence in God's grace, so sure and certain that the believer would stake his life on it a thousand times. This knowledge of and confidence in God's grace makes men glad and bold and happy in dealing with God and with all creatures. And this is the work which the Holy Spirit performs in faith. Because of it, without compulsion, a person is ready and glad to do good to everyone, to serve everyone, to suffer everything, out of love and praise to God who has shown him this grace. Thus it is impossible to separate works from faith, quite as impossible as to separate heat and light from fire." *LW* 35:370-71.

³⁰ *SD* IV, 10.

³¹ Forde, *A More Radical Gospel*, 145.

³² Gerhard O. Forde, "Eleventh Loculus: Christian Life," in *Christian Dogmatics*, ed. Carl E. Braaten and Robert W. Jenson (Philadelphia: Fortress, 1984), 2:450.

With this said, it does not solve the problem of what “use” means in the Formula of Concord. The term “use” is misleading to moderns. It smacks of ethical self-determination against which the Formula of Concord is battling.³³ So how does the Formula use the term? When talking about receiving the holy Sacrament, Luther calls it the “use” of the Sacrament,³⁴ as does the Augsburg Confession, where it can mean something like “purpose.”³⁵ Here “use” means reception. Its function revolves around how it is received, not how it is preached or “used.” It must be said that “use” does not indicate that there are various kinds of law, one used this way and another that, just as there are not different sacraments of the altar although there might be different uses for the Sacrament (even to life and to death).³⁶ Therefore, we do not “use” the law. It remains God’s to use and ours to proclaim.³⁷ The uses of the law are a description of what the law actually does. So *Handling the Word of Truth* seeks to help the reader distinguish between two kinds of proclamation, law and gospel, and not different laws nor among different uses of the law.³⁸ For Melancthon the characteristic distinguishing phrase is “the law and the promises.”³⁹ He does not speak of distinguishing among the uses of the law.⁴⁰

³³ Hütter, *Bound to Be Free*, 120–121.

³⁴ “This example of the disciples must stimulate us to hear, believe, and accept God’s Word gladly, to receive absolution, and to make use of the Sacrament.” *LW* 22: 229.

³⁵ CA XIII.

³⁶ “Desselbigen gleichen hab ich ja vleissig geschrieben widder die himmlischen Propheten, wie die Geschicht und Brauch des Leidens Christi nicht ein Ding sei, *factum et applicatio facti seu factum et usus facti*, Denn Christus Leiden ist wol nür ein mal am creutz geschehen; aber wem were das nütz, wo es nicht ausgeteilet, angelegt und ynn Brauch bracht wurde?” Martin Luther, *Luthers Werke: Kritische Gesamtausgabe [Schriften]*, 65 vols. (Weimar: H. Böhlau, 1883–1993), 26:296. “I carefully wrote against the heavenly prophets [see *LW* 40:213.] that the fact of Christ’s suffering and the use of it are not the same thing: *factum et applicatio facti, seu factum et usus facti*. The passion of Christ occurred but once on the cross. But whom would it benefit if it were not distributed, applied, and put to use?” *LW* 37:193. For Luther there is a clear distinction between the fact and the use of it.

³⁷ Gerhard Ebeling contends that the term *usus legis* in Melancthon refers to the law’s functions or effects. Gerhard Ebeling, “On the Doctrine of the *Triplex Usus Legis* in the Theology of the Reformation,” in *Word and Faith*, trans. James W. Leitch (London: SCM Press, 1963), 74–75.

³⁸ E.g., Pless, *Handling the Word of Truth*, 35–41.

³⁹ Ap IV, 183.

