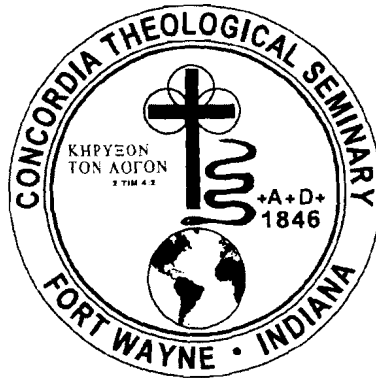


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## **“The Noblest Skill in the Christian Church”: Luther’s Sermons on the Proper Distinction of Law and Gospel**

**Robert Kolb**

No other teacher had ever given clearer and more understandable instruction regarding the proper distinction of law and gospel, and with it a correct understanding of righteousness, good works, and repentance, than had Martin Luther. That was the opinion of Luther’s student Cyriakus Spangenberg, son of Luther’s friend from his days at the University of Erfurt, Johann Spangenberg, the reformer of Nordhausen and Mansfeld county. Cyriakus preached a series of sermons that constituted one of the first “secondary studies” of his Wittenberg professor, and he counted the proper distinction of law and gospel among Luther’s most significant contributions to the life of the church and the proclamation of God’s word.<sup>1</sup> This was one of the ways in which Luther resembled the prophet Elijah, Spangenberg believed.<sup>2</sup>

In singling out the proper distinction of law and gospel as a key to the reformer’s thought and among his most magnificent bequests to his followers, Spangenberg was simply following in the footsteps of another of his instructors, Philipp Melancthon, and others among his fellow students at Wittenberg. In speaking at Luther’s funeral, his colleague had placed the proper distinction of law and gospel at the head of a list of the reformer’s contributions,<sup>3</sup> and he repeated this observation when writing the preface for the prefaces to the fifth volume of the complete works of Luther in German

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<sup>1</sup> Cyriakus Spangenberg, *Theander Lutherus. Von des werten Gottes Manne Doctor Martin Luthers Geistliche Haushaltung vnd Ritterschaft . . .* (Ursel: Nikolaus Heinrich, 1589), A2<sup>r</sup>-[A6]<sup>v</sup>.

<sup>2</sup> Cyriakus Spangenberg, *Die vierde Predigt, Von dem grossen Propheten Gottes, Doctore Martino Luthero, Das er ein rechter Helias gewesen: Geschehen am tage Concordiae, Den 18. Februarij, Anno 1564. Im Thal Manssfeldt* (Erfurt: Georg Baumann, 1564).

<sup>3</sup> Philipp Melancthon, *Corpus Reformatorum: Philippi Melanthonis Opera quae supersunt omnia*, ed. C. G. Bretschneider and H. E. Bindweil, 28 vols. (Halle and Braunschweig: Schwetschke, 1834-1860), VI:155-170 [henceforth CR]; “Oratio in funere D. Martini Lutheri,” CR XI:726-734.

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and the sixth of the Latin volumes.<sup>4</sup> Another devoted disciple, Joachim Mörlin, expressed the wish never to be more than a simple preacher of the Catechism, that is, of God's law and gospel, as Luther had also wished to be.<sup>5</sup>

Later generations have also recognized this teaching of Luther. Theodosius Fabricius, the son of a Wittenberg contemporary of Spangenberg and Mörlin, Andreas Fabricius, praised God for the reformer's restoration of the proper distinction of law and gospel, which had lain for so many years in darkness. This demonstrated, Fabricius believed, that "the Holy Spirit ruled his heart, hand, mouth, and pen."<sup>6</sup> In the period of Lutheran orthodoxy, the understanding of how this distinction actually is to function faded somewhat. Hermann Sasse believed that C. F. W. Walther could be counted among the precursors of modern Luther studies. His lectures on this distinction had contributed to the rediscovery of "law and gospel" as more than just one additional topic within Luther's way of thinking but instead as an element in the presuppositional framework of how all topics of doctrine function within the body of biblical teaching.<sup>7</sup> Twentieth-century theologians have recognized the distinction of law and gospel as one of the key elements in Luther's hermeneutics.<sup>8</sup>

Luther himself had counted the ability to distinguish law and gospel among the chief characteristics of true theologians. "Whoever knows well how to distinguish the gospel from the law should give thanks to God and know that he is a real theologian," he commented.<sup>9</sup> Although he began using

<sup>4</sup> Martin Luther, *Der Sechste Teil der Bucher D. Mart. Luth. über etliche Epistel der Aposteln*, (Wittenberg: Hans Lufft, 1553), Fij<sup>v</sup>-Fijj; cf. Martin Luther, *Tomus quintus omnium operum Reverendi Domini Martini Lutheri . . .* (Wittenberg: Hans Lufft, 1555), +ij<sup>v</sup>.

