



## **When Doctrinal Review Misses a Question**

Copyright © T. R. Halvorson

Sometimes doctrinal review is like what happens frequently in court.

A man driving his car across railroad tracks was struck and killed by a train. His widow sued the railroad, contending the railroad crossing was not adequately protected for the safety of motorists. The railroad watchman at the crossing was the railroad's chief witness. No matter what the widow's attorney said or did, he could not shake the man's testimony that he was on the job, heard the train well before it got to the crossing, went out to the middle of the crossing with his lantern, and waved it back and forth as a warning to all motorists.

When his testimony ended and he had stepped down from the stand, the watchman's boss complimented him for his conduct under the fire of the attorneys. "Were you nervous?" his boss asked him.

"Yes sir, I was," he said emphatically. "All the time on the stand I kept wondering when that lawyer was going to ask me if the lantern was lighted."

Everything the witness said was true. No one would ever be able to show any falsehood in what he said. The problem is with what he did not say. The reason he slipped by without saying it is that no one asked. Everyone assumed that a lantern is lighted.

Doctrinal review can be like that. In reviewing an essay, we see that everything the essay says is true. No one would ever be able to show any falsehood in what the essay says. The problem is with what the essay does not say. An essay can slip by without saying it if doctrinal review did not ask.

This could be the case with the essay titled, “The Third Commandment: Remember the Sabbath Day to Keep It Holy,” by Steven Paulson in *Luther’s Large Catechism with Annotations and Contemporary Applications* (St. Louis: Concordia Publishing House, 2023), 203-207. In reviewing that essay, as the lawyers assumed a lantern was lighted, the reviewers might have assumed that forgiveness talk was based on the vicarious satisfaction of Christ.

Let us start with what the sabbath day is about and work our way through this.

In Lutheran theology, the sabbath day is about the Word of God. Luther’s Small Catechism says:

The Third Commandment

Remember the Sabbath day by keeping it holy.

*What does this mean?* We should fear and love God so that we do not despise preaching and His Word, but hold it sacred and gladly hear and learn it.

In the Large Catechism, Luther says:

Most especially, on this day of rest (since we can get no other chance), we have the freedom and time to attend divine service. We come together to hear and use God’s Word, and then to praise God, to sing, and to pray.<sup>1</sup>

Such observances should be devoted to hearing God’s Word so that the special function of this day of rest should be the ministry of the Word.<sup>2</sup>

How, then, does such sanctification take place? ... We occupy ourselves with God’s Word and exercise ourselves in the Word.<sup>3</sup>

God’s Word is the true “holy thing” above all holy things.<sup>4</sup>

God’s Word is the treasure that sanctifies everything. By the Word, even all the saints themselves were sanctified.<sup>5</sup>

So much depends upon God’s Word. Without it, no holy day can be sanctified. Therefore, we must know that God insists upon a strict observance of this commandment and will punish all who despise His Word and are not willing to hear and learn it, especially at the time appointed for the purpose.<sup>6</sup>

God will require an account from you about how you have heard, learned, and honored His Word.<sup>7</sup>

Since God will require an account from me about how I have heard, learned, and honored his Word, I hope I may be forgiven by men for, with gravity and diligence, thinking about what we mean by the Word of God.

In Lutheran theology, we confess that God’s words are two: Law and Gospel.<sup>8</sup> If a pastor preaches Law without Gospel, that is like the railroad watchman’s lantern that was not lighted. If a pastor preaches Gospel without Law, that is like the railroad watchman’s lantern that was not lighted. If the pastor preaches something that is called Law but is not the Law as God gives it in Scripture, that preaching lacks the Word that is a lamp unto our feet. If the pastor preaches

something that is called gospel but not the Gospel as God gives it in Scripture, that preaching is not the light of life.

An essay in a Lutheran catechism about the Third Commandment, about the sabbath day, about the Word of God should be about true Law and true Gospel. It should not be only a form of lantern but lacking the substance of light.

In doctrinal review, questions should be asked about the light in the lantern. When the essay talks about the Word of God, what does it mean about Law. What does it mean about Gospel? The Law – if it is God’s Law – drives us to Christ. The Gospel – if it is God’s Gospel – delivers to us the atonement of Christ.

What is the essayist’s Law. What is his Gospel? Is his Law something that had to be fulfilled? In his Gospel, does Christ fulfill all righteousness for us under the Law?