⁴⁰ So also in the Formula of Concord, the distinction is between law and gospel rather than among uses of the law. “It is also necessary to set forth distinctly [Latin, *distincte*; German, *unterscheidlich*] what the Gospel does, creates, and works in connection with the new obedience of believers and what function the law performs in

The threefold use in Melanchthon⁴¹ arises from the question: "What is the *use* of the law, if the works of the law do not merit the remission of sins, or if we are not righteous by the law? At this point we need to understand that there is a triple use or three offices for the law."⁴² The Lutheran basis for offices includes the concept that one may hold several offices at the same time (pastor, father, and husband). The offices of the law may have multiple functions: to keep outward discipline, to accuse, and to instruct at the same time. These functions are all in God's power to unfold when and where it pleases him.⁴³ For Melanchthon the law has a single use, the title of the locus on the three uses of the law is called *de usu legis*.⁴⁴ In the Chemnitz commentary on Melanchthon's *Loci* of 1543, the title of the section is also singular: *de usu et fine legis*.⁴⁵ Chemnitz speaks of a "triple use of the law," not three uses.⁴⁶ So the Latin text of Formula reads, *triplex esse legis divinae usum*.⁴⁷ Thus there is no thought of a third law or our using the law in a third way.

Louis Smith's review, while critical, was the most helpful.⁴⁸ In his review he suggested that I had missed some salient passages about the third use of the law in Forde's locus on "Justification and This World" in the Braaten and Jenson *Dogmatics*, when in reality these very passages had undergone a close and repeated reading in preparing to write the book. It would seem to me that Smith has read Forde too optimistically. "His

this matter, as far as the good works of believers are concerned." SD VI, 10. When the Formula mentions a distinction about works it is a distinction between "two different kinds of people" (SD VI, 16), not a distinction among various kinds of law. These translations and the ones below are from *The Book of Concord*, ed. Theodore G. Tappert et al. (Philadelphia: Fortress, 1959).

⁴¹ Melanchthon himself only used the term a couple of times in his 1521 *Loci* and it was absent from the 1535 *Loci*. See Ebeling, "On the Doctrine of the *Triplic Usus Legis*," 62-64; Wengert, *Law and Gospel*; and Schurb, "Philip Melanchthon, the Formula of Concord, and the Third Use of the Law."

⁴² Philip Melanchthon, *Loci Communes*, quoted in Martin Chemnitz, *Loci Theologici* (Frankfurt and Wittenberg, 1690), 97. Preus translates "officia" as "duties" ("offices" is my translation) in his translation of Chemnitz, *Loci Theologici* (1989), 2:437.

⁴³ The interpenetration of offices or vocations is a hallmark of Luther's teaching of vocations.

⁴⁴ Melanchthon, *Loci Communes*, quoted in Chemnitz, *Loci Theologici* (1690), 97.

⁴⁵ Chemnitz, *Loci Theologici* (1690), 98.

⁴⁶ For example, Chemnitz, *Loci Theologici* (1690), 98-100; SD VI, 16. The term *usus legis* actually shows up as a theological category for the first time in Luther's commentary on Galatians.

⁴⁷ SD VI, 1.

⁴⁸ Smith, review of *Life, Law, and the Living God* (see n. 3 above). I grieve for the loss of his voice from the church militant.

Forde," as Smith called him (as opposed to my Forde), says, quite congenially, "From the eschatological perspective *the legitimate concerns badly expressed in the idea of a third use of the law* can be sorted out . . . one grasped by the eschatological vision will recognize the continuing need for the law."⁴⁹ How is this sorting out to take place according to Forde? That is the *crux*. He takes back with one hand what he appears to give with the other. For him there is a continued need for law for the Christian, but not a third use. Instead the third use "obscures the eschatological nature" of the event of conversion, assumes that humans are users of the law, entails a covert antinomianism, and proposes "an alteration in the view of law to fit the view of the Christian life as immanent moral progress" and "to accommodate sin."⁵⁰ If this is "sorting out" the third use of the law, then this would be "sorting out" by train wreck.

Part of the problem is that many people who want to reject the third use will only be rejecting the ghosts that the third use is supposed to be or to bring with it. Who would not reject a use of the law (no matter how it is numbered) that brings with it the seven devils Forde attributes to it? It is my opinion that this sort of rejection of a third use of the law is not yet a rejection of the Formula of Concord's third use of the law. This is what was helpful about Larry Vogel's article, "A Third Use."⁵¹ Yes, but which one?