<sup>5</sup> Joachim Mörlin, *Enchiridion der Kleinen Catechismus* (Eisleben: Urban Gaubisch, 1564), Aijj<sup>v</sup>. On Mörlin's and other catechisms of this period, see Robert Kolb, "The Layman's Bible: The Use of Luther's Catechisms in the German Late Reformation," in *Luther's Catechisms - 450 Years, Essays Commemorating the Small and Large Catechisms of Dr. Martin Luther*, ed. David P. Scaer and Robert D. Preus (Fort Wayne, IN: Concordia Theological Seminary Press, 1979), 16-26.

<sup>6</sup> Theodosius Fabricius, *Loci communes* (Magdeburg: Paul Donat, 1597), (?)ij<sup>r</sup>-(?)v<sup>r</sup>.

<sup>7</sup> Herman Sasse, "Class Notes: H-572, Nineteenth and Twentieth Century Theology," (in possession of the author, Concordia Seminary, St. Louis, winter 1965).

<sup>8</sup> For example, Paul Althaus, *The Theology of Martin Luther*, trans. Robert C. Schultz (Philadelphia: Fortress Press, 1966), 251-273; Bernhard Lohse, *Martin Luther's Theology: Its Historical and Systematic Development*, trans. Roy A. Harrisville (Minneapolis: Fortress Press, 1999), 267-276; and Gerhard Ebeling, *Luther: An Introduction to His Thought*, trans. R. A. Wilson (Philadelphia: Fortress Press, 1970), 110-124.

<sup>9</sup> Martin Luther, *Luthers Werke: Kritische Gesamtausgabe [Schriften]*, 65 vols. (Weimar: H. Böhlau, 1883-1993), 40.1:207,3-4 [henceforth WA]; Martin Luther, *Luther's Works*, American Edition, 55 vols., ed. Jaroslav Jan Pelikan, Hilton C. Oswald, and Helmut T.

the distinction as an operative principle in his thought as early as 1519,<sup>10</sup> he composed no major treatise on the subject. To be sure, his sermons all demonstrated how he used the distinction, sometimes in ways that surprise modern readers. In addition, he preached twice to the congregation in Wittenberg specifically on the use of God's word in the tension between law and gospel. Both sermons found their way into print under similar titles, "How Law and Gospel Are to Be Fundamentally Distinguished"<sup>11</sup> and "A Fine Sermon on Law and Gospel."<sup>12</sup> They were far from sophisticated theological analyses intended for his colleagues and students, even though colleagues and students undoubtedly sat among the hearers in Wittenberg when he delivered them (as his recourse to the technical terminology of Aristotelian logic in the first of these sermons suggests). Publication probably intended to bring these two sermons to village pastors and aid them in their own composition of sermons, but they also found their way into print because they conveyed specific concerns of the reformer at the time to the wider literate lay public.

### I. Luther's Two Sermons on the Distinction of Law and Gospel

Luther prepared the first of these sermons for delivery on the Festival of the Circumcision of Jesus in 1532, an exposition of the Epistle for the day, Galatians 3:23-29. It was recorded by Georg Rörer, the amanuensis appointed to this task by Elector John Frederick of Saxony, and is also extant in a second manuscript, as well as in print. It appeared from the Wittenberg press of Hans Weis and in Nuremberg from the printer Kunigunde Hergotin the same year.<sup>13</sup> The sermon appeared also in both the Wittenberg and the Jena editions of Luther's works. Rörer himself may have had a hand in editing the Wittenberg version, but its final form is

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Lehmann (Philadelphia: Fortress Press; St. Louis: Concordia Publishing House, 1955-1986), 26:115 [henceforth LW].

<sup>10</sup> See Lowell C. Green, *How Melancthon Helped Luther Discover the Gospel: The Doctrine of Justification in the Reformation* (Fallbrook, CA: Verdict, 1980), 201-203, and Uuras Saarnivaara, *Luther Discovers the Gospel: New Light upon Luther's Way from Medieval Catholicism to Evangelical Faith* (St. Louis: Concordia Publishing House, 1951), 43-46, 68-71.

<sup>11</sup> Martin Luther, *Wie das Gesetze vnd Euangelion recht gru[e]ndlich zuwngerscheiden sind*. D. Mart. Luthers predigt. Item, was Christus vnd sein Ko[e]nigreich sey, Aus dem Propheten Michea capit. v. gepredigt (Wittenberg: Hans Weis, 1532).

<sup>12</sup> Martin Luther, *Ein schone Predigt von dem Gesetz vnd Euangelio. Matth. 22.* (Wittenberg: Hans Lufft, 1537).