In the essay, Paulson says God “has established the Holy Spirit’s office of preaching so that you may obtain faith (AC V 1). Faith in what? In Christ’s simple word: ‘I forgive you.’” Paulson says, “The ‘essence’ of worship is the public declaration of God’s Holy Word that forgiveness is a free gift, received by faith alone, without work.”

Like the railroad watchman’s testimony, that is true as far as it goes. But it is a lantern unlighted by atonement. It reduces the Gospel to a sheer absolution without the blood of Christ. The claim that it is “Christ’s simple word: ‘I forgive you.’” says nothing about the cross. It is a crossless gospel.

Doctrinal review ought to ask, why is the light not lit in the lantern? Why are the atonement, blood, and cross of Christ not essential to the Word of God on the sabbath day in this synodical teaching of the Third Commandment?

In “Forde Lives!”<sup>9</sup> on the theology of Gerhard O. Forde, Paulson says, “The stupefied atonement question—Why could God not just up and forgive?—is answered simply: He did!”<sup>10</sup> Paulson and Mark C. Mattes in their 2017 “Introduction” to an anthology of Forde’s writings, *A More Radical Gospel: Essays on Eschatology, Authority, Atonement, and Ecumenism*, track Forde saying, “Indeed, why is Christ’s death *necessary* at all? Forde’s radical response is that—it was not! Why could God not just forgive us? He did!”<sup>11</sup>

What are these people talking about?

Forde developed his atonement doctrine in many of his writings.<sup>12</sup> An oft-cited example is his 1983 essay “Caught in the Act: Reflections on the Work of Christ.”<sup>13</sup> There he rejected the orthodox Lutheran doctrine. He replaced vicarious satisfaction with, to use his own phrase, an “up and forgive” theory. Before and without the sacrifice of Christ, God just up and forgave sin, he says.

Three times in “Caught in the Act” Forde poses the question, why could not God just up and forgive without the cross and, for that matter, without the incarnation.

The persistent criticism of doctrines of vicarious satisfaction and substitutionary atonement since the enlightenment have the same root. The picture painted of God is too black, too contrary to the biblical witness. If the death was payment, how

could reconciliation be an act of mercy? Mercy is mercy, not the result of payment. If God is by nature love and mercy, why could he not just up and forgive? Jesus, it seems, forgave sins before his death. Why then was the death necessary?<sup>14</sup>

So we come back to our original question: Why the murder of the innocent one? What does that accomplish for us—or for God? What is “the word” of Christ? What does he actually do for us that God could not have done with greater ease and economy in some other way? The crucial and persistent question emerging from discussion of the various views seems always to be that of the necessity for the concrete and actual work of Christ among us. It is, of course, ultimately the question of the necessity for Christology at all. Cannot God just up and forgive and/or cast out demons? Or to use another current form of the question: Is there not grace aplenty in the Old Testament? Or in nature? Or in other religions even? Why Jesus? Why the New Testament?<sup>15</sup>

Why could not God just up and forgive? Let us start there. If we look at the narrative about Jesus, the actual events themselves, the “brute facts” as they have come down to us, the answer is quite simple. He did! Jesus came preaching repentance and forgiveness, declaring the bounty and mercy of his “Father.” The problem, however, is that we could not buy that. And so we killed him. And just so we are caught in the act.<sup>16</sup>

In the “up and forgive” theory, atonement happens not on the cross but when a sheer, bloodless word of absolution is believed. Tracking that, James Arne Nestingen teaches that,

“[Christ] enters the conscience through the absolution, through the proclaimed Word and the administered Sacrament to effect the forgiveness of sin. This is the true substitutionary atonement, happening here and now.”<sup>17</sup>

That removes atonement from the cross and installs it in our consciences. The adversaries speak of this kind of absolution as the proclamation of “the promise” of the Gospel. But according to the Apology of the Augsburg Confession, that is a half-gospel.

[19] The second requirement for an atonement maker is that his merits are shown to make satisfaction for other people. They are divinely given to others, so that through them, just as by their own merits, other people may be regarded righteous.

...