The third use is an employment of the law for *something*, not different kinds of law.⁵² It is not a law that can save. It is not a different attempt at the law making sinners righteous before God. It seems that part of the reason that the third use is so widely maligned is that we moderns tend to read our definition of "use" into the term used by the Formula of Concord, again, as though use implies our ability to manipulate the law in a third way. The difference is not in the kind of words spoken as law words, but the impact and result that the law has.⁵³ It is absolutely correct, then, that the Spirit comes in the use of the word, its right and proper offices in the hands of God's Spirit, when and where it pleases him. Perhaps, by adjusting a postmodernist rhetorical term, this might be called – instead of reader response – "hearer response." Law itself as summarized by the Decalogue is concrete and unchanging; response to it is anything but concrete and unchanging. Unfortunately, "use" almost always commends

⁴⁹ Forde, "Christian Life," in CD 2:450 (emphasis added).

⁵⁰ Forde, "Christian Life," in CD 2:450-451.

⁵¹ Larry Vogel, "A Third Use of the Law: Is the Phrase Necessary?" CTQ 69 (2005): 191-220.

⁵² SD VI, 1.

⁵³ See SD IV, 10.

to us “our use.”⁵⁴ In retrospect, this is why the older translation of the Book of Concord might be preferable on the third use. Theodore Tappert translated the term “function,” whereas Kolb-Wengert simply reverted back to “use.”⁵⁵ The question must be whether this term is impaired by ethical hubris or postmodernist *autopoiesis* (self-determination/self-invention).

As the discussion about the third use of the law advances, it would also be well for us to remember that the Formula of Concord has a quite different status in the ELCA than it does in the Missouri Synod. The Formula of Concord is not normative in the ELCA in the same way as it is in the Missouri Synod but is accepted in the ELCA “as further valid interpretation” of the Unaltered Augsburg Confession. Greater leeway in the understanding of the Formula of Concord has typically been permitted in the ELCA and its predecessor bodies. So a flat denial of the validity of Article VI of the Formula of Concord is not inconsistent with the confessional commitments of ELCA Lutherans. Such a flat denial is much more incongruous for someone who makes the confessional commitments of a Missouri Synod Lutheran. Thus the meaning of confessional subscription, long a sticking point, continues to raise its head.

As I pointed out earlier, a great deal of the contemporary thought about the third use of the law depends on Luther and a particular interpretation of his life and work as well as the life and work of his successors. I appreciate that Mark Mattes has shared with me the view that Luther’s Catechisms especially presume an “informative” use of the law, however that is interpreted. “It is also confessionally clear, in the Large and Small Catechisms, that as believers, we can look at the law as informative, and not solely accusing.”⁵⁶

Recent work in Luther scholarship is seeing a positive use for the law in Luther. Bernard Lohse, in a work published while my book was in the

⁵⁴ “Thus Luther spoke of the ‘proper uses’ of the law. The concept of proper use is always crucial for Luther’s theology, whether one is talking about either law or gospel. It is in the use that the Spirit dwells, not in the thing itself. It is commonly agreed that Luther spoke explicitly of only two uses of the law: the political use—perhaps we could call it the ethical use—and the theological use. Again, it is important to get the nuance here. Luther was talking about the way in which the Spirit uses the law. It was not, for him, an ethical theory, but analytical observation. It was simply a statement about the way the law actually works in our lives.” Forde, *A More Radical Gospel*, 152.

⁵⁵ Tappert, *The Book of Concord*, 563-568; 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), 587-591.

⁵⁶ Mattes, “Beyond the Impasse,” 277.

editorial process, says that for Luther the law could not be corralled into a pure first and second use schema.