<sup>13</sup> WA 36:xiii. The text is found in WA 36:8-23.

most likely the product of Georg Major's editorial work. Rörer did edit the Jena version, which expands on the earlier versions.<sup>14</sup>

Modern perceptions of authorship lead some to ask whether the texts of these printed works or one hearer's notes reflect "the real Luther" since his students, who reworked the texts for publication, added and sometimes changed the wording we have in notes of his lectures and sermons. At least two considerations suggest that these texts reflect the message that Luther himself wanted to convey. First, his students regarded his words as authoritative expressions of the proper teaching of Scripture. Many attributed to him the kind of authority that finally came for Lutherans to rest in the Book of Concord,<sup>15</sup> and those who did not regard his words as quite so authoritative nonetheless highly respected him and what he said. They did not want to convey to the reading public something other than what they understood him to have said. Second, Luther himself regarded the Wittenberg reform as a team effort. He entrusted tasks to others. Among them was the task of bringing his spoken words into print. He lived alongside his editors, for the most part, and was quite free in his criticism of his colleagues. If he had found the published versions of these sermons flawed, he would have said so.<sup>16</sup>

In the winter of 1531–1532, Luther focused his attention on the dispute with Rome over justification by faith alone.<sup>17</sup> He had expounded the text of Galatians in the lecture hall from the beginning of July to mid-December the previous year. His sermon in early 1532 echoed one of his chief concerns in his lectures, the distinction of law and gospel, specifically the crushing power of the law and the conditionless nature of the gospel. The second sermon took place five years later, in the midst of the controversy with one of the brightest and best of his own students, Johann Agricola, over the role of the law in the Christian life, the renewal of a controversy a

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<sup>14</sup> These two versions are found in WA 36:25–42. On these two editions of Luther's works, see Robert Kolb, *Martin Luther as Prophet, Teacher, and Hero: Images of the Reformer, 1520–1620* (Grand Rapids: Baker Books, 1999), 141–150.

<sup>15</sup> See Kolb, *Luther as Prophet*, 39–101.

<sup>16</sup> On one of these editors, Veit Dietrich, see Bernhard Klaus, "Die Lutherüberlieferung Veit Dietrichs und ihre Problematik," *Zeitschrift für bayerische Kirchengeschichte* 53 (1988): 33–47. See the more positive evaluations of these lectures by Gerhard Ebeling, *Evangelische Evangelienauslegung*, 2nd ed. (Darmstadt: Wissenschaftliche Buchgesellschaft, 1962), 17–18, 35, and Ulrich Asendorf, *Lectura in Biblia: Luthers Genesisvorlesung* (Göttingen: Vandenhoeck & Ruprecht, 1998), 36–42.

<sup>17</sup> WA 40.I:33–688, LW 26:1–461, 27:1–149. See Martin Brecht, *Martin Luther*, vol. 2, *Shaping and Defining the Reformation, 1521–1532*, trans. James L. Schaaf (Minneapolis: Fortress Press, 1990), 451–459.

decade earlier.<sup>18</sup> Agricola's rejection of the use of the law in the Christian's life had occasioned sharp public exchanges between him and his Wittenberg mentors a decade earlier. Their dispute flared up again when Agricola moved his family to Wittenberg and implored Luther for a position at the university following his participation in the deliberations in Smalcald in early 1537. Preached on September 30, 1537, this sermon was based upon the Gospel lesson for the eighteenth Sunday after Trinity, Matthew 22:32-46. When it appeared in print from the press of Hans Lufft in Wittenberg,<sup>19</sup> Philipp Melanchthon wrote to his friend Joachim Camerarius, professor in Tübingen, "I am sending you a well-fashioned sermon and instruction of Luther, with which he intends to refute the *kenophonias* [empty words] of the one who is denying that the law should be taught in the church. If I had written this sermon, I would have been harshly criticized, so capricious as the popular opinion is."<sup>20</sup> To the Nuremberg pastor, his close associate Veit Dietrich, he wrote, "I am sending Luther's sermon on the law so that you may see what he has to say on the law and on obedience in such clear words. When I defended this position, I was attacked by the ignorant for it."<sup>21</sup> These two sermons offer the opportunity to compare how Luther applied the distinction of law and gospel in specific situations, even if on the popular level.

## II. The Sermon of 1532

The text of the 1532 sermon, Galatians 3:23-29, had already played a significant role in the development of Luther's evangelical thinking. In his Psalms lectures in 1513-1515, he interpreted the role of the law along lines dictated by the medieval view of salvation history, defining the Old Testament law as the foreshadowing of Christ, limiting its function to the

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<sup>18</sup> Timothy J. Wengert, *Law and Gospel: Philip Melanchthon's Debate with John Agricola of Eisleben over Poenitentia* (Grand Rapids: Baker Books, 1997), 77-175. Cf. Mark U. Edwards, Jr., *Luther and the False Brethren* (Stanford: Stanford University Press, 1975), 156-179; Ernst Koch, "Johann Agricola neben Luther. Schülerschaft und theologische Eigenart," in *Lutheriana: Zum 500. Geburtstag Martin Luthers von den Mitarbeitern der Weimarer Ausgabe* (Cologne: Böhlau, 1984), 131-150; Stefan Kjeldgaard-Pedersen, *Gesetz, Evangelium, und Busse: Theologiegeschichtliche Studien zum Verhältnisse zwischen dem jungen Johann Agricola (Eisleben) und Martin Luther* (Leiden: Brill, 1983); and Jeffrey Silcock, "Law and Gospel in Luther's Antinomian Disputations with Special Reference to Faith's Use of the Law" (ThD diss., Concordia Seminary, St. Louis, 1995).

