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The Future of Confessional Lutheranism
in the World Samuel Nafzger 221

Confessional Emphasis on Law and
Gospel for Our Day Eugene F. Klug 241

Christian Apologetics in the Light of
the Lutheran Confessions John Warwick Montgomery 258

A Survey of Protestant and Roman
Catholic Confessional Statements
in the Twentieth Century C. George Fry 276

Theological Observer 305

Book Reviews 307

Books Received 326



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Confessional Emphasis on Law and Gospel for Our Day

Eugene F. Klug

Little is gained by disputing another man's tastes, *de gustibus non est disputandum*. In 1877 Philip Schaff published his monumental *Creeeds of Christendom*.¹ His so-called "impartial estimate" of the Formula of Concord was that it should be recognized as "the sectarian symbol of Lutheranism." Not suprisingly he dubs it "The Formula of Discord," though he admits that Luther would no doubt have endorsed it.²

In that same year, C. F. W. Walther, in an eloquently stirring sermon, stated that "the Formula of Concord was nothing other than the same old flag on a new staff." He underscored the fact that it proposed no new articles of faith but sought only to state on the articles under dispute what it meant to be a Lutheran according to the intent and meaning of the Augsburg Confession.³ It was Walther's considered judgment that "all who tried to hide behind the Augsburg Confession, as behind a mask, had their deception exposed and masks removed by the Formula of Concord."

Self-evidently much depends upon where the theologizer himself stands! To Walther, giant voice of conservative Lutheran theology, the Formula of Concord was a veritable Rock of Gibraltar, guarding the straits of genuinely Biblical and Confessional theology. To Philip Schaff, progenitor of "Mercersburg theology," professor later at Union Seminary, New York, and sympathizer with liberalistic, watered-down nineteenth century theology, the Formula of Concord was merely the "last and most disputed of the Lutheran Symbols." Patronizingly he described it as a document of "high authority during the palmy period of Lutheran scholasticism," whose "first centennial was celebrated with considerable enthusiasm," but which by the time of its second centennial lay literally "dead and buried."⁴ It is significant that Schaff takes absolutely no note whatsoever of the great revival of Confessional Lutheran theology around him in this country during the years prior to the tri-centennial, 1877, let alone of the wide-ranging celebrations from coast to coast in various Lutheran parishes. It is characteristic to ignore what is deemed unimportant.

Lutheran theology today is in the same sort of ennui or state of disinterest. Lutherans mouth adherence to the Lutheran Confessions, particularly the Augsburg Confession; but the Formula of Concord unmask their charade. It was Schaff's

considered opinion that only high orthodoxy had made "doctrine the corner-stone of the Church and the indispensable condition of Christian fellowship."⁵ The Formula of Concord continues to be an irritant and a roadblock in company whose ecumenical strivings lie on shallow, soft, shifting sands. Theologians yawn in boredom over its careful distinctions, particularly its use of the *damnamus*. At the conference of theologians, sponsored by the Lutheran Council in the U.S.A. in Chicago, April 11-14, 1977, Dr. George Harkins, general secretary of LCUSA, acknowledged in his opening remarks of welcome to the participants that he had re-read the Formula for the occasion and that he had found it to be "pretty damned dry." One of the featured speakers at the conference, Prof. George Forell of the University of Iowa, could merely muster enough enthusiasm for the Formula to brand it "a thoroughly political event," a "historical document" which "was a compromise between two extreme positions," something produced by men who, according to Forell, were little more than "house theologians," literally kept or controlled by the princes. Only a jaundiced, distorted, anti-orthodox sort of prejudice would label redoubtable champions like Chemnitz and Andreae and their heroic efforts in that way.⁶

Confessional "Roots"

Confessions like the Formula of Concord are born out of anguished need, pressed forth from the Church as antidotes to error. They bloom like blessed fruits out of the midst and mist of swirling controversy and heat of the moment, bulwarks to ward off confusion and error, ensigns or standards for trooping the colors and rallying the faithful. Thus the Lutheran Confessions were never mere political mechanisms, nor purely and alone arbitrary historical documents, then or now. With thesis and antithesis they state for their day and ours what is truly apostolic, catholic, and ecumenical Christian teaching. When the Lutheran Confessions, therefore, level their antitheses against errorists, they do so precisely because the Scripture demands no less,⁷ for the sake of "concord within the Church,"⁸ in order to preserve the Church from error,⁹ and to warn "pious, innocent people" swept by error in the heretical communions.¹⁰ Thesis always stands first and takes precedence over antithesis; never do the Confessions foster "needless and unprofitable contentions," but address "necessary controversy" only.¹¹ As a result, all the Symbols in the Book of Concord have timeless value and significance, with the Formula of Concord no exception.