The law's significance could never be reduced to these two functions [i.e., the "first" and "second" uses]. There is certainly a "pedagogical use" construed as a positive use of the law or the commandments. Luther's numerous catechetical writings and statements document this.⁵⁷

Although there are still open text critical debates on whether or not Luther used the term "third use of the law," let us presume that Luther did not. It is one thing to say that Luther did not have a third use of the law, or even that he did not use the term. It is another thing to say that because he did not, we should not. The Lutheran church is not Luther's church, but the church of the Lutheran Confessions. For example, sorting through Luther's views on the two governances or what is usually called the two kingdoms is not simple.⁵⁸ Sometimes Luther can be understood to mean that the kingdom of this world should be of no concern for Christian folk and at other times it should be a matter of intense concern for Christian folk. While this is only a small indication of the richness and complexity of Luther's opinions, it still should warn us that our theology is not Luther's, but our theology is the theology of the Lutheran Confessions. Because of our confessional commitments, the Missouri Synod presumes the superiority of the Confessions over Luther. There are indeed any number of statements made by Luther that we would decline to support or confess.⁵⁹ The fact that Luther may not have used the term "third use" does not commend to us a repudiation of a correct understanding of the concept or the term. Arguments from silence are ultimately not very convincing.

Louis Smith was absolutely correct in saying that it is not just a matter of semantics when the claim is made that the third use of the law is merely the first and second uses for Christians.⁶⁰ William Lazareth certainly concurs on this point:

⁵⁷ Bernhard Lohse, *Martin Luther's Theology: Its Historical and Systematic Development*, trans. Roy A. Harrisville (Minneapolis: Fortress, 1999), 184.

⁵⁸ James M. Childs Jr., "Ethics and the Promise of God: Moral Authority and the Church's Witness," in *The Promise of Lutheran Ethics*, ed. Karen L. Bloomquist and John R. Stumme (Minneapolis: Augsburg Fortress, 1998), 99–100.

⁵⁹ Some of his statements about the Jews immediately come to mind.

⁶⁰ "For in Article VI, the law informs and directs while it accuses. The description it seems to me is accurate. But then the question must be raised: How is this different from saying that the law's first two uses remain in force for Christians? This is not just a matter of semantics." Smith, review of *Law, Life, and the Living God*, 65 (see n. 3 above).

At best, if consistently understood as the Pauline *nomos*, the Law's "third use" in Article VI can rightly refer only to the legitimate application of the first two uses to the *persisting sin* ("like a stubborn, recalcitrant donkey") of imperfect Christians, as well as elsewhere to non-Christians. However, that is not a new "third use" in kind, but solely a different area of the first two functions implementation.⁶¹

There is something instructive about the almost humorous muddling of the uses of the law, "the third use is the first use for Christians," or "the third use is the second use for Christians."⁶² First, there is no consensus as to which the third use would be. Is it merely first use for Christians or is it second use for Christians? Like playing musical chairs, then can it also be said that the first use is the third use for unbelievers (and so on)? More seriously, this points out the likelihood that the distinction resides in the impact the one law makes, rather than the various manipulations to which the law might be susceptible. The fact that various "uses" of the law look and sound the same should be no surprise. The numbering of the law, even as first and second, never has been about differing content. The re-creation worked by Christ functions to change how sinners hear and respond to the law within the new creation.

Perhaps Piotr Malysz has put his finger on a large measure of the problem for those who struggle with the third use of the law when he points out that the third use of the law must "be something more than arbitrary legalism that comes after the Gospel and is then ineptly justified by an appeal to the mysteries of God's will."⁶³ If the law only brings wrath it appears as a raging and non-rational power, intended merely to burn down human pretensions to self-justification. The question can never be the meaning or justice of the law, only its terrifying result of bringing God's wrath into the world. Under this schema the law does indeed have the appearance of arbitrariness. It is not correct to presume for the second use of the law that sort of arbitrariness. There is, after all, only one and the same law. The law only appears arbitrary to us because of the fall. The fall means that the old Adam will always feel the lash on his back and taste the salty sweat of his brow. There was nothing arbitrary about the primal command not to eat of the tree in the garden, even if Adam and Eve did not understand why God gave it.⁶⁴ Where law only as an outbreak of

⁶¹ William Lazareth, *Christians in Society: Luther, the Bible, and Social Ethics* (Minneapolis: Fortress, 2001), 243.

