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The Gospel and the Smalcald Articles

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The Smalcald Articles (hereafter abbreviated as S. A.) provide us with an excellent focus for the problems and possibilities which the 16-century confessional documents pose for 20th-century Lutheranism. The fact of our historical distance from the 16th century confronts us with the most obvious problems.

The S. A. originated in a manifestly political context. While it is too much to claim that the fate of the Reformation theology was dependent on the Protestant territories, there can be little doubt that much of the form and much of the content of the S. A. were dependent on the close relationship between politics and theology in the 16th century. It is neither possible nor necessary to describe in detail the historical circumstances behind the writing of the S. A.¹ However, it is necessary to remember that Luther wrote them in response to a request from the elector of Saxony, who was trying to formulate a Protestant position over against a council which Pope Paul III was convoking at

Mantua in May 1537. In this situation the elector asked Luther for a document which would provide a theological basis for negotiation. Luther was to indicate at which points the Protestants could "with a clear conscience" make concessions in the interest of unity and peace and which points they would have to defend at all costs. The Protestants could unite with the emperor in seeking to have the pope convene a council, but they had little to gain politically from a reunion of papal and imperial authority in Germany. They had been asking for a council since Luther's "Appeal" in the fall of 1518.² In the Preface to the Augsburg Confession they offered "full obedience, even beyond what is required, to participate in . . . a general, free, and Christian council."³

¹ Historical introductions can be found in *Die Bekenntnisschriften der evangelisch-lutherischen Kirche*, 2d ed. (Göttingen: Vandenhoeck & Ruprecht, 1952), pp. xxiv—xxvii; *The Encyclopedia of the Lutheran Church*, III (Minneapolis: Augsburg Publishing House, 1965), 2183—89; Willard D. Allbeck, *Studies in the Lutheran Confessions* (Philadelphia: Muhlenberg Press, 1952), pp. 187—212; and Friedrich Bente, *Historical Introductions to the Book of Concord* (St. Louis: Concordia Publishing House, 1922, reprinted 1965), pp. 47—62.

² Luther dated his appeal on Nov. 28, 1518. It was printed and circulated (without Luther's approval) on Dec. 11, 1518. See Ernest Schwiebert, *Luther and His Times* (St. Louis: Concordia Publishing House, 1950), pp. 355—70, especially p. 369. The text of the *Appellatio* is not available in English. See *D. Martin Luthers Werke*, II (Weimar: Hermann Böhlau, 1884), 34 ff. A German translation is in *Dr. Martin Luthers Sämmtliche Schriften*, XV (St. Louis: Concordia Publishing House, 1899), 656—65. Schwiebert notes how serious and complicating a step this was, because since 1460 an appeal to a general council was itself regarded as heretical. There is an excellent discussion of the theological significance of Luther's appeal in Hans-Werner Gensichen, *Wie Condemn*, (Saint Louis: Concordia Publishing House, 1967), pp. 23—41.

³ Augsburg Confession, Preface, 15—24. The quotation is from the *Book of Concord* (Philadelphia: Muhlenberg Press, 1959), pp. 26—27. All English translations will be from this edition, cited hereafter as B. C.

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Now the council seemed immanent — but apparently it was not to be the kind of council they had envisioned. The political leaders were to assemble at Smalcald in February 1537 to decide whether or not they would participate in the council. Luther's document represents the religious or theological dimension of this political situation, namely, a Germany divided into papal and evangelical territories. The three parts of the S. A. indicate Luther's response to the elector's request. Part One contains the Christological and Trinitarian confession common to both parties. Part Two has the topic of Christ's work and our faith as its decisive center. "Nothing here can be given up or compromised" (S. A. Part II, I, 5). Part Three might have been expected to indicate those articles where concession or compromise would be possible. Indeed, Luther's introduction promises "matters which we may discuss with learned and sensible men, or even among ourselves" (B. C., p. 302). But the content turns again to aspects of salvation and Luther concludes: "These are the articles on which I must stand. . . . I do not know how I can change or concede anything in them" (S. A., Part III, XV, 3). Whether or not the Protestants really wanted a council at this time cannot be ascertained. The S. A. indicate, however, that Luther could not conceive of negotiation.