It is one of the ironies of Reformation history that erstwhile

co-champions like Luther and Melanchthon, or their followers, should be arrayed on opposing sides. Death had no sooner taken Luther, in 1546, when political defeat of the Smalcald League at Muehlberg in 1547 and ecclesiastical discomfiture, as a result of the intolerable Interims forced upon the Lutherans, totally and dramatically tore apart the solid phalanx of Lutheran orthodoxy. With Elector John Frederick a captive of the emperor's forces, Agricola fashioned the infamous Augsburg Interim early in 1548, and Melanchthon, under severe pressure, compromised himself and the Lutheran cause by creating the substitute Leipzig Interim, which was no better than the other, late in 1548.

How should these dramatically swift changes be accounted for? Whatever the answer, they opened a veritable Pandora's box of bitter controversy and division within the Lutheran churches, territories, cities. In Schaff's opinion, "the seeds of these controversies lay partly and chiefly in the theological differences between Luther and Melanchthon in their later years." He explains those differences as involving "from the year 1533, two types of Lutheranism, the one the conclusive and exclusive, the other the expansive and unionistic type."¹² "Conclusive and exclusive" he attaches to Luther; and "expansive and unionistic" to Melanchthon. Schaff, it seems, has his adjectives partly mixed and has misunderstood both Luther and Melanchthon. Obviously, Luther with his broad, deep, firm, robust Biblical faith and theology was always conclusive (or assertive) and expansive, hardly exclusive. Melanchthon was a vacillator, "too gentle for the theological leadership thrust on him" and a man "who longed to be delivered from the 'fury of the theologians,'" according to Schaff. As a result, Melanchthon succumbed to a unionistic and exclusivistic sort of spirit, like all so-called moderates or compromisers.

There is absolutely no basis to Schaff's charge that Luther "assumed a hostile attitude towards other churches" and was "disposed to rest in his achievements," the older he got.¹³ When Schaff acknowledges that Melanchthon moved toward a qualified subscription to the Smalcald Articles (1537) and gave the Augsburg Confession an "improved" rendering in 1540 (the "Variata"), he demonstrates that he no longer is an objective historian of the Lutheran Reformation. He has tipped his hand towards Melanchthon, and he applauds Luther's colleague for "exchanging his Augustinianism for Synergism, and relaxing his Lutheranism in favor of Calvinism."¹⁴ Need more be said, either about Schaff's stance, or Melanchthon's switch? *Satis est.*

Confessional Hub

It seems incredible at first glance that four articles of the Formula of Concord were required to settle the disputes involving the proper distinction of Law and Gospel: the Osian-drian (Stancarian) Controversy (1549-1566) by Article III on "Righteousness of Faith"; the Majoristic (1551-1560) by Article IV on "Good Works"; the Antinomistic (1527-1556) by Articles V and VI on "Law and Gospel" and "The Third Use of the Law" respectively. All could be said to involve reintroduction of the confusion that had existed under Romanist theology on the proper distinction between Law and Gospel, or justification and sanctification, or regeneration and renewal. Luther had foreseen what would happen, and he predicted that, precisely because of man's sinful tendencies and Satan's accute temptations, "after our time it [the article on justification] will be obscured again," and the meaning of Law and Gospel in their respective spheres and offices would be obfuscated "even among those who want to seem 'evangelical.'"¹⁵ Walther drew heavily, as is commonly known, on Luther's magnificent lectures on *Galatians* for the writing of his own *Proper Distinction Between Law and Gospel*, the classic in American Lutheran theological circles.¹⁶ But already in 1877, as Walther composed the commemorative book, *Der Concordienformel, Kern und Stern*, for the tricentennial celebration of the Formula of Concord, he stated the critical significance of properly distinguishing these two basic Scriptural doctrines, Law and Gospel: "For the man who does not understand this distinction the Bible is a tightly locked and sealed book; but whoever understands this distinction has the key by which the Holy Scriptures alone is unlocked."¹⁷

The Lutheran Confessions exemplify the highest fidelity in distinguishing Law and Gospel. They orchestrate both the sharp difference and also the close interacting of these two great doctrines in the existential needs of sinful man and the whole of the Christian church. In defining the Law, Melancthon in the Apology correctly draws a line between man's knowledge of the Law by nature¹⁸ and Scripture's teaching, stating: "By 'law' in this discussion we mean the commandments of the Decalogue, wherever they appear in the Scriptures."¹⁹ This corresponds exactly with Luther's lofty regard for the Decalogue, for example, in the Large Catechism: "Here, then, we have the Ten Commandments, a summary of divine teaching on what we are to do to make our whole life pleasing to God. They are the true fountain from which all good works must spring, the true channel through which all good works must flow. Apart from these Ten Commandments no deed, no conduct can be good or pleasing to God, no matter

how great or precious it may be in the eyes of the world.”²⁰ Here already Luther lays to rest the Antinomian objections to the concept of the third use of the Law. He is addressing Christians, of course, who faithfully live out of the content of God’s Word, Holy Scripture. “To faith in Christ,” Schlink states, “the glory of the Ten Commandments is evident,” and it is the believer who, as Luther states in his Conclusion to the Ten Commandments in his Large Catechism, sees “how highly these Ten Commandments are to be exalted and extolled above all orders, commands, and works which are taught and practiced apart from them.”²¹ What God revealed in written form at Sinai was nothing other than the *aeterna lex*, the holy will of His divine majesty which Adam and Eve once possessed in purity as part of the divine image and likeness they bore.²²