⁶² Piotr Malysz, "The Third Use of the Law in Light of Creation and the Fall," in Gieschen, *The Law in Holy Scripture*, 236.

⁶³ Malysz, "The Third Use of the Law," 235.

⁶⁴ See Luther's discussion of this command in *LW* 1:153-154.

divine wrath can be countered, the chances for an informative function of the law become far better.

III. The Teaching of the Formula of Concord

A short summary of the Formula's actual teaching on the third use may be the best way to bring clarity to this issue. First let us consider what the Formula of Concord Article VI says to the Christian *qua* Christian (inner man), then the Christian *in concreto*, then how the law is in the hands of the Holy Spirit, and finally the limiting function of the third use in the Formula of Concord.

Christian qua Christian

The Christian *qua* Christian is how the individual stands before God on the basis of the article of justification. It describes the relationship of the justified person to the law of God. This relationship is the eschatological standpoint. There is in view here no law to tyrannize the life of the believer.⁶⁵ The law for Christ's sake is at its *finis* and *telos*.⁶⁶ The regenerate will produce the fruits of the Spirit, "spontaneously as if they knew of no command, threat, or reward."⁶⁷ They will not have need of the threatenings of the law. "The believer without any coercion and with a willing spirit, in so far as he is reborn, does what no threat of the law could ever have wrung from him."⁶⁸ All this is the life which is now possessed and fully enjoyed through faith, and the hope of the future consummation as part of that faith.⁶⁹ Here there are no half-measures and no mitigation of the gospel for the law's sake.

The Formula of Concord does make reference to the eschaton at the end of the article and in the context of speaking of the freedom of the

⁶⁵ Believers "are freed through Christ from the curse and coercion of the law." Ep VI, 2.

⁶⁶ Thus Luther: "If a Christian is defined properly and accurately, therefore, he is a child of grace and of the forgiveness of sins. He has no Law at all, but he is above the Law, sin, death, and hell." LW 26: 59.

⁶⁷ Ep VI, 6.

⁶⁸ Ep VI, 7.

⁶⁹ The testimony of the Formula on this point is abundant: "Christians, having been genuinely converted to God and justified, have been freed and liberated from the curse of the law" (SD VI, 4); "The law cannot impose its curse upon those who through Christ have been reconciled with God" (SD VI, 5); The law may not "torture the regenerated with its coercion, for according to the inner man they delight in the law of God" (SD VI, 5); If believers were perfectly renewed "of themselves and altogether spontaneously, without any instruction, admonition, exhortation, or driving by the law they would do what they are obligated to do according to the will of God" (SD VI, 6).

Christian. "But just as they will see God face to face [in the eschaton], so through God's indwelling Spirit they will do his will spontaneously, without coercion, unhindered, perfectly, completely, and with sheer joy, and will rejoice therein forever."⁷⁰ Quite clearly the Formula says that the Christian as Christian does not use the law as a guide, indeed he does not have the law at all! However, Forde attributes precisely this to the third use: "The question is whether one can or should speak of a 'third' use of the law in addition to the political use (to restrain evil) and the theological use (to convict of sin): a use of the law by the reborn Christian *as* Christian in which law functions as a 'guide to the Christian life.'"⁷¹ The Formula of Concord is perfectly clear that the law does not function as a "guide to the Christian life" for the Christian as Christian! The Formula's actual teaching explicitly condemns the very point Forde takes here as one of the faults of the third use. Instead, according to the Formula the Christian as Christian is entirely free from the need of guidance and always does spontaneously the will of God. Jonathan G. Lange has demonstrated that the Formula of Concord uses its terminology perfectly clearly and entirely consistently.