<sup>19</sup> WA 45:145-152.

<sup>20</sup> October 11, 1537, CR III:420, #1615; *Melanchthons Briefwechsel*, ed. Heinz Scheible (Stuttgart-Bad Cannstatt: Frommann-Holzboog, 1977-1995), 2:336, #1953 [henceforth MBW].

<sup>21</sup> October 12, 1537, CR III:427, #1619; MBW 2:337, #1954.

time before Jesus' birth. From the mid-1510s, already in his lectures on Romans and Galatians, he moved to the theological definition of the law as the preparation for the coming of Christ to all believers in every age, as God's accusation of sinfulness that calls for repentance.<sup>22</sup>

This interpretation had become an integral part of Luther's understanding of God's economy by the time he preached on Galatians 3 at the beginning of 1532, treating a text that he had analyzed for his students only weeks before. According to Rörer's notes, he lectured to the students on this pericope on September 26 and October 9, 1531.<sup>23</sup> A comparison of the lecture with the sermon reveals that, despite the often homiletical nature of Luther's exegetical lectures, he perceived the tasks of preaching and teaching as quite different. In his lecture he paid a good deal of attention to the specific flow of the text, both in regard to its philological details and its theological content. The sermon was quite thematic, with relatively little attention paid to the individual words and ideas of Paul's writing in these verses. Instead, the preacher proclaimed to the people how the distinction of law and gospel that he found at work in the pericope actually should function in the Christian's encounter with the word of God.

The lectures also aimed at cultivating in his students the ability to distinguish law and gospel. The words of the apostle to the Galatians made this distinction very clear.<sup>24</sup> To be sure, there are common elements in lecture and sermon in this case. For instance, praise for the law as a good instrument of God, both in keeping political order and in leading sinners to the despair that turns their attention to Christ, which Luther made clear in his lectures,<sup>25</sup> does come across clearly as well in the sermon.<sup>26</sup> The treatment of these verses for his students, however, took place within the larger framework of the entire examination of the entire book. The professor presumed that his students understood his distinction of the two kinds of righteousness,<sup>27</sup> the anthropological presupposition he labeled "our theology" in his formulation of the "argument" of the

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<sup>22</sup> Erik Herrmann, "Why Then the Law? Salvation History and the Law in Martin Luther's Interpretation of Galatians 1513-1522" (PhD diss., Concordia Seminary, St. Louis, 2005).

<sup>23</sup> WA 40.I:511,9, and 530,6.

<sup>24</sup> WA 40.I:526,9-10.

<sup>25</sup> WA 40.I:519,5-521,5.

<sup>26</sup> WA 36:13,28-14,21.

<sup>27</sup> For example, WA 40.I:518,12-519,8.



Epistle.<sup>28</sup> Luther did not attempt to present this vital element of the framework of his thought in the sermon. The sermon required his adding the definition of the gospel (which he had treated earlier in the lectures to the students) to the examination of the nature of the law's impact on the sinner (which he could derive easily from the text). Luther, of course, never permitted the exegetical detail to curb homiletical application in lecture or sermon, but in this case his purpose required presentation in some detail of both law and gospel, driven and structured, as the sermon was, by his desire to instruct hearers and readers in the art of distinguishing the two. Therefore, he went beyond the text's description of the law in order to give a full treatment to the content and function of the gospel. In both lectures and sermon, he also added to what stood in the text regarding the law by broadening the analogies for its action. For instance, in his exposition of verse 23, Luther did not limit his comments to describing the law as a prison, as the text states. He used the analogy he would later cite in the Smalcald Articles: God crushes the sinner with the law as with a hammer smashing rocks (Jer 23:29).<sup>29</sup> Indeed, repeating a favorite expression for the justification of the sinner in these lectures, borrowed from Romans 6:3-4 and Colossians 2:12, Luther pointed out to his students that the law kills the sinner,<sup>30</sup> a description of the law's effect that did not find its way into the sermon on the following Festival of the Circumcision. All in all, despite similarities with his previous lecture, the doctrinal exposition of the text in Sunday morning worship for the purpose of making the gospel clear within the proper distinction of law and gospel led the professor to preach in a different manner than he had lectured. The sermon focused on the contrast between law and gospel rather than the text itself in order to execute the purpose for which Luther was preaching it.