[20] From both of these—the promise and the giving of merits—arises confidence in mercy. Such confidence in the divine promise, and likewise in Christ’s merits, should be promoted when we pray. For we should be truly confident, both that for Christ’s sake we are heard and that by His merits we have a reconciled Father.<sup>18</sup>

The adversaries’ absolution “promises” something but it does not give Christ’s merits. It does not impute the obedience of Christ under the Law to us. The Apology says that from the two together, the promise and the giving of merits, confidence in mercy arises. In other words, faith grasps both the promise and the merits. A meritless promise is not the ground of what Scripture and the confessions call faith.

The Epitome of the Formula of Concord confesses “In His obedience alone, which as God and man He offered to the Father even to His death, He merited for us the forgiveness of sins and eternal life.”<sup>19</sup> The Solid Declaration specifies the obedience of Christ as elemental to true absolution.

Christ’s obedience alone—out of pure grace—is credited for righteousness through faith alone to all true believers. They are absolved from all their unrighteousness by this obedience.<sup>20</sup>

Catch that: absolved by Christ’s obedience. Without vicarious satisfaction, there is no absolution. Sheer absolution is not Christian absolution. Again, the Solid Declaration confesses:

A poor sinful person is justified before God, that is, absolved and declared free and exempt from all his sins and from the sentence of well-deserved condemnation, and is adopted into sonship and inheritance of eternal life, without any merit or worth of his own. This happens without any preceding, present, or subsequent works, out of pure grace, because of the sole merit, complete obedience, bitter suffering, death, and resurrection of our Lord Christ alone. His obedience is credited to us for righteousness.<sup>21</sup>

Yet again the Solid Declaration says,

Therefore, the righteousness that is credited to faith or to the believer out of pure grace is Christ’s obedience, suffering, and resurrection, since He has made satisfaction for us to the Law and paid for <expiated> our sins. ... His obedience (not only in His suffering and dying, but also because He was voluntarily made under the Law in our place and fulfilled the Law by this obedience) is credited to us for righteousness. So, because of this complete obedience, which He rendered to His heavenly Father for us by doing and suffering and in living and dying, God forgives our sins.<sup>22</sup>

The promise, that is the Word of the Gospel, is the means of delivering the merits of Christ to us. “These treasures are brought to us by the Holy Spirit in the promise of the Holy Gospel.”<sup>23</sup> “This righteousness is brought to us by the Holy Spirit through the Gospel and in the Sacraments. It is applied, taken, and received through faith.”<sup>24</sup> Both are necessary: the merits of Christ in vicarious satisfaction; and the delivery of them in the means of grace, the promise, the Gospel. The adversaries have an empty promise. They promise forgiveness apart from Christ’s vicarious satisfaction. That is broth where chowder or stew should be.

The Solid Declaration says, “We trust that for the sake of His obedience alone we have the forgiveness of sins by grace, are regarded as godly and righteous by God the Father, and are eternally saved.”<sup>25</sup>

Vicarious satisfaction as confessed in the Lutheran confessions is the reason for the way confession and absolution are spoken in Lutheran liturgy. In the Missouri Synod we pray in the Divine Service, “for the sake of the holy, innocent, and bitter sufferings and death of Your beloved Son, Jesus Christ, be gracious and merciful to me, a poor, sinful being.”<sup>26</sup> In the

Wisconsin Evangelical Lutheran Synod, pastors announce this Absolution: “By the perfect life and innocent death of our Lord Jesus Christ, he has removed your guilt forever.”<sup>27</sup> In that compact and crystal declaration, the pastor teaches orthodox Lutheran vicarious satisfaction. He teaches Christ’s active obedience (the perfect life) and his passive obedience (innocent death) under the Law. He teaches the effect of Christ’s substitutional obedience which is satisfaction (removed your guilt forever).

Granted, the essay did not need a lengthy or elaborate statement of Christ’s atonement as the ground for the preaching of the word of forgiveness on the sabbath day. It could have spoken as briefly as the liturgy does, and that would have been adequate, as the liturgy is. The problem is not that the essay said too little about the atonement as an essential element of the Gospel. The problem is that it said nothing at all. The atonement is completely missing.