Usus Elenchticus

Since the fall into sin man’s response to the Law is hostile and hate-filled;²³ or he presumes to substitute his own sophisticated pieties in its place,²⁴ which are nothing more than “the inventions of his natural religion.”²⁵ Accordingly, the chief function of the Law has become a negative one, smashing or powdering man’s pretensions of righteousness, so that “he is terror-stricken and humbled, becomes despondent and despairing, anxiously desires help, but does not know where to find it.”²⁶ “This is what is meant by Rom. 4, 15, ‘The Law brings wrath,’ and Rom. 5, 20, ‘Law came in to increase the trespass.’” Luther goes on to say in the Smalcald Articles.²⁷ The sense of despair which is thus worked in man is no spiritual improvement, no basis for forgiveness, no good work creditable to his account. The Confessions label as sin the idea that man is capable of keeping God’s Law outside the state of grace, or without faith.²⁸ Since the fall, therefore, the Law’s primary function is that of accusing, judging, condemning; and the Confessions repeatedly stress this with their “always” and “only” in connection with this truth, *Lex semper accusat*.²⁹ When the sinner stands thus before the Law he is stripped of all righteousness of his own, or any pretense of the same, and knows that he, not merely his sin, is the just object of God’s righteous and fearful wrath.³⁰ Christian preaching falls short when it fails to drive this point home to the sinner, each sinner, that by his sinful condition and sinful acts, he is the direct target of God’s righteous anger.³¹ With purpose Fagerberg stresses that it was “a hallmark of Reformation theology” to put the “stronger emphasis on what man cannot do than on what he can do.”³²

It is no secret that much of what the Confessors, from Melancthon to Chemnitz, knew and learned about the proper

distinction of Law and Gospel, they derived from the master teacher himself, Luther.³³ Luther remained absolutely consistent and in perfect harmony with Scripture throughout his life on the meaning of Law and Gospel, their sharp cleavage, as well as their close inter-working in the life of the believer. Yet, even as a doctor of Holy Scriptures, he recognized that a pastor would have to be a student of God's Word for a hundred years, especially in handling Law and Gospel correctly, before he could achieve adequate competence in dealing with the flock.

Luther's "Katie"

Of all writings stemming from Luther none had greater influence and abiding significance on the subject of Law and Gospel than did his *scholia*, his lectures, or commentary, on St. Paul's epistle to the Galatians. Luther called Galatians affectionately his "Katie." No book of the Bible, in other words, was dearer to him. It was so, precisely because it laid out with such brilliant clarity the whole matter of justification. He well knew, and so he stated, that "if the doctrine of justification is lost, the *whole* of Christian doctrine is lost," and also, therefore, that "between these two kinds of righteousness, the active righteousness of the Law and the passive righteousness of Christ, there is no middle ground," or mean.³⁴ Accordingly, Luther very carefully drew the line between this Christian righteousness, imputed righteousness, alien righteousness, the righteousness of faith, passive righteousness, all of which form the Gospel of Christ's righteousness gained for sinners by the vicarious atonement; and works-righteousness, the righteousness of the Law, active righteousness, domestic righteousness.³⁵ The latter is earthly, and "by it we perform good works," and yet, "even when we do much, we do nothing," except we first become righteous through Christ's righteousness by faith.³⁶ This other righteousness is heavenly, because it comes as a gift of God through Christ, and "we do not perform it" but "we accept it by faith, through which we ascend beyond all laws and works."³⁷

Luther waxes particularly eloquent on the apostle Paul's question in Galatians 3:19, "Why then the Law?" The apostle, as we know, answers his own question: "It was added because of transgressions." Therefore, says Luther, we must keep it "as far as heaven is from earth" in the matter of justification, for "it does not belong to the Law to be used for justification."³⁸ The Law's "true function and the chief and proper use of the Law is to reveal to man his sin, blindness, misery, wickedness, ignorance, hate and contempt of God, death, hell, judgment, and the well-deserved wrath of God."³⁹ There probably is no

more succinct, thorough-going definition of the Law anywhere! When it does this work, the Law, says Luther, fulfills an "extremely beneficial and very necessary" function. It is the same function which the Law had at Sinai, where God thundered "with a thunderbolt to burn and crush that brute which is called the presumption of righteousness." "To break and crush this horrible monster, God needs a large and powerful hammer, that is, the Law, which is the hammer of death, the thunder of hell, and the lightning of divine wrath."⁴⁰ Those that "are drunk with the presumption of their own righteousness" need the clout of God's Law which "reveals sin and shows the wrath and judgment of God, (so that) they are driven to despair."⁴¹ Luther calls man's spiritual ailment or sickness unto death a "dropsy of the soul" in his comments on Thesis 22 in his famous Heidelberg Disputation of 1518.⁴² His counsel to those who preach and teach God's word in the church is:

I urge you, who are to be the teachers of others, to learn this doctrine of the true and proper use of the Law carefully; for after our time it will be obscured again and will be completely wiped out.