The subject matter as well as the arrangement of the articles reflect the opposing religious-political parties of the 16th century. In Parts Two and Three Luther takes up topics of contention so familiar to students of the Reformation: the mass as a human work, purgatory, pilgrimages, relics, indulgences, invocation of the saints, penance, Pelagian or semi-Pelagian notions

of sin, celibacy, monastic vows, and so forth. These topics were significant in the 16th century because the opposing groups were still sufficiently close to each other in their history and theological understanding to struggle against each other with the utmost seriousness. Today 400 years of separate history of Lutheranism and Roman Catholicism have made the dispute over these topics an anachronism within Lutheranism. The historical distance between the S. A. and the 20th-century Lutheran is such that it is (or seems) impossible, for example, to share Luther's bold condemnation of indulgences because indulgences have long since ceased to be a problem within Lutheranism.

A final problematic element in the historical distance between us and the S. A. is Luther's pessimism. Luther felt that the evangelical territories did not need a council because they had already effected the needed reforms in doctrine and liturgy. He entertained no real hopes that the papal party would accept these reforms. The papists, he says, could not yield on the Mass.

Accordingly we are and remain eternally divided and opposed the one to the other. The papists are well aware that if the Mass falls, the papacy will fall with it. Before they would permit this to happen, they would put us all to death. (S. A., Part II, II, 10)

In a summary of Part Two Luther is convinced that "they neither can nor will concede to us even the smallest fraction of these articles" (S. A., Part II, IV, 15). Luther's preface to the printed edition (1538) concludes with the prayer,

Dear Lord Jesus Christ, assemble a council of thine own, and by thy glorious ad-

vent deliver thy servants. The pope and his adherents are lost. They will have nothing to do with Thee. (S. A., Pref., 15)

All this pessimism about the papal party seems unreal today in the light of the renewal which has been taking place in Roman Catholicism since Pope John XXIII opened the windows to let in some fresh air. Roman Catholic attempts at theological reconciliation have penetrated to the heart of Luther's reformation concern: the doctrine of justification by grace.⁴ It must be emphasized, of course, that so far we have only *attempts*. Nevertheless the climate of renewal and reform stands in dramatic contrast to the 16th-century impasse over which Luther despaired.

This historical distance opens anew the problem of the continued validity of the 16th-century documents. Do these documents not bind us to old and irrelevant battles? Do they not prevent us from taking part in the great new movements and opportunities of our time? What does it mean (if anything) that these documents are still regarded as the confession and dogmatic norm of Lutheranism? The S. A. are so obviously conditioned by their historical context that these problems cannot be evaded.

On the other hand the S. A. present us with significant opportunities for reappropriation of the Lutheran confessional heritage. The fact of historical distance appears problematic only to those whose demand is for "instant relevance." Reformation theology's obvious historical context simply

⁴ See Stephen Pfuertner, *Luther and Aquinas on Salvation* (New York: Sheed and Ward, 1964), and Otto Herman Pesch, *Die Theologie der Rechtfertigung bei Martin Luther und Thomas von Aquin* (Mainz: Mattheas Grünewald Verlag, 1967).

links it with every other great dogmatic formulation, for the Christological and Trinitarian formulations are no less firmly imbedded in contexts which are as much political as they are theological. The intertwining of theological and political factors in the articles may seem strange to us in the light of our own easily misunderstood slogans such as "separation of church and state" or equally misunderstood advice to "keep religion out of politics." Reformation theology should have taught us that simplistic understandings of these slogans are impossible because of the nature of religion. In the Large Catechism Luther defines religion as "having a god."⁵ Luther's insight helps guard against the notion that theology belongs to one more or less private realm and politics to another, totally different and more or less public realm. Rather that to which we give our wholehearted loyalty and concern is really revealed as our god; and the way in which we express our devotion is our religion. This means that every concrete context of life is the arena for faith and for unfaith, that we are practicing either an idolatrous religion or a faithful religion at all times.⁶

⁵ Large Catechism, Ten Commandments, 18-20. See "The Confessions' Contribution to a Catholic Christianity," *Lutheran Forum*, II (March, 1968), 8-9.