Yet without the atonement, there is no justification and no Gospel. As Robert D. Preus said in “Perennial Problems in the Doctrine of Justification,” “The second assault against the article of justification by faith is to separate God’s act of justifying the sinner through faith from its basis in Christ’s atonement.”<sup>28</sup> Preus said,

This was done already in the Middle Ages when Abelard denied the vicarious atonement, but also by the nominalists who taught that justification was indeed a forensic act of God, but made it dependent upon His will rather than the atonement and righteousness of Christ. But the same tendency to separate God’s justification of the individual sinner from its basis in Christ’s atoning work really pervades all Roman Catholic theology, with a few exceptions, to this very day. Luther rails incisively against this Christless soteriology.<sup>29</sup>

Preus then adduced strident statements of Luther in which he indeed does rail against the separation of justification from the atonement. Against the error, Preus said:

We note the close connection between the righteousness of faith, our justification, and the vicarious atonement of Christ. They entail each other. There can be no imputation of Christ’s righteousness with which I can stand before God, if Christ did not by His atonement acquire such a righteousness. The purpose of Christ’s vicarious work of obedience is that it might be imputed to me and all sinners. Therefore, to deny the vicarious atonement or to separate it from my personal justification threatens or vitiates the doctrine of justification by faith entirely.<sup>30</sup>

David P. Scaer noted the same error of separating justification from atonement in his 2008 symposium presentation “Flights from the Atonement.”<sup>31</sup> An aspect that Scaer adds is this: the tendency to separate justification from atonement is not just a trait of the adversaries; it is an erroneous tendency of Lutherans in general. Charles A. Gieschen summarizes Scaer’s article as follows:

David Scaer addresses the tendency of Lutherans to see atonement as a doctrine easily separated from — and less important than — justification. He demonstrates the intimate interrelationship and interdependence of these doctrines as well as the current challenges being issued against a proclamation of the atonement that is faithful to the teaching of the

Scriptures, especially of Jesus in the Gospels.<sup>32</sup>

In a 2020 symposium John W. Kleinig, said,

confessional Lutheran teaching has recently been challenged on many fronts by those who cannot stomach this whole “bloody” business. In our own circles, the most forceful attack on this teaching has come from those who are uneasy about the propitiation of God’s wrath by Christ’s sacrificial death. They separate justification from its foundation in Christ’s atoning death and his fulfilment of God’s law by what he suffered on our behalf.<sup>33</sup>

Thus, to speak of “Gospel” or “forgiveness” without vicarious satisfaction is a lantern that is unlighted. The essay is not a dimly lighted lantern. It is an unlighted lantern. It is a lantern without the light of the Gospel. It is only a shell of so-called forgiveness without blood.

In accord with the Third Commandment God says, “Six days you shall do your work, and on the seventh day you shall rest.” (Exodus 23:12) What is that rest for us today? Jesus calls, “Come to Me, all you who labor and are heavy laden, and I will give you rest. Take My yoke upon you and learn from Me, for I am gentle and lowly in heart, and you will find rest for your souls. For My yoke is easy and My burden is light.” (Matthew 11:28)

How is his yoke easy? How is his burden light? Because He as our substitute bore the yoke and burden for us. In his vicarious satisfaction, He perfectly and fully obeyed the Law for us and suffered its just penalty of death for sin. “It pleased the Father that in Him all the fullness should dwell, and by Him to reconcile all things to Himself, by Him, whether things on earth or things in heaven, having made peace through the blood of His cross.” (Colossians 1:20) God made peace with God and sabbath rest from the doomed labors of works and self-righteousness through the blood of Christ’s cross. A preaching lacking this is not preaching the Third Commandment. It dishonors the Word of the Law and the Word of Gospel, and it provides no justification, peace, or rest. It provides no sabbath, what the essay was supposed to be about.

In the courtroom illustration, juries are instructed that as a matter of civil law, they are not to seek out evidence on their own. They are to confine themselves only to the evidence as presented to them in the courtroom. They are dependent on the lawyers to ask questions. They may not visit the scene of events, talk to people, look up information in books or online, or any other form of questioning on their own. But that is not the case of us lay people evaluating this edition of the Large Catechism. We may ask questions that doctrinal review might not have asked. We are not dependent on lawyers to ask questions for us. We can question and think for ourselves.

After all, “what will a man give in exchange for his soul?”<sup>34</sup> Jesus said this when revealing his cross, which Peter wanted him to avoid, and the cross of the disciple. Losing Christ’s cross or ours is a soul-losing proposition.

---

<sup>1</sup> LC I.84.

<sup>2</sup> LC I.85.

---

<sup>3</sup> LC I.88.

<sup>4</sup> LC I.91.

<sup>5</sup> LC I.91.

<sup>6</sup> LC I.95.

<sup>7</sup> LC I.98.