Luther is as fearful of those who now profess to be "evangelical" as of those who blatantly distort and twist the Word of God. Therefore, he adds:

It is a matter of no small moment to believe correctly about what the Law is and what its use and function are. Thus it is evident that we do not reject the Law and works, as our opponents falsely accuse us. But we do everything to establish the Law, and we require works. We say that the Law is good and useful, but in its proper use, namely, first as we have said earlier, to restrain civic transgressions; and secondly, to reveal spiritual transgressions. Therefore the Law is a light that illumines and shows, not the grace of God or righteousness and life, but the wrath of God, sin, death, our damnation in the sight of God, and hell. For just as on Mt. Sinai the lightning, the thunder, the dark cloud, the smoking and burning mountain, and the whole horrendous sight did not make the Children of Israel happy or alive but terrified them, made them almost helpless, and disclosed a presence of God speaking from the cloud that they could not bear for all their sanctity and purity, so when the Law is being used correctly, it does nothing but reveal sin, work wrath, accuse, terrify, and reduce the minds of men to the point of despair. And that is as far as the Law goes.⁴³

God's "Other Law," or Gospel

"And that is as far as the Law goes!" Thank God for the Gospel! Opposite our sin and God's wrath stands our Savior, Jesus Christ, who is the bridge between God and man. In the same context as above, Luther defines the Gospel and its function:

The Gospel is a light that illumines hearts and makes them alive. It discloses what grace and the mercy of God are; what the forgiveness of sins, blessing, righteousness, life, and eternal salvation are; and how we are to attain to these. When we distinguish the Law from the Gospel this way, we attribute to each its proper use and function . . . When this distinction is recognized, the true meaning of justification is recognized. Then it is easy to distinguish faith from works, and Christ from Moses.⁴⁴

While the Law is "the minister of wrath," the Gospel is the "minister of grace." Against the Law I have "another Law," or champion, Christ my Savior, says Luther. After the Law has thundered home, then it is time for the Gospel to cover the terrified hearts with the canopy of grace. "Now it is time for grace and for listening to Christ," Luther comments, "from whose mouth there come messages of grace." Quite in contrast, "now it is time to see, not the smoking and burning Mt. Sinai, but Mt. Moriah, where the seat, the temple, and the mercy seat of God are, that is, Christ, who is the King of righteousness and peace."⁴⁵ At the point of justification, "when the debate is about righteousness, life, and eternal salvation, the Law must be removed from sight completely, as though it had never existed or would never exist but were a mere nothing."⁴⁶ Therefore, in the matter of one's justification, "the highest art and wisdom of Christians is not to know the Law."⁴⁷ It is important to note that this sweeping dictum of Luther is closely attached to justification, or the righteousness that avails before God, *coram Deo*. It was grossly misunderstood and misquoted by his Romanist adversaries, and later terribly distorted by the Antinomians, especially Agricola.⁴⁸

Confessional Clarion

Jesus Christ is "the mediator and propitiation through whom the Father is reconciled."⁴⁹ Jesus is the priceless treasure which the Confessions attest over and over again.⁵⁰ It is He who has stood between us and the Father's consuming wrath and reconciled the Father with sinners. Schlink is quite right when he emphasizes, on the basis of Augustana III, that "by his suffering and death Christ influences the Father to abandon his

wrath against the sinner.”⁵¹ In the same context he notes: “The reconciliation of God with us is also our reconciliation with God. But the statements about the reconciling influence of the Son on the angry Father preponderate.”⁵² Thus the Gospel content is precisely Christ’s redemptory work. As Melancthon emphasizes in the Apology, to know about Christ, about His person, His two natures, etc., is not yet to know Christ really. One must know and receive His benefits. *Hoc est Christum cognoscere, beneficia eius cognoscere.*⁵³ Those benefits are precisely Christ’s reconciliation of God with sinners, the justification which God pronounces upon sinners for Christ’s sake. Schlink has the mind of the Confessions when he asserts that “the Confessions are not interested in a strict dogmatic distinction between reconciliation and justification . . . Justification is reconciliation . . . Christ’s obedient suffering and death is his merit . . . Jesus Christ, then, is the mediator not in the sense of a general bridging of the gap between God and man, . . . but very concretely he is the mediator between the angry God and the sinner . . . Since the whole world became guilty, he took away the sin of the *whole* world.”⁵⁴