⁶ Martin Marty, "Christians: Be Unethical and Grow," *Lutheran Forum*, II (December 1968), p. 6, has a paragraph which is an excellent contemporary statement of this insight:

"A turning had to come. It came through seminarians, priests, nuns, younger clerics, older sympathists, and other leaders who began to catch up with the lay *avant-garde*. A strange thing happened: they found no place to go that was unoccupied. It turned out that all along there had been no no-man's land. There was no 'space between politics' and social positions. The space was occupied, for example, by the conservative Christians who argued that the

The historical matrix for the Reformation confession is another illustration of Paul Tillich's observation that

every great philosophy combines two elements. The one is its vitality, its lifeblood, its inner character; the other is the emergency situation out of which the philosophy grows. No great philosopher simply sat behind his desk, and said, "Let me now philosophize a bit between breakfast and lunch time." All philosophy has been a terrible struggle between divine and demonic forces, skepticism and faith, the possibility of affirming and negating life. The question of the mystery of existence stands behind all who became creative philosophers and were not merely analysts or historians of philosophy.⁷

Luther's perspective emerged in a context of personal and social struggle. We must not despise or discount the "earthen vessel" by which that perspective is conveyed.

The problem is rather how that perspective is useful. The S. A. were not "officially" adopted by the political members of the Smalcaldic League. No wholly satisfactory explanation has been given for Luther's assertion in his 1538 preface that "our representatives . . . accepted them, un-animously adopted them as their confession" (B. C., p. 288). The S. A. were not

Church should not 'meddle' but who actually had committed the Church to the *status quo*, no matter how oppressive and de-humanizing it may be. People began to learn that it was not meddlers *versus* non-meddlers, but agents of change *versus* supporters of things as they are. In a phrase of Robert McAfee Brown's that I cannot resist overquoting: people with four aces do not ask for a new deal. They do not readily yield. The war's on."

⁷ Paul Tillich, *Perspectives on 19th and 20th Century Protestant Theology*, ed. Carl E. Braaten (New York: Harper & Row, 1967), pp. 115—16.

brought up at the official discussion. They were signed by theologians after the meeting had adjourned, and they gradually impressed themselves upon the Lutheran churches until they came to be included in the Book of Concord. The S. A. are thus now part of the dogmatic norm of Lutheranism. This means that they are *normative* for contemporary preaching and teaching.

Here some careful distinctions are necessary.⁸ The church preaches and teaches the Gospel. That is its message, its *kerygma*. It does not preach dogmatic formulations. But the dogmatic formulations provide us with a fixed point of reference within which to observe how God led the church to discover what is at stake in the gospel. Our very distance from the historical situation comes to our aid. We can see how the Reformation insight into the gospel emerged in controversy over indulgences, pilgrimages, relics, papal authority, the Mass, celibacy, and monastic vows. To use this insight as a contemporary norm does not mean that we keep alive the memory of past battles and past victories. It does mean that as we listen to the voice of the past in all of its historicity, taking its historical context with utmost seriousness, we will discover how and in what ways the church's contemporary proclamation will involve us in our own struggles and battles. The very pugnacity of the S. A. thus serves our contemporary situation, not because masses, pilgrimages, and relics are still the issue, but because the proclamation

⁸ See Werner Elert, *Der Christliche Glaube*, 3d edition (Hamburg, 1956), pp. 35—42. See also Edward H. Schroeder, "The Relationship Between Dogmatics and Ethics in the Thought of Elert, Barth, and Troeltsch," *CONCORDIA THEOLOGICAL MONTHLY*, XXXVI (December 1965), 744—56.

of the gospel in the face of enmity and distortion is still the issue.

The S. A. are especially helpful because we encounter here Luther's own confession in a context of ultimacy and because Luther makes a conscious effort to show the implications of that confession in a broad range of Christian doctrine and practice. Luther was quite conscious of his mortality as he prepared the S. A.⁹ He experienced a very serious illness in the midst of their preparation, and again at the Smalcaldic conference. He is therefore not simply engaged in a tactical exercise. He is aware that all words are spoken before God and are judged by Him.¹⁰ In this situation Lu-

⁹ S. A., Preface, 3: "I have decided to publish these articles so that, if I should die before a council meets (which I full expect, for those knaves who shun the light and flee from the day take such wretched pains to postpone and prevent the council), those who live after me may have my testimony and confession (in addition to the confession which I have previously given) to show where I have stood until now and where, by God's grace, I will continue to stand."