His sermon proceeded directly to the heart of the matter. In preparing the text for publication, the editor omitted the initial observation in Rörer's

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<sup>28</sup> WA 40.I:45,24-27; LW 26:7. See Robert Kolb, "Luther on the Two Kinds of Righteousness: Reflections on His Two-Dimensional Definition of Humanity at the Heart of His Theology," *Lutheran Quarterly* 13 (1999): 449-466.

<sup>29</sup> WA 40.I:517,10-518,6. Cf. SA, III, 3, 2, in *Die Bekenntnisschriften der evangelisch-lutherischen Kirche*, 11th ed. (Göttingen: Vandenhoeck & Ruprecht, 1992), 436-437 [henceforth BSLK], and *The Book of Concord*, ed. Robert Kolb and Timothy J. Wengert (Minneapolis: Fortress Press, 2000), 312.

<sup>30</sup> On Luther's use of the baptismal language of killing and making alive in the development of his doctrine of justification in these lectures, see Robert Kolb, "God Kills to Make Alive: Romans 6 and Luther's Understanding of Justification (1535)," *Lutheran Quarterly* 12 (1998): 33-56.

original notes that "this epistle is a little too lofty for the common masses" and proceeded directly to the point: "Saint Paul's opinion is that in the Christian church both pastors and Christians should teach and comprehend the definite distinction between law and faith, between command and gospel, as he commands Timothy to properly divide the word of truth" (2 Tim 2:15).<sup>31</sup> Making this distinction properly is "the noblest skill in the Christian church," for both are the word of God, but both can be lost if they are mixed together and not correctly distinguished from each other.<sup>32</sup> That was the case under the papacy, Luther believed, when God's commands had been defined as gospel and the chief content of the faith. Thomas Müntzer, whose rampage over the Saxon countryside seven years earlier was only beginning to pale in his hearers' memories, fell into much the same error.<sup>33</sup>

Luther's treatment of the law reflects his understanding of the seriousness of actual sins: "the law demands a much higher righteousness than is found in outward virtue and upright living," Rörer added to the Jena text.<sup>34</sup> But the reformer's conviction that at the root of human sinfulness lie offenses against "the highest command of the first table, which is to be the master of the other commandments," dominated his treatment of sin.<sup>35</sup>

In contrast to his usual practice of bringing the crushing power of the law upon the sinner to prepare the way for appreciation of the gospel, Luther dated the origin of the gospel before the origin of the law, according to Rörer's revision in the Jena edition. Without basis in his own or the other set of notes, Rörer inserted in the Jena text, "The gospel began in paradise, the law was given by God on Mount Sinai."<sup>36</sup> This may reflect the words found in both sets of notes but not in the original printed version, "the law was given by *angelos* ['angels' or 'messengers'], the gospel is God's own word."<sup>37</sup> Luther believed that God had first created human creatures as his own; the Creator gives them their identity as his people, his children, as pure gift, out of unconditional love. To this relationship of human reception he attached his expectations for human performance, which the law describes.

<sup>31</sup> WA 36:8,14-9,12.

<sup>32</sup> WA 36:8,14-10,18; 25,1-34. Cf. 36:28,12-16 and 33-38.

<sup>33</sup> WA 36:10,9-12,18, cf. 36:25-28.

<sup>34</sup> WA 36:26,19-30.

<sup>35</sup> WA 36:20,25-28, cf. 36:39,9-40,23.

<sup>36</sup> WA 36:25,29-31.

<sup>37</sup> WA 36:9,13-14.

Luther repeatedly drew the contrast between what law and gospel do in the life of the sinner so that his hearers could understand that the living word of God actually is his instrument of judging and restoring life; it impacts their identity and their way of life. "The law is for the Old Adam, the gospel for the troubled conscience."<sup>38</sup> "The law makes me a sinner. The gospel says, 'your sins are not to harm you but rather you shall be saved.'"<sup>39</sup> From Galatians 3:23 Luther reminded his hearers that the law had made them its prisoners.<sup>40</sup> Rörer expanded the text in the Jena edition: "The law demands perfect righteousness from everyone."<sup>41</sup> The preacher strove to deal with the threat of works-righteousness that had proved to be the most pressing issue raised by response to the Wittenberg Reformation in the Confutation of the Augsburg Confession, published a little more than a year earlier.<sup>42</sup> The law tells us "what he commands us to do, what we should do. It demands works from us." That, Luther judged, was easy to accomplish "*in causa formalis*" but very difficult "*in causa finalis*" – that is, it is easy to ascertain what should be done but difficult to carry it out.<sup>43</sup>

God's commands do express his will for "what God has directed people to do in this or that walk of life, in this or that aspect of daily living."<sup>44</sup> Luther recognized that God had designed human life in interdependence upon other human beings and so he taught the congregation that not only must law and gospel be distinguished but also different laws for specific situations must be distinguished from each other.<sup>45</sup> Rörer added a word of explanation to the Jena edition text: God has specific demands for his human creatures "according to nature, walk of life, responsibility, time, and other circumstances."<sup>46</sup> Luther also was developing his understanding of the obligation of believers to disobey earthly authorities if they issued

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<sup>38</sup> WA 36:22,28-29, cf. 36:41,13-14, 30-32.