Faith vs. Fideism

Faith saves because it lays hold on or trusts God’s forgiveness through Christ. “Justifying faith is not a ‘feeling,’ ” Schlink states, but “confidence, ‘confidence in God and in the fulfillment of his promises.’ . . . This conception of faith as confidence deflects our view entirely from man’s introspection . . . He is directed exclusively to him . . . who gives himself to the sinner by grace . . . Everything in faith is the work of Jesus Christ. Therefore the classic formula reads: Men are justified ‘for Christ’s sake, through faith’ (*propter Christum per fidem*, AC IV, 1), but the formula may not be inverted - ‘for the sake of faith through Christ.’ ”⁵⁵ Saving faith, *fides qua creditur*, is never shallow, internalized fideism, faith for its own sake, but the *organon leiptikon* that receives God’s promise. It is not a deed, accomplishment, or spiritual performance or high wire act by man, but the simple reception of the gracious deed of God whose outstretched arms safely enfold us thereby to keep us from falling and ruin. The Confessions never lose sight of the fact that faith is “a strong, powerful work of the Holy Spirit,” and that it is He who not only kindles it but sustains it in the believer day for day unto the end.⁵⁶ The Gospel in the hands of the Holy Spirit has this gracious quality about it that, at the same time that it is an offer and exhibition of God’s grace, it is also a powerful instrument efficaciously working the work the Spirit intends.

Antinomianism — Antigospelism!

The terrible threat of Antinomianism, as Luther saw it, was precisely in the subversion of Law and Gospel. In their feigned piety they mouthed his words that the Christian is to have nothing more to do with the Law,⁵⁷ meanwhile turning the Gospel itself into a prescription of legal requirements devised by themselves. Luther saw this Antinomianism as plain, brazen antigospelism. By subverting Law and Gospel, they turned them both upside down, much to the pleasure of Satan. "It is apparent from this," Luther wrote in fourth disputation with the Antinomians, "that the devil's purpose in this fanaticism is not to remove the law but to remove Christ, the fulfiller of the law."⁵⁸ The Reformer has his finger directly on the neuralgic point.

The signators of the Formula of Concord underscored the same point in Article V on Law and Gospel. The principal issue they clearly identified as that which turns the Gospel, the preaching of grace, into a preaching of repentance and punishment, thus completely reversing God and these two doctrines of utmost importance. The great tragedy, then, is that "the Gospel is again transformed into a legal doctrine; the merit of Christ and the Holy Scripture are obscured, Christians are robbed of true comfort, and the doors are again opened for the papacy."⁵⁹

Antinomianism vs. the Third Use

But the Antinomian threat rode off in another direction. Agricola was a kind of sixteenth century Don Quixote who did not seem to know where he was going.⁶⁰ Agricola led the attack on the so-called third use of the Law in the Christian's life, along with his assault on the Law's continuing relevance and need as the accusing, contrition-working instrument in the hands of God. Regenerate Christians do not require the Law, he stated; they know and they do the will of God of themselves, spontaneously, and do not require its instruction or guidance.

This bizarre, un-Scriptural position caused havoc in the church, and the authors of the Formula of Concord, therefore, clearly stated the threefold purpose still served by the Law in the lives of Christian believers. Because even the regenerate man still has the old sinful nature, the Law continues its pommeling and punishing, restraining, curbing.⁶¹ Secondly, and above all, it rebukes and works contrition: "To reprove is the real function of the law."⁶² But "when a person is born anew by the Spirit of God and is liberated from the law . . . 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.”⁶³ The difference is that while the unregenerate man works under compulsion and with an unwilling spirit, the Christian believer acts willingly, in faith, working the fruits of the Spirit freely, conforming himself in full harmony to God’s will as taught in His commandments, something which no threat of the Law could extract from him.⁶⁴ This is the *usus tertius*, as it came to be called.⁶⁵ The *usus puerilis*, or *paedagogicus*, the informatory function of the Law is known to the regenerate only, because it has its base and starting point in faith.

The Confessors of 1577 were in full harmony not only with the Scriptures, which they quoted copiously, but also with Luther, whom they preferred not to quote so frequently, simply because they wanted their confession to stand on the *norma normans* in the same way as the Augsburg Confession. But as far as Luther was concerned, they were in total agreement with him, or he with them. The life of the Christian believer was to be filled with good works, according to the norm of the Ten Commandments, and not some self-chosen rule. These were fruits of the Spirit done freely, in faith. The same man who stood in the freedom of the Gospel saw himself willingly and without coercion under God’s will, the Ten Commandments. He was free from sin’s condemnation, but he was not free from good works; that would be a contradiction of the will of God for his sanctification of life. Accordingly, in the same commentary in which Luther stresses the righteousness which is ours before God through faith in Christ, he repeats over and over again, in tune with the apostle Paul, the urgency and spontaneity of good works, works that conform to the holy will of God, *ex praescripto verbi Dei*, according to the rule of God’s Word.