¹⁰ S. A., Preface, 5-7: "I suppose I should reply to everything while I am still living. But how can I stop all the mouths of the devil? What, above all, can I do with those (for they are all poisoned) who do not pay attention to what I write and who keep themselves busy by shamefully twisting and corrupting my every word and letter? I shall let the devil — or ultimately the wrath of God — answer them as they deserve. I often think of the good Gerson, who doubted whether one ought to make good writings public. If one does not, many souls that might have been saved are neglected. On the other hand, if one does, the devil appears at once to poison and pervert everything by wagging countless venomous and malicious tongues and thus destroying the fruit. However, what such persons accomplish is manifest. For although they slander us so shamefully and try by their lies to keep the people on their side, God has constantly promoted his work, has made their following smaller and smaller and

ther is concerned to concentrate on the "few articles" in which the gospel is at stake. This is not "reductionism." It stems from Luther's understanding that "the primary things," that is, the question of whether or not God is gracious, are decisive for the whole of human existence. This means, then, that the gospel is not one topic among many in the S. A. It is the central content of this document.

The centrality of the gospel is not immediately apparent in Part One. Here Luther summarizes the Christological and Trinitarian confession of the ancient creeds before continuing with Part Two, "the articles which pertain to the office and work of Jesus Christ, or to our redemption" (Part I, 1). The sequence of topics may be of some significance, for Ernst Kinder observes that Reformation theology

did not proceed from an *isolated* teaching on justification in an actualistic sense as if from a *principle*, in order to derive from it a christology; on the contrary it completely understood the teaching of justification as resting upon an *already existing substructure*, the christology of the ancient church.¹¹

Elsewhere, to be sure, Luther gives abun-

ours ever larger, and has caused, and still causes, them and their lies to be put to shame."

S. A., Preface, 9: "Imagine how those will face us on the last day, before the judgment seat of Christ, who in their writings have urged such big lies upon the king and foreign peoples as if they were the unadulterated truth! Christ, the lord and judge of us all, knows very well that they lie and have lied. I am sure that he will pronounce sentence upon them. God convert those who are capable of conversion and turn them to repentance! As for the rest, wretchedness and woe will be their lot forever."

¹¹ "Soteriological Motifs in the Early Creeds," *Lutheran World*, VIII (June 1961), 16.

dant evidence of the close connection in his thinking between the ancient dogmas and the saving gospel.¹² There is, nevertheless, an interesting omission to be noted in Part One. Luther originally concluded Part One with the observation that "these articles are not matters of dispute or contention, for both parties *believe and* confess them." He then crossed out the words "believe and" because, according to Hans Volz, he did not credit the opponents of the papal party with faith.¹³ The point here is that for Luther "faith" does not seem to refer to a correctly formulated doctrinal confession regarding the nature of God. The Holy Trinity is thus not a "true" conception of God to be affirmed in opposition to false conceptions. What is at stake in the confession of *faith* in the Holy Trinity is that one believes something specific *about* God, namely, that Christ is the divine forgiver of sinners.¹⁴

¹² For example, "On the Councils and the Church," *Luther's Works*, 41 (Philadelphia: Fortress Press, 1966), especially pp. 103 ff.; "The Freedom of a Christian," *ibid.*, 31, 366; "Two Kinds of Righteousness," *ibid.*, 31, 301 to 302. See Werner Elert, *The Structure of Lutheranism*, I (St. Louis: Concordia Publishing House, 1962), 211—36.

¹³ *Bekennnisschriften*, p. 415, note 1.