The term "Christian" is used synonymously with the terms "true believers," "truly converted," "regenerated," and "justified by faith" (Ep VI, 2). . . . All of these terms are used interchangeably to speak of the Christian as he exists in this world, but never are they used in reference to the inner man. Later dogmatists have labeled this concept by the phrase Christian *in concreto*.⁷²

So while the Christian *qua* Christian is entirely free of the law, the Christian *in concreto* is the Christian as he actually exists in the world "caught between the times."

Christian in Concreto

There is something to be said for the eschatological perspective on the Christian *in concreto*. But that is not all that can be said. The Formula's concept of the Christian *in concreto* is a constant warning against spiritual pride.⁷³ We may not leap to the end while we live in the flesh. Forde points

⁷⁰ SD VI, 25.

⁷¹ Forde, "Christian Life," in CD 2:449.

⁷² Jonathan G. Lange, "Using the Third Use: Formula of Concord VI and the Preacher's Task," *Logia* 3, no. 1 (1994): 19.

⁷³ Luther's sermon from the *Church Postil* sets the Christian concretely in the real context of life between the times: "Here again is an admonition for Christians to follow up their faith by good works and a new life, for though they have forgiveness of sins through baptism, the old Adam still adheres to their flesh and makes himself felt in tendencies and desires to vices physical and mental. The result is that unless Christians offer resistance, they will lose their faith and the remission of sins and will in the end be

this out, but presumes that the third use implies a third way of using the law: "With the conscience claimed by the eschatological promise, the 'flesh' in *this* world 'for the time being' is to do the commandments of God not in some third way but as its entry into this world where the rest of humankind lives."⁷⁴ As has already been demonstrated, the Formula of Concord provides no such third way, rather it locates the difference in men, not in the law. In fact, the third use of the law is about the fleshly entry of the Christian into the world due to the need of his neighbor. This is no work of supererogation, but within the limits of God-given vocation; it is a working of natural law at its best. Here there are no superior or more glittering works, but instead those tied to vocation and unfolded by the Decalogue. The Formula of Concord closes the way to perfection through the law, even and especially after conversion: "But in this life Christians are not renewed perfectly and completely."⁷⁵ The Formula drives home this point:

Old Adam still clings to their nature and to all its internal and external powers. Concerning this the apostle writes, "I know that nothing good dwells within me." And again, "I do not do the good I want, but the evil I do not want is what I do." Likewise, "I see in my members another law at war with the law of my mind and making me captive to the law of sin." Likewise, "The desires of the flesh are against the spirit and the desires of the spirit are against the flesh, for these are opposed to each other, to prevent you from doing what you would."⁷⁶

Here there are no pretensions to heroics or spiritual athleticism.⁷⁷ The Formula of Concord has both feet firmly planted in the reality that all have sinned, remain sinners, and stand under the same law of God.⁷⁸ It is hardly a tract for spiritual elitism.

The Formula's third use of the law does not represent a neutralization of the law in such a way that covert antinomianism is injected into the corpus of doctrine. Forde rightly states, "If one is seriously to maintain imputed righteousness as the eschatological power of new life out of

worse than they were at first; for they will begin to despise and persecute the Word of God when corrected by it." Martin Luther, "Nineteenth Sunday after Trinity," in *The Complete Sermons of Martin Luther*, trans. J. N. Lenker et al. (Grand Rapids: Baker Books, 2000), 4.II:304.

⁷⁴ Forde, "Christian Life," in *CD* 2:454.

⁷⁵ *SD* VI, 7.

⁷⁶ *SD* VI, 7-8.

⁷⁷ Forde, "Christian Life," in *CD* 2:450.

⁷⁸ "Yet it remains a Law for the wicked and unbelieving; it remains also for us who are weak, to the extent that we do not believe." *LW* 26:161-162.

death, one can speak neither of a temporal end to the law nor of its transformation into a third thing, or more or less neutral guide. The law is not to be changed; the *sinner* is to be changed."⁷⁹ The Formula says, "The distinction between works is due to the difference in the individuals who are concerned about living according to the law and the will of God."⁸⁰ The sinner is changed in that the attitude he has toward the law of God has changed. Now it not only threatens, accuses, and condemns, but it also instructs, not the Christian *qua* Christian, but the Christian *in concreto*.