The Nexus Individuus

The Christian, on the one hand, is the man who confronts the accusing Law of God with confident trust in his Savior and, as Luther states, stands unflinchingly on this platform:

Law, you want to ascend into the realm of conscience and rule there. You want to denounce its sin and take away the joy of my heart, which I have through faith in Christ. You want to plunge me into despair, in order that I may perish. You are exceeding your jurisdiction. Stay within your limits, and exercise your dominion over the flesh. You shall not touch my conscience. For I am baptized; and through the Gospel I have been called to a fellowship of righteousness and eternal life, to the kingdom of Christ, in which my conscience is at peace, where there is no Law but only the forgiveness of sins,

peace, quiet, happiness, salvation, and eternal life. Do not disturb me . . . In my conscience not the Law will reign, . . . but Christ, the sweet Savior.⁶⁷

Immediately thereupon, on the other hand, Luther goes on to say:

When I have this righteousness within me, I descend from heaven like the rain that makes the earth fertile. That is, I come forth into another kingdom, and I perform good works whenever the opportunity arises. If I am a minister of the Word, I preach, I comfort the saddened, I administer the sacraments. If I am a father, I rule my household and family, I train my children in piety and honesty. If I am a magistrate, I perform the office which I have received by divine command. If I am a servant, I faithfully tend to my master's affairs. In short, whoever knows for sure that Christ is his righteousness not only cheerfully and gladly works in his calling but also submits himself for the sake of love to magistrates, also to their wicked laws, and to everything else in this present life - even, if need be, to burden and danger. For he knows that God wants this and this obedience pleases Him.⁶⁸

Thus Luther ties together, what must be tied together in a *nexus indivulsus*, justification and sanctification, passive righteousness and active righteousness, the righteousness of faith and the righteousness of works, alien righteousness and domestic righteousness, *gratia Dei propter Christum* and *gratia infusa*. There is no thought in Luther's mind that would ever qualify the Law's primary function as the accusatory instrument in God's hand in the slightest. It is like the yoke of an ox around the neck and upon the back, driving home the fact that "in the Law [we] are captives and oppressed by the yoke of bondage."⁶⁹ The Law unquestionably, as taught by the apostle Paul, is the letter that kills, the instrument of death.⁷⁰ But in that very same context the apostle also stresses, says Luther, that "apart from the matter of justification . . . we should think reverently of the Law."⁷¹

Faith, the Gospel, the righteousness which we have in Christ, these are the power behind the Christian believer's new life, renewal of life, or sanctification. The grace of God is like the water that is poured over the lime so "that the lime becomes hot."⁷² "It is the lovely, joyous preaching of the Gospel of Christ," says Luther, which effects the following change: "Since human nature utterly lacks the ability to obey God, and yet God would have the Ten Commandments kept and obedience rendered to Him, He must undertake to change the old, disobedient, corrupt nature of man, must renew it and

create the sort of hearts, minds, and will that gladly and with pleasure render God a real and perfect obedience."⁷³ Even before he posted his famous Ninety-Five Theses, Luther had stated in his theses drawn up against scholasticism that "it is impossible to fulfill the law in any way without the grace of God."⁷⁴ To do the Law of God in a truly Christian manner, is to do it in faith. Because faith is the springboard from which works bound forth, Luther states:

Therefore 'to do' is first to believe and so, through faith, to keep the Law. For we must receive the Holy Spirit; illumined and renewed by Him, we begin to keep the Law, to love God and our neighbor. But the Holy Spirit is not received through the Law—for 'those who are under the Law,' says Paul, 'are under the curse'—but through hearing with faith, that is, through the promise . . . Therefore, clearly and properly defined, 'to do' is simply to believe in Jesus Christ, and when the Holy Spirit has been received through faith in Christ, to do the things that are in the Law.⁷⁶

Conclusion

We have these treasures in earthen vessels, it is true. But let us never grow dull in their appreciation. The distinctions which Luther and the other Confessors drew up on the Law and the Gospel, in all their singular splendor and marvelous interacting in the Christian's life, are truly of timeless, imperishable value. Sometimes that which is closest to us, we appreciate least. We grow so accustomed to it that it takes an unusual sort of twitting of the mind to bring it to full impact once more. Recently I received a letter from a lady who had been brought up, as she says, "quite strictly as a Seventh-day Adventist; my father was a church school teacher and a pastor; all my elementary, high school, and six years of college were in S.D.A. schools, and my husband was a theology student . . . Two years ago I had *no* concept of Christ's active obedience, [nor] of the relationship between law and gospel; the first five articles of the Formula of Concord are against teachings I used to believe. Although I knew I hoped to be saved by Christ's righteousness, this righteousness was understood as the obedience the Holy Spirit works in my life, which is identical with the Council of Trent. I am Lutheran primarily because of the clarity and centrality of justification and its carrying through in other doctrines."