¹⁴ See Edmund Schlink, *Theology of the Lutheran Confessions*, (Philadelphia: Fortress Press, 1961), p. 66:

"The triune God is not yet known if he is presented without the distinction of law and Gospel. In the Roman church the dreadful fact had become evident that, in spite of the preservation of the orthodox doctrine of the Trinity, God was *not* known any more, since the Gospel had been lost. But to know God's essence means to know 'the most profound depths of his fatherly heart, and his sheer, unutterable love.' (L. C. II, 64). To know God's love means to receive his gracious love. However, the love of God the Creator, Redeemer, and Sanctifier is not given through the demands of the law but

The problem in Part Two almost seems to have been anticipated by Elector John Frederick, who found himself in agreement but remarked to his chancellor that the formulation was a bit brief.¹⁵ Luther states that Article I (on Christ and faith) is "the first and chief" article. There is no doubt that by this designation Luther intends to say more than that this is the "first" in a *sequence* of articles, or that this is the "chief" article in the sense of varying degrees of importance. It is "first and chief" in the sense that it is what Christianity is all about; it is the whole story. All other "articles" are variations or dimensions or aspects of this one central reality. In the articles of Part Two Luther continuously refers his concerns and formulations to this article, as he himself indicates. "On this article rests all that we teach and practice against the pope, the devil, and the world" (S. A., II, I, 5). The Mass of the papacy is regarded as in "direct and violent conflict with this fundamental article." The "first article" will not permit compromise (S. A., II, II, 1). The Mass "must be abolished because it is a direct contradiction to the fundamental article" (S. A., II, II, 7). It is not necessary to quote all the similar references to the first article in order to make the point.¹⁶ Secondary reasons for critique and rejection of abuses are not lacking. The Mass is a human invention (S. A., II, II, 2); purgatory is based on misuse of the Fathers and has no support in Scripture (S. A., II, II, 2).

through the gift of the Gospel. The triune God, therefore, is known only in the distinction of law and Gospel, that is, by faith in the Gospel."

¹⁵ *Bekennnisschriften*, p. xxiv.

¹⁶ See S. A., II, II, 12, 21, 25; II, III, 2; II, IV, 3.

13-15); pilgrimages lead to the neglect of essential duties (S. A., II, II, 18-19); relics are fraudulent nonsense (S. A., II, II, 22); invocation of the saints has no "precedent in the Scriptures" (S. A., II, II, 25); the papacy serves no useful purpose (S. A., II, IV, 5). But in the midst of these statements is the constant reference to the "first and chief article," to the contradiction or denial of "Christ and faith" as the worst abuse and the decisive basis for needed reform.

Now, however, we are faced with the problem that Luther's formulation of the "first and chief article" is brief almost to the point of inadequacy. The three descriptive paragraphs consist almost entirely of biblical quotations. The point of the first paragraph is that the death and resurrection of Christ is our justification, for by it our sins have been taken away. The second paragraph asserts that "this must be believed," that "faith" and "works" are polar opposites, that God "justifies him who has faith in Jesus." The third paragraph claims that this article cannot be abandoned or compromised, for Jesus alone saves and heals. This formulation seems to cry out for further definition. How are we sinners? What sin is taken away? How does the death and resurrection of Jesus of Nazareth effect this? What is justification? What is faith? Why or in what sense are works excluded? What is salvation? Why does Jesus alone save? Does this mean anything or make a difference?

Little help is gained from the antitheses in the other three articles of Part Two. Luther condemns the Mass in the papacy because understanding the Mass as a sacrifice effecting deliverance from sin makes of it a human work in contradiction to

what "can and must be done by the Lamb of God alone" (S. A., II, II, 1). Purgatory, too, confronts us with Luther's contrast between "Christ alone" and "the work of man" (S. A., II, II, 12). Pilgrimages are occasions for people to "turn aside from Christ to their own merits" (S. A., II, II, 19). Relics are used as "a good work and a service to God" in order to "effect indulgences and the forgiveness of sins" and thus share in the condemnation of indulgences (S. A., II, II, 23-24). Invocation of the saints is contrasted with "knowledge of Christ" in whom "we have everything a thousandfold better" (S. A., II, II, 25). Monasteries invent "blasphemous services" in conflict with "redemption in Christ" (S. A., II, III, 2). The claim that obedience to the papacy is necessary to salvation is condemned as a substitution for Christ in whom we have "everything that is needful for salvation" (S. A., II, IV, 4). The point is clear: Christ's work is contrasted with religious activities that can be designated as human works. But why is the one superior to the other? Why are they regarded as mutually exclusive? Part Two of the S. A. does not provide us with an answer. Are we to conclude from Part Two that the vital and central polarities in Lutheranism are God's Word and work versus man's word and work? If the gospel is thus defined in contrast to human work, then the *problem* of the relationship between faith and works is built into Lutheran theology by virtue of that definition.¹⁷ The description of the gospel as justification