<sup>39</sup> WA 36:19,35-36.

<sup>40</sup> WA 36:21,4-25.

<sup>41</sup> WA 36:36,13-14.

<sup>42</sup> See Charles V, *Die Confutatio der Confessio Augustana vom 3. August 1530*, ed. Herbert Immenkötter (Münster: Aschendorff, 1979), 84-87, 88-95, 120-123, translated in *Sources and Contexts of the Book of Concord*, ed. Robert Kolb and James A. Nestingen (Minneapolis: Fortress Press, 2001), 108-110, 117-118, and Nestor Beck, *The Doctrine of Faith: A Study of the Augsburg Confession and Contemporary Ecumenical Documents* (St. Louis: Concordia Publishing House, 1987), 52-119.

<sup>43</sup> WA 36:13,25-27; cf. 36:30,19-35.

<sup>44</sup> WA 36:30,22-27.

<sup>45</sup> WA 36:12,6-13,27.

<sup>46</sup> WA 36:30,24.

commands against the first commandment,<sup>47</sup> and he reminded his hearers of this obligation as well.<sup>48</sup> These comments reflect the current threat of the violent suppression of the Lutheran faith that Emperor Charles V had reiterated at Augsburg and echoes Luther's thinly veiled call for resistance to the emperor in his *Warning to His Dear Germans*, which he had composed in October 1530 and had printed in April 1531.<sup>49</sup> Despite such situations which sin and evil create, God's law remains his plan for truly human living. Luther did not deny that "we must keep the Ten Commandments still [in Rörer's notes, "the law is not abrogated," and in the other manuscript, "a person must grasp the decalogue and not reject it"], but we know when to keep them in their proper place."<sup>50</sup> Rörer elaborated in the Jena edition by using Galatians 5:13: "The law or the ten commandments are not abrogated [by the gospel] so that we are free from it in all regards and may ignore it. For Christ has liberated us from the curse of the law but not from obedience to it."<sup>51</sup>

The gospel freely gives the righteousness which the law demands to those who do not have it, that is to all people, out of grace. Those who have not satisfied the law, and thus lie captive in sin and death, should turn from the law to the gospel and believe the message of Christ. That message Luther summarized as follows: "Jesus Christ is truly God's lamb, who takes away the sin of the world, reconciles his heavenly Father, and freely gives eternal righteousness, life, and salvation to all who believe, totally without condition, out of grace."<sup>52</sup>

Luther proceeded with his definition, according to the original printing, reflecting his fundamental anthropological distinction between active and passive righteousness:

The gospel or faith is something that does not demand our works or tell us what to do, but tells us to receive, to accept a gift, so that we are passive, that is, that God promises and says to you: "this and that I

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<sup>47</sup> On Luther's theory of Christian resistance to secular authorities, see James M. Estes, *Peace, Order, and the Glory of God: Secular Authority and the Church in the Thought of Luther and Melancthon, 1518-1559*, (Leiden; Boston: Brill, 2005), esp. 189-192, and W. D. J. Cargill Thompson, *The Political Thought of Martin Luther* (Brighton, Sussex: Harvester Press; Totowa, NJ: Barnes & Noble Books, 1984), 91-111.

<sup>48</sup> WA 36:20,3-21,22; 39,9-40,23.

<sup>49</sup> WA 30.III:282,28-283,6, LW 47:18-19. See Mark U. Edwards, Jr., *Luther's Last Battles: Politics and Polemics, 1531-1546* (Ithaca, NY: Cornell University Press, 1983), 25-30.

<sup>50</sup> WA 36:18,6-7, 14-16, 29-31.

<sup>51</sup> WA 36:37,25-27.

<sup>52</sup> WA 36:36,13-21.

impart to you. You can do nothing for it; you have done nothing for it, but it is my doing." Just as in baptism, I did nothing; it is not of my doing in any way. It is God's doing, and he says to me, "Pay attention. I baptize you and wash you of all your sins. Accept it, it is yours." That is what it means to receive a gift. This is the distinction of law and gospel. Through the law a demand is made for what we should do. It presses for our activity for God and the neighbor. In the gospel we are required to receive a gift. . . . The gospel is pure gift, freely bestowed, salvation.<sup>53</sup>

The preacher continued by reverting to the language of Aristotelian logic. The formal cause of the gospel is promise; of the law, command. Luther drew an analogy from the social structure of the day, showing that he sensed something in the feudal system of his day akin to what modern scholars of the ancient Near East have called a "suzerainty treaty."<sup>54</sup> When a prince bestows property upon a noble, the noble has done nothing to force the prince to give this gift. When the noble goes to serve his lord, however, he acts, doing something for the prince. Luther's distinction of the two dimensions of human nature or righteousness depended on this distinction between the person and his actions or performance. The devil confuses the two factors [*causae*] at work here and thus drives people either into defiance of God or to despair.<sup>55</sup> With reference to Galatians 4:2, Luther commented that the gospel displaces the law as that word of God which first commands our attention. Both sets of notes record Luther's judgment that when law and gospel conflict it is better to lose the law than the gospel.<sup>56</sup>