I doubt that anyone could say it better. We have a legacy from the Confessors. It was they who set forth in such an ingeniously simple way the distinction between Law and Gospel. They also laid bare the great tragedy that results, if this is not

done: "The Gospel is again transformed into a legal doctrine; the merit of Christ and the Holy Scripture are obscured, Christians are robbed of true comfort, and the doors are again opened for the papacy."⁷⁶

This legacy is our inheritance from the Reformation. It was restored to the church through Luther's anguished struggle under a theology which had distorted the true and pure Word of God. We need to rededicate ourselves to the stance that Luther took in 1517 in Thesis 62 of his Ninety-Five Theses: "The true treasure of the church is the most holy gospel of the glory and grace of God." We will have to recognize and live with the hard facts that this Gospel is repugnant to man by nature and only the Law can drive home the need that we have for God's grace in Christ: "Dulcia non meminit, qui non gustavit amara" ("he who has never tasted the bitter will not remember the sweet").⁷⁷ "Thus with the sweetest names Christ is called my Law, my sin, and my death, . . . in order that He might redeem me from the curse of the Law, justify me, and make me alive."⁷⁸

FOOTNOTES

1. Baker Book House has recently republished this classic in paperback, a reprint in three volumes of the sixth edition of Schaff's work.
2. *Ibid.*, I, p. 338.
3. The fascinating account of how more than 300 congregations of the fledgling Missouri Synod celebrated the 300th anniversary of the Formula of Concord is told in a remarkable chronicle of the event published that same year: *Denkmal der dritten Jubelfeier der Concordienformel* (St. Louis, 1877). Walther's entire sermon, pp. 223-244, as well as the sermons of other of the young synod's leading pastors, e.g., Friedrich Lochner, Heinrich C. Schwan, *et al.*, were reprinted *verbatim*. Many of the largest Lutheran centers held two and even three day celebrations on and around May 29, the anniversary date. The book depicts graphically the vibrant confession-minded nature of the Missouri Synod and of the Synodical Conference, the latter founded just five years earlier, in 1872, at Milwaukee.
4. *Op. cit.*, I, pp. 331, 336.
5. *Ibid.*, p. 337.
6. See Forell's essay, available through LCUSA offices.
7. *FC*, Rule and Norm, 10, 17.
8. *Ibid.*, 14.
9. *Ibid.*, 10-12.
10. Preface to Book of Concord, 11.
11. *FC*, Rule and Norm, 15
12. *Op. cit.*, I, p. 259.
13. *Ibid.*, p. 260.
14. *Ibid.*, p. 261.
15. *LW* 26, p. 312 (from his *Commentary on Galatians*, specifically chapter 3:19).

16. Delivered as evening lectures to the students at Concordia Seminary, St. Louis, between Sept. 12, 1884 and Nov. 6, 1885. The German edition of these lectures appeared in 1897, and the English translation by W. H. T. Dau in 1929.
17. *Op. cit.*, p. 35; English translation as given in *Getting Into the Formula of Concord* by Eugene F. Klug, Concordia, St. Louis, 1977, p. 35.
18. Holsten Fagerberg observes with pertinence, however, that "with regard to its content, natural law coincides in a general way with the Decalog, which was thought to have been written on all men's hearts." *A New Look at the Lutheran Confessions* (Concordia, St. Louis, 1972) p. 65.
19. Apol. IV, 6.
20. *LC* I, 311.
21. Edmund Schlink, *Theology of the Lutheran Confessions* (Fortress, Philadelphia), 1961, p. 72. The quotation is from Luther's *Large Catechism*, *LC* I, 333.
22. In his second disputation against the Antinomians Luther emphasized this very point, stating: "The Decalog is not of Moses, nor did God give it to him first. On the contrary, the Decalog belongs to the whole world; it was written and engraved in the minds of all human beings from the beginning of the world." *WA* 39 I, p. 478. Translation by Ewald Plass, *What Luther Says* (Concordia, St. Louis, 1959), II, p. 748.
23. *SA* III, ii, 2.
24. *Ibid.*, 3.
25. Schlink, *op. cit.*, p. 75.
26. *SA* III, ii, 4.
27. *Ibid.*
28. Apol. IV, 28.
29. Apol. IV, 128, 295.
30. *Ibid.*
31. Cp. Rom. 5; Ps. 5:4; Eph. 2:3.
32. *Op. cit.*, p. 76.
33. True it is, of course, that neither Melanchthon nor Chemnitz had actually sat at Luther's feet as students. Melanchthon learned as Luther's colleague, working at his elbow; Chemnitz pored through Luther's writings from beginning to end during a crucial self-instruction period of his life while librarian at the ducal library in Koenigsberg (1550-1553).
34. *LW* 26, p. 9.
35. In his rightly famous *Bondage of the Will* Luther discourses eloquently on this crucial difference: "No man can make any advance towards righteousness by his works . . . The other righteousness is that of faith, and consists, not in any works, but in the gracious favor and reckoning of God." Martin Luther, *The Bondage of the Will*, ed. and tr. by J. I. Packer and O. R. Johnston (Westwood, N.J.: Revell, 1957), p. 296.
36. *Ibid.*, p. 8.
37. *Ibid.*
38. *LW* 26, p. 306.
39. *Ibid.*, p. 309.
40. *Ibid.*, p. 310.
41. *Ibid.*, p. 312.
42. *LW* 31, p. 54.
43. *LW* 26, p. 312f.
44. *Ibid.*, p. 313.