¹⁷ Ragnar Bring, *Das Verhältnis von Glauben und Werken in der lutherischen Theologie* (Munich: Chr. Kaiser Verlag, 1955), pp. 55 to 106, has an illuminating description of the controversy on this subject in the "second generation" of Lutheran theology. See also Albrecht

by grace through faith can then be understandably criticized (but tragically caricatured) as making Christianity easier, indeed as effectively eliminating all ethical impulse from Christianity. The contrast between "gospel" and those religious practices of the papal party which Luther condemns in the remaining articles of Part Two could, and perhaps often did, easily lead to the conclusion that one obviously had the gospel simply because one did not engage in pilgrimages, invocation of saints, or obedience to the papacy.

We are thus drawn to Part Three in the quest for greater clarity in description of the gospel. It would seem that here Luther proposes to deal explicitly with the topic of the gospel, indeed to deal with it *again*. Article IV, however, is less a description of the gospel itself than a listing of various forms of the one gospel. The list indicates that the gospel takes place under a variety of circumstances and actions, but it does not say more about what the gospel is than to use the phrase "forgiveness of sins." Jaroslav Pelikan has used this list as a "sufficiently comprehensive" outline for an essay on Luther's understanding of the means of grace, but he draws almost exclusively on other Luther documents for fuller descriptions of the evangelical content of preaching, Baptism, the Sacrament of the Altar, absolution, and "the mutual conversation and consolation of brethren."¹⁸ The articles on Baptism, the Sac-

Peters, *Glaube und Werk* (Berlin: Lutherisches Verlagshaus, 1962), for concentration on Luther and the relationship between Luther and the New Testament.

¹⁸ Jaroslav Pelikan, "The Theology of the Means of Grace," *Accents in Luther's Theology*, ed. Heino O. Kadai (St. Louis: Concordia Publishing House, 1967), pp. 124—47.

rament of the Altar, and the Keys and Confession contain familiar Luther concerns, but they do not define the gospel. The task of gaining helpful insight into the nature of the gospel from the S.A. alone becomes increasingly frustrating. We might conclude that the brevity of Luther's formulation is more suitable for use as dogma than, for example, the more extended discussion of justification by Melancthon in Article IV of the Apology. If dogma defines the mandatory content of Christian proclamation, then elaboration as well as relevant application might well be left to preaching and teaching.

However, our canvass of the S.A. is not complete. It may well be that greatest clarity does not come in those formulations where Luther's titles or descriptions would seem to direct us. Rather, this quest seems to indicate that Luther's insights receive their most helpful expression at that point where existential and pastoral considerations are under discussion: on repentance (Article III) and on "how man is justified before God, and his good works" (Article XIII). These seem to be the "first and chief" articles of the S.A. It may be somewhat artificial to regard the arrangement of the first eight articles of Part Three as a reflection of "the Law-Gospel, or despair-faith, pattern of personal salvation," but Thomas M. McDonough has pointed to the valid sets of polarities with which Luther's confession of the gospel is fundamentally concerned.¹⁹ The contrast is not primarily between God's work and man's works (although

¹⁹ *The Law and the Gospel in Luther* (London: Oxford University Press, 1963), pp. 130 to 145. The quotation on the arrangement of Part Three is from pp. 134—35.

this is certainly not excluded). The antithesis must rather be seen on two levels. At the "divine" level the antithesis is between two works of God—that which God does through the law and that which God does through the gospel. At the "human" level the antithesis is between unfaith (in all its forms) and faith. Only as we work through both of these polarities will we be able to articulate with greater clarity what Luther understands by "gospel" in the S. A.

For Luther the relationship of the law to the gospel is direct and antithetical. The gospel is consolation over against the law (S. A., III, III, 4). The law is the revelation of the wrath of God (S. A., III, III, 1). It is "the thunderbolt by means of which God with one blow destroys both open sinners and false saints" (S. A., III, III, 2). "Where the law exercises its office alone . . . there is only death and hell" (S. A., III, III, 7). In this series of statements three aspects of the law are evident. (1) The law is the work of God. (2) The law is a universally destructive activity of God. (3) The law *can* be the exclusive context for the human situation.