Luther demonstrated that the distinction has implications for pastoral care, above all for the consolation of anxious consciences. Faith receives a message from heaven, so that "the law cannot makes its demands on the troubled heart any longer; it has tortured and smothered us enough and must now give place to the gospel, which God's grace and mercy gives us."<sup>57</sup> The gospel concentrates the believer's attention on Christ,

your treasure, your gift, your help, comfort, and savior. In critical situations the heart cannot distinguish promise and command, giving and requiring. When the conscience is hit head-on and feels its sin, and

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<sup>53</sup> WA 36:14,22-32, cf. 36:311-32,25.

<sup>54</sup> See, for instance, Michael L. Barré, "Treaties in the ANE," in *The Anchor Bible Dictionary*, ed. David Noel Freedman, 6 vols. (New York: Doubleday, 1992), 6:655.

<sup>55</sup> WA 36:14,8-15,29, cf. 36:34,5-10, 22-29.

<sup>56</sup> WA 36:19,10-20,1; 19,19-20.

<sup>57</sup> WA 36:22,18-21.

the pressures of death are pressing, with war, pestilence, poverty, shame, and the like, and the law says, "You are lost. I demand this and that from you, but you have not done it and cannot do it." When it comes to this, it terrifies people to death, stomps on them, and they must despair. Whoever can make the distinction in this situation, make it! For here this distinguishing is absolutely necessary!<sup>58</sup>

Lutheran theologians have often interpreted Luther's understanding of the hostile function of the law in terms of Melancthon's description of its accusing power.<sup>59</sup> This passage conforms to Luther's broader understanding of the law's power not only to accuse of specific sins but also to analyze the deeper impact of original sin and the power of the law to crush and terrify, as he expressed it in the Smalcald Articles, for example.<sup>60</sup> "War, pestilence, poverty, and shame," along with guilt, inform sinners that they are lost apart from fear, love, and trust in God.<sup>61</sup> All forms of evil, those which sinners perpetrate and those of which they are victims, terrify them to death and stomp them into despair. To be sure, Luther did not ignore the accusing function of the law in this sermon. He could also say, in the words of the editor of the first printing, "The law lays guilt upon me. I have not done this or that, I am unrighteous and a sinner in God's record of guilt. It is a word which puts my guilt on my account."<sup>62</sup>

Rörer described the goal of the law as pointing to Christ by "terrifying the unrepentant with God's wrath and displeasure."<sup>63</sup> As the sermon came to a close, Luther spoke of the terrified conscience facing the demands of the law:

Performance is very difficult, particularly when the law wants to put its claim on the conscience. Then a person must grasp the promise, and so that you do not fall under his justice, do not leave it with the law, for whoever denies the gospel must thrash about in the hope that God does have a gospel, that he will not play with me according to the standards of justice, but rather will deal with me on the basis of grace for Christ's

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<sup>58</sup> WA 36:15,30-16,25.

<sup>59</sup> For example, Ap IV, 38, 103, 179, in BSLK, 167, 181, 195-196, and *Book of Concord*, 126, 137-138, 146.

<sup>60</sup> SA III, 3, 1-9, in BSLK, 436-438, and *Book of Concord*, 312-313.

<sup>61</sup> WA 36:16,20.

<sup>62</sup> WA 36:17,23-24, cf. 36:1-35.

<sup>63</sup> WA 36:26,19-20.

sake, that he forgives you all that you have failed to do out of grace, and what he will give you what you cannot do.<sup>64</sup>

Rörer paraphrased the text, "See to it that you grasp the promise and do not let the law gain the upper hand and rule in your conscience. That will bring you under judgment if you deny the gospel. You must cast yourself upon and grasp the word of grace or the gospel of the forgiveness of sins."<sup>65</sup>

In 1532, Luther was battling the teaching of the papal party regarding the necessity of human works and merit in the process of salvation. Therefore, in this sermon new obedience was not the primary focus. In the midst of the battle against medieval popular piety and Roman Catholic theological argument, Luther strove for clarity regarding the gospel, "that the person who is stuck in sins under the law or in death and has not satisfied the law, calls to Christ, and thus receives the gift of the forgiveness of sins, which he is to accept."<sup>66</sup>

### III. The Sermon of 1537

The immediate situation in Wittenberg had changed by 1537. The role of the law stood at the heart of the public exchange over the message of the Wittenberg Reformation. Luther decisively rejected the libertinism that he feared might come with Agricola's claim that the law played no role in daily Christian life. Even more decisively, Luther feared a fundamental confusion of law and gospel in Agricola's thought that would destroy the clarity of the gospel. Agricola in fact did not presume that Christians could do anything they wished to do or that they were free from condemnation. He instead defined "gospel" in such a way that it did the accusing of sinners, especially of their "violation of the Son of God," that is, of sins against the first commandment. Furthermore, he labeled "gospel" Christ's admonitions to new obedience, the message which brought Christians the information they need about Christian performance of new obedience.<sup>67</sup> Luther took this confusion of law and gospel very seriously, for assigning

<sup>64</sup> WA 36:22,30-23,12.