45. *Ibid.*, p. 315.
46. *Ibid.*, p. 316.
47. *Ibid.*, p. 6.
48. Already in the Ninety-Five Theses, 1517, Luther had begun to clarify very well the distinction between Law and Gospel. This was especially evident in his comments on Thesis 62, which Gordon Rupp has called "the noblest of them all." Luther stated: "Through the law we have nothing except an evil conscience, a restless heart, a troubled breast because of our sins, which the law points out but does not take away. And we ourselves cannot take it away. Therefore for those of us who are held captive, who are overwhelmed by sadness and in dire despair, the light of the gospel comes and says, 'Fear not' (Is. 35,4) 'Comfort, comfort my people' (Is. 40:1). . . , 'behold the Lamb of God, who takes away the sin of the world' (John 1, 29). Behold that one who along fulfils the law for you, whom God has made to be your righteousness, sanctification, wisdom, and redemption, for all those who believe in him (1 Cor. 1, 30)." *LW* 31, p. 231.
49. AC XX, 9.
50. *LC* II, 31, 37; *Apol.* IV, 57; XXI, 19.
51. *Op. cit.*, 84.
52. *Ibid.*
53. *Apol.* IV, 101.
54. *Op. cit.*, pp. 83-87 *passim*. The Apology, with its "unicum esse sacrificium Christi," stresses the wondrous truth that it was Christ's sacrifice for sins on the cross, and no other, that won forgiveness for man, all men. The objective nature of this atoning work of Christ is clearly taught by the Confessions. The Apology (IV, 75f.), for example, underscores that "forgiveness of sins is the same as justification." To that same point Schlink speaks: "By forgiving the sins of the sinner God justifies him. By receiving 'forgiveness of sins' the sinner receives 'righteousness before God.' AC IV, 1. Forgiveness of sins and justification are not only repeatedly used side by side, but there are also interchanged promiscuously." *Op. cit.*, p. 91f.
55. Schlink, *op. cit.*, p. 98. Cp. *Apol.* IV, 44, 48, 71, 142, 163, 211, 214ff; AC XX, 25, 26.
56. Cp. AC V, 2; SA II, 16; *Apol.* IV, 99.
57. Agricola asserted that the Law belonged in the courthouse and not in the church. Luther spoke directly to this mistaken notion in his six disputations against the Antinomians. Cp. also his Genesis commentary where Luther states: "So . . . the Law is not to be preached in the church, . . . for they say that their consciences are burdened when they listen to such sermons . . . Shall we, then, let everybody do what he pleases and pronounce him blessed to boot?" (*LW* 3, p. 222)
58. *LW* 47, p. 110.
59. *Epit.* V, 11; translation from *Getting Into the Formula of Concord*, p. 88.
60. His personal grudge against Luther and Melanchthon, chiefly because he did not get the appointment to the Wittenberg faculty at the time it went to Melanchthon, is well known. He carried on his vendetta with especially sharp vigor after Luther's death, and the antinomianism which he had long harbored and peddled now ran rampant, without Luther's forceful presence to squelch it.
61. *FC* VI, 9.
62. *FC* VII, 14.

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63. *FC VI*, 17.
 64. *Epit.* VI, 7.
 65. Whether Luther ever used this term is of no consequence. The important thing is that he always taught the concept. Elert is quite in error when he challenges the latter, as is also Ebeling, apparently also Bornkamm, and most recently, Wm. Lazareth at the Valparaiso convocation on the Formula of Concord.
 66. *LW 27*, p. 82.
 67. *LW 26*, p. 11.
 68. *Ibid.*, p. 11f.
 69. *LW 27*, p. 7.
 70. *LW 26*, p. 362.
 71. *Ibid.*, p. 365.
 72. *LW 27*, p. 276.
 73. *LW 13*, p. 289f. (from Luther's commentary on Ps. 110:3).
 74. *LW 31*, p.14. Thesis 68.
 75. *LW 26*, p. 255 (from Luther's commentary on Gal. 3:10).
 76. *Epit.* V, 11.
 77. *LW 26*, p. 329.
 78. *LW 26*, p. 163.