This summary does not exhaust Luther's teaching about the law in the S. A. Indeed it does not even derive from the article entitled "The Law." It does, however, help us understand the distinctions which Luther makes in Article II between two functions of the law. These two functions can be described as legislative and judgmental.²⁰ Both functions are operative within a structure that is universal, inescapable. This structure involves the "given" dimensions of our existence. We

exist. We did not will our own existence. The fact of each individual's existence is totally beyond the individual's own control. The fact of our existence includes other "given" aspects. We stand in an irreversible generational relationship over against both ancestors and progeny. Sexuality, power, property (space, things), communication, and time are part of our existence. We do not choose these aspects of the mode any more than we choose the fact of our existence. Hence this structure confronts us with the divine, the transcendent, with God. What the world reveals is the "eternal power and deity" of God. (Rom. 1:20)

The structure demands legislation. The preservation of the world depends on appropriate response to the structure. Legislation was therefore "given by God" with the basic characteristics of reward for appropriate response and punishment for inappropriate response (S. A., III, II, 1). Honoring father and mother, for example, provides the basis for learning the wisdom of previous generations. If we learn, it will be well with us and we will live long on the earth. Legislation is that aspect of the larger concept "law" within which alternatives are possible. If we do not have choice over against the structure, we do have choice over against the legislation. The legislation, therefore, reveals one side of sinfulness when those "who hate the law because it forbids what they desire to do and commands what they are unwilling to do . . . are not restrained by punishment . . . [and] act against the law even more than before." Others are the "blind and presumptuous" who use the legislation for purposes of congratulating themselves on their morality and are thus "hypocrites and false saints."

²⁰ See Werner Elert, *Law and Gospel* (Philadelphia: Fortress Press, 1967), p. 9.

Both rebels and "false saints" are subject to the judgment of the nomological (or legal) structure. None of the aspects of the created world are redemptive. Time is not on our side, nor things ("You can't take it with you."), nor sexuality. But they are the stuff out of which we make "strange gods" and because of which we neither have nor care for God. The end of all existence is death. Whether we are law-keepers ("false saints") or law-breakers ("rude and wicked people who do evil whenever they have opportunity"), there is no final consolation. There is only illusion or despair.

It is at this point that we must take into consideration the human response to the nomological structure. That response is always unfaith. Unfaith means that man either thinks of his situation as better than it is or despairs of God's mercy altogether. This is the significance of all the statements in the S. A. in which Luther recognizes the comprehensive character of sin. Every attempt to ascribe redemptive potential to man within the nomological structure is illusion. This is the significance of Luther's condemnation of the "error and stupidity" of the "scholastic theologians" (S. A., III, I, 3-10). Anyone who lives by the illusion that any human activity can wrest anything but judgment from the nomological structure does not know what sin is. Even the discovery of the non-redemptive character of the created structure is not a saving discovery. The man who perceives his situation by virtue of "a knowledge of the law" is "terror-stricken and humbled, becomes despondent and despairing, anxiously desires help but *does not know where to find it!*" Despair is thus but another form of unfaith and only

reveals a man "to be alienated from God, to murmur, etc." Thus God "destroys both open sinners and false saints. He allows no one to justify himself." (S. A., III, III, 2)

There we have the deepest insight into original sin. Man reveals that he is an accountable being by his constant attempts to justify himself. His religious activities bear witness to this, for, as Luther says in the preface, "we do not repent and we even try to justify (defend) all our abominations." This places all of Luther's polemic into proper perspective. The religious activities of the papal party were only another expression of man's attempts to justify his existence. They were a most subtle form of self-justification because they made use of Christian symbols and projected the human enterprise onto an eternal canvas (for example, purgatory) by which the nomological boundaries were falsely transcended. Despair is not redemptive, because in the act of despair man really expresses his enmity and alienation by "murmuring," that is, by trying to punish the originator of existence through suicide (S. A., III, III, 7). Sinfulness is thus total, all encompassing, and "so deep a corruption of nature that reason cannot understand it" (S. A., III, I, 3). Man's sinfulness is that he will not be a sinner. Hence repentance means that he must become a different person (S. A., III, III, 4). The law in its true sense cannot make him a different person. Therefore the sort of penance which Luther condemns in Article III is shallow, superficial. It is "only for actual sins," that is, those activities "which man with his free will might well have avoided" (S. A., III, III, 11). This explains Luther's repeated references to uncertainty (S. A.,

III, III, 27, 36, 38). If "death and hell" are the only certainties, then neither religious nor moral works, neither rebellion nor despair can offer anything but uncertainty.