<sup>8</sup> Ep V; FC V; Carl C. F. W. Walther, *The Proper Distinction Between Law and Gospel* (St. Louis: Concordia Publishing House, 1928); and Francis Pieper, *Christian Dogmatics* (St. Louis: Concordia Publishing Houses, 1953), III.222-252.

<sup>9</sup> “Forde Lives!” in Gerhard O. Forde, *The Essential Forde: Distinguishing Law and Gospel*, eds. Nicholas Hopman, Mark C. Mattes, and Steven D. Paulson (Minneapolis: Fortress Press, 2019), 18-33.

<sup>10</sup> Paulson, “Forde Lives!” 29.

<sup>11</sup> Mark C. Mattes and Steven D. Paulson, “Introduction” in *Gerhard O. Forde, A More Radical Gospel: Essays on Eschatology, Authority, Atonement, and Ecumenism* (Minneapolis: Fortress Press, 2017), xxv.

<sup>12</sup> For an exposition of Forde’s doctrine drawn from his dogmatics text (Gerhard Forde, “The Work of Christ,” in *Christian Dogmatics* 2 vols., ed. Carl E. Braaten and Robert W. Jenson (Philadelphia: Fortress, 1984), 2:3–99.) and one of his books (Gerhard Forde, *Where God Meets Man: Luther’s Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg, 1972)), see Walter A. Maier III, “Penal Substitutionary Atonement?” *Concordia Theological Quarterly*, vol. 84, no. 3-4, 2020, pp. 245-263.

<sup>13</sup> Gerhard O. Forde, “Caught in the Act: Reflections on the Work of Christ,” *World in World*, 3/1 1983, pp. 22-31.

<sup>14</sup> Forde, “Caught in the Act,” 23.

<sup>15</sup> Forde, “Caught in the Act,” 25.

<sup>16</sup> Forde, “Caught in the Act,” 26.

<sup>17</sup> James Arne Nestingen, “Speaking of the End of the Law” in Albert B. Collver, Jr., James Arne Nestingen, and John T. Pless, eds., *The Necessary Distinction: A Continuing Conversation on Law & Gospel* (St. Louis: Concordia Publishing House, 2017), 174. In that passage, Nestingen says, “Christ finishes [note, not fulfills] the Law in two ways.” The first way is as quoted in the body here. The second way Jason D. Lane explains as “walking in the Law ... yet without compulsion (FC VI:18) “after justification.” Jason D. Lane, “That I May Be His Own: The Necessary End of the Law,” in Steven D. Paulson and Scott L. Keith, eds., *Handing Over the Goods* (Irvine, CA: 2018), 61. Hence, unless that walk is reclassified as being part of the atonement itself, that second way in Nestingen is not about the atonement itself but about one of its effects in the Christian life.

<sup>18</sup> Ap XXI.20.

<sup>19</sup> Ep III.3.

<sup>20</sup> SD III.4.

<sup>21</sup> SD III.9.

<sup>22</sup> SD III.14-15.

<sup>23</sup> SD III.10.

<sup>24</sup> SD III.16.

<sup>25</sup> SD III.11.

<sup>26</sup> Divine Service, Setting Three, *Lutheran Service Book* (St. Louis: Concordia Publishing House, 2006), 184.

<sup>27</sup> Service of the Word, *Christian Worship: A Lutheran Hymnal* (Milwaukee, Northwestern Publishing House, 1993), 38.

<sup>28</sup> Robert D. Preus, “Perennial Problems in the Doctrine of Justification,” *Concordia Theological Quarterly*, 45:3 (July 1981), 163-184, 165.

<sup>29</sup> Preus, “Perennial Problems,” 166.

<sup>30</sup> Preus, “Perennial Problems,” 166.

<sup>31</sup> David P. Scaer, “Flights from the Atonement,” *Concordia Theological Quarterly*, vol. 72, no. 3, 2008, pp. 195-210.

<sup>32</sup> Charles A. Gieschen, “The Death of Jesus as Atonement for Sin,” *Concordia Theological Quarterly*, vol. 72, no. 3, 2008, p. 194.

<sup>33</sup> John W. Kleinig, “Sacrificial Atonement by Jesus and God’s Wrath in the Light of the Old Testament,” *Concordia Theological Quarterly*, vol. 84, no. 3-4, 2020, pp. 195-208, 195.

<sup>34</sup> Matthew 16:26; Mark 8:37.