Third Article Business

Both law and gospel belong to the Spirit: "As often, therefore, as Christians trip, they are rebuked through the Spirit of God out of the law. But the same Spirit raises them up again and comforts them with the preaching of the holy Gospel."⁸¹ The Holy Spirit functions with law and gospel simultaneously: "In this way the Holy Spirit simultaneously performs both offices, 'he kills and brings to life, he brings down into Sheol, and raises up.'"⁸²

The Formula of Concord expressly places both law and gospel in the hands of God the Holy Spirit, and never claims that the Christian "uses" it. Certainly the Christian exercises himself in the word of God (Ps 119:71; 1 Cor 9:27), in that he receives the word of God as God intends to use it in his life. But this is not "use" in the sense of its being a manipulation of the law of God. If Forde is asking this question of the Formula of Concord (i.e., does the Christian "now use the law in a third way?"), the answer is a resounding and crystal clear "no." If in fact the Formula of Concord is properly understood to be arguing that the law is the Holy Spirit's to use, then it is impossible to claim that the third use of the law means that "because one is a 'reborn Christian,' one may now use the law in a way different from others: not to convict of sin or to restrain evil but simply as a guide to what one should do as a Christian."⁸³ We should concur wholeheartedly with Forde, when he says, "If that is what is meant by the 'third use,' it is clear that anyone grasped by the eschatological perspective must resist it."⁸⁴ No such division is possible for the Christian while he bears flesh and blood. What Forde has rejected, therefore, is at best a

⁷⁹ Forde, "Christian Life," in CD 2:451 (emphasis original).

⁸⁰ SD VI, 16.

⁸¹ SD VI, 14.

⁸² SD VI, 12.

⁸³ Forde, "Christian Life," in CD 2:449.

⁸⁴ Forde, "Christian Life," in CD 2:449.

prevalent caricature of the third use of the law, but it is by no means a rejection of the position of the Formula of Concord.

Limiting Function of the Law

The law functions in a unique way for Christians: "according to the inner man they delight in the law of God" (Ps 1:2).⁸⁵ Note that this could not be said to be the first function of the law which is coercive: "The kingdom of Christ consists in finding all our praise and boast in grace. Other works should be free, not to be urged, nor should we wish by them to become Christians, but condescend with them to our neighbor."⁸⁶ This cannot be said of the second function of the law, which produces contrition and sorrow.

The distinction of third use has more to do with the relationship that the person has with God than it does a characteristic of the law: "The distinction between works is due to the difference in the individuals who are concerned about living according to the law and the will of God."⁸⁷ "But when a person is born anew by the Spirit of God and is liberated from the law (that is, when he is free from this driver and is driven by the Spirit of Christ), he lives according to the immutable will of God as it is comprehended in the law and, in so far as he is born anew, he does everything from a free and merry spirit."⁸⁸ Louis Smith sifts out this question:

So if Article VI merely maintains that the Law's civil and theological uses continue to apply to Christians because they are not yet perfect (the "actual" situation of Christians according to Murray, correctly following the Formula) what is gained by calling this a third use? Such language might even give the impression that the Christian life is somehow peculiar in its behavior, as Mennonites and other holders of sectarian ideals affirm.⁸⁹

The Formula of Concord is not about peculiarity of behavior, but the peculiarity of God and his unique work to save in Christ. What is peculiar, then, is not our action but the calling of God. Our relationship with God's law changes because our relationship with God changes, and that is why the Formula of Concord describes the difference not as a matter of

⁸⁵ SD VI, 5.

⁸⁶ Luther, "Nineteenth Sunday after Trinity," in *Complete Sermons*, 3.1:201.

⁸⁷ SD VI, 16.

⁸⁸ SD VI, 17.