Against this understanding of the law the nature of the gospel becomes evident. The nomological structure confronts us with God's destructive word, "a hammer which breaks the rock in pieces" (S. A., III, III, 2). No human activity counteracts that word. Christ is God with a new word. The soteriological significance of Part One is now placed into focus. If the nomological structure reveals God as the destructive enemy of sinners, then God alone can become the friend of sinners. Jesus of Nazareth as the divine forgiver of sins is the content of the gospel. To recognize and confess Jesus, the forgiver, as "our God and Lord" (S. A., II, I, 1) is at the center of faith in the gospel. The totality of sinfulness under the nomological structure is replaced by the totality of saintliness under the gospel. If sin is attempted self-justification over *against* the destruction involved in the nomological structure, then redemption is the abandonment of self-justification under the acceptance of the promise which is the gospel. The abandonment of self-justification is "the beginning of true repentance" (S. A., III, III, 3). The person who believes the gospel is a different person. He is no longer the man who tries to excuse himself by rebellion, despair, or self-righteousness. He is the man who is set free from that kind of "dreadful captivity to sin." He is forgiven.

The death of Christ is at the heart of the gospel in terms of both levels. Christ takes upon Himself the sin of the world by being the victim of human self-justification

— political and religious. Christ experiences the wrath of God by submitting to nomological existence. He thus satisfies and breaks the nomological structure. By his death he creates a new word and offers it to men in the rich variety of the means of grace.

To believe the gospel is to put to death the sinner. Faith is the opposite of all human works because it is the end of self-justification. Faith thus means the existence of a new person. "By faith we get a new and clean heart and . . . God will and does account us altogether righteous and holy. . . . The whole man, in respect both of his person and of his works, shall be accounted and shall be righteous and holy through the pure grace and mercy which have been poured out upon us so abundantly in Christ" (S. A., III, XIII, 1-2). It is in this sense that faith and sin are mutually exclusive (S. A., III, III, 43-45 and III, XIII, 3).

But this point must be explored further. Luther is not only talking about the antithetical relationship of faith and self-justification. He is referring also to the relationship between people. "When holy people . . . fall into open sin (as David fell into adultery, murder and blasphemy), faith and the Spirit have departed from them." Self-justification always involves not only idolatrous substitution for God but also exploitative and destructive relationships with our fellowmen. We use others for our purposes, victimize them with our illusions, blame them in our conceit, abuse and destroy them in a frantic search for scapegoats, and deceive ourselves as well as others. This facet of human sinfulness is evident throughout

life. Hence Luther points to the constant struggle between faith and unfaith which is characteristic of baptismal existence. The "despair-faith" pattern of which McDonough speaks is thus no pietistic "before and after" description, as if unfaith were the situation prior to baptism and/or conversion, and faith alone were present afterward. Rather, just as law and gospel are the two words of God under which man lives until death, so faith and unfaith are the polarities within which man struggles until death.²¹ In the midst of this struggle, faith clings to the certainty that the gospel is the final word, and not the law.²² This ultimacy of the Gospel is the basis for

²¹ See Ernest Koenker, "Man: *Simul justus et peccator*," *Accents in Luther's Theology*, pp. 98—123.

²² Elert, p. 48.

freedom and openness to "good works." For "if good works do not follow, our faith is false and not true." (S. A., III, XIII, 3)

It would be helpful at this point to indicate how the gospel is at stake in Luther's formulations on Baptism, the Lord's Supper, Confession and the other topics which are taken up in Part Three. But Luther himself does not take up these concerns explicitly in the S. A. We would have to look beyond the S. A. — perhaps to the two catechisms or other documents — to carry out such a project. We must be grateful that the S. A. present us with such a clear insight into the gospel in Christ as the polar opposite of the law, that we have here such a clear confession of faith in contrast to and exclusion of unfaith. The life and theology of the church depend on this insight and confession.