⁸⁹ Smith, review of *Law, Life, and the Living God*, 65 (see n. 3 above).

behavior, or of law, but of a difference in man.⁹⁰ So Luther can say, "We are not free from the Law (as I have said above) in a human way, by which the Law is destroyed and changed, but in a divine and theological way, by which we are changed and from enemies of the Law are made friends of the Law."⁹¹ Perhaps this is why Smith suggests that an entirely new theological anthropology is being forced on us.

A human being never exists apart from relationships, particularly not apart from a relationship with God, which is established by God speaking in the Law or Gospel. This is what requires a *simul* doctrine that is the beginning of a completely new theological anthropology.⁹²

While I would question what a "new" theological anthropology might look like, maybe the Formula of Concord is much farther down the road to providing hints for a renewed anthropological viewpoint than we have to this point given its credit. Our relation to the law is changed because God's relation to us has changed in Christ.⁹³

There is no church law to be distinguished from civil or domestic law. There is but one law. The law expects the same things from both believers and unbelievers: good citizenship, good parenting, and the like. Yet, there is some distinction between works of the law and fruit of the Spirit: "These works are, strictly speaking, not works of the law but works and fruits of the Spirit, or, as St. Paul calls them, the law of the mind and the law of Christ."⁹⁴ This difference is accountable only on the basis of the changed relationship between God and the individual through faith. Fruit of the Spirit would not be expected of unbelievers. Fruit of the Spirit might be considered to be theological virtues.⁹⁵

IV. Conclusion

Theology must not deteriorate merely into a battle over words, although the sound form of words is an essential inheritance of the faith that was once confessed at the Lutheran Reformation in the confessional writings of our church. In my opinion, the term third use of the law is privileged vocabulary. It is the church's language. Could it be used as a slogan to cover-up legalism? Certainly, but all doctrinal formulae are

⁹⁰ "The distinction between works is due to the difference in the individuals who are concerned about living according to the law and the will of God." SD VI, 16.

⁹¹ LW 27:347.

⁹² Smith, review of *Law, Life, and the Living God*, 67 (see n. 3 above).

⁹³ The insights of the Finnish school of Luther scholarship may have some utility here in giving fruitful direction to this discussion.

⁹⁴ SD VI, 17.

⁹⁵ SD VI, 5; see also Ep VI, 7.

susceptible to such abuse. This does not invalidate their use. The *crux*, however, of the argument is what is the correct meaning of the third use? In the end, I still do not know what a repudiation of the third use of the law gets you, especially if everyone has mutually agreed not to shoot their allies.

Smith's insight that the old conflicts over Scripture and its use in the church drove a great deal of the debate about the law and gospel is still significant. Law and gospel was seen as an antidote to the destruction caused in the church by the historical-critical method.

I would suggest that [law-gospel method] seemed to offer a remedy for the acids of historical criticism's erosion of the Bible's dogmatic authority in the church. The more I look at the origins of historical criticism in Rationalism and Pietism, the more it seems clear to me that from the outset the purpose of the method was to drive a wedge between Scripture and Church. And there can be little doubt that historical criticism has succeeded in undermining the authority of the Bible as God's Word.⁹⁶

The so-called Fort Wayne theology has headed in the right direction by presuming that the Bible is nothing less than the church's book; that Scripture's locus of function and situation is the church. Higher criticism eviscerated the church by snatching Scripture from its proper locatedness within the church. But here the larger issues of the sacramental life of the church, especially the power of Baptism and the life-sustaining character of the Sacrament of the Altar, should also play into our reconsideration of theological anthropology. The key will always be careful catechesis, so that God's word might always give the gift of relation to him with his Son through the Holy Spirit.

I am convinced that we will find fruitful ground by researching how a theological anthropology based upon relationship might clarify the lines of thought in the Formula of Concord in such a way that the current misunderstandings of Article VI of the Formula might be resolved.

⁹⁶ Smith, review of *Law, Life, and the Living God*, 66 (see n. 3 above).