<sup>65</sup> WA 36:41,37-42,21.

<sup>66</sup> WA 36:17,30-33.

<sup>67</sup> In his attempt to avoid any focus on human performance and merit, Agricola defined sin as the "violation" not of God's law but of Jesus Christ. See the works by Edwards, Kjeldgaard-Pedersen, Koch, Silcock, and Wengert in note 18 above, and Christian Schulken, *Lex efficax: Studien zur Sprachverwendung des Gesetzes bei Luther in Anschluß der Disputation gegen die Antinomie* (Tübingen: Mohr/Siebeck, 2005), 150-172, on Luther's response, see 172-209.

the work of the law to the gospel led fundamentally to a falsification of the gospel. Luther saw Agricola's sloppy thinking as a threat to the very heart of his message. With that in mind he stepped into the pulpit on the last day of September 1537.

The 1537 sermon, on the Gospel for the eighteenth Sunday in Trinity, Matthew 22:34-40, begins with an introduction substantially similar to that of the 1532 sermon. God has given two teachings, "the law or the ten commands," and that "regarding the grace of Christ. When one perishes, the other does, too."<sup>68</sup> But instead of drawing out the contrast between the two, this sermon focuses first on the law, without mention of Agricola's name but with specific reference to the ideas that he held or that Luther feared might arise out of his thought. Again, the preacher set his definitions in place. The law reveals "what the human being is, what he was, and what he will become once more."<sup>69</sup> Its first prescriptive is "'You shall love God with your whole heart.' . . . You had this treasure in paradise and were created so that you could love God with your whole heart. You have lost that and must return to it. Otherwise, you cannot come into God's kingdom."<sup>70</sup> With this understanding of the law, Luther confronted libertine tendencies that he detected in Agricola and his supporters. It is false and cannot be tolerated that someone preaches that even if you love neither God nor neighbor and are an adulterer, "it does not harm you if you just believe."<sup>71</sup> Sin brings condemnation. That is clear, the preacher argued, from Galatians 5:19-21, Matthew 5:17-18 and 12:36, as well as Romans 8:3-4 and 3:31.

The proper treatment of law and gospel was based on Luther's understanding of the fall into sin:

Adam lived before the Fall in perfect love toward God and pure love for the neighbor, in total obedience, without evil desires. Had he remained in that state, we would not be in the state we are. Because he fell into sin, fell from this command, we lie in the same misery as he, full of sin and disobedience, under God's wrath and curse, and we tumble from one sin into another. The law stands there at all times, regards us as guilty, drives us and demands that we should be upright and obedient to God.<sup>72</sup>

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<sup>68</sup> WA 45:145,31-33.

<sup>69</sup> WA 45:146,25-26.

<sup>70</sup> WA 45:146,27-31.

<sup>71</sup> WA 45:146,41.

<sup>72</sup> WA 45:147,37-148,15.



The law sets my conscience against me, Luther pointed out, "because I am to love God with my whole heart and my neighbor as myself, and I do not do it. So I must be condemned."<sup>73</sup>

Having delivered the law's message, the preacher turned to the proclamation of the prophets that had promised Christ's coming and that gives "help to leave sin, death, and the devil behind, help for the restoration of body and soul, so that we return to loving God and the neighbor from the heart. That will become complete and perfect in the next life, but it begins in this life."<sup>74</sup> Christ came "because we could not keep the law. It was impossible for our nature."<sup>75</sup> Christ has come, stepped between us and the Father, and intercedes for us. Christ died and poured out his blood, a demonstration that he loves God the Father with his whole heart, and that he also loves our neighbors, for whom he poured out his blood. For Christ's sake God remits the sins that arise because we do not love him with our whole heart. He gives us this gift, but the gift does not free us from the fact that the law expresses God's design for truly human living. In a typical use of dialog in Luther's sermons and lectures, the editor paraphrased what Rörer had noted: Christ says, "Dear Father, be gracious to them and forgive them their sins. I will take their sins upon myself and bear them. I love you with my whole heart and also love the entire human race. I will demonstrate that by pouring out my blood. I have fulfilled the law and done it for their good that they may enjoy my fulfilling of it and through it come to grace."<sup>76</sup> This means that sin is completely forgiven. It does not mean that we do not have to obey the law. Luther elaborated on this insistence on the performance of works of love on the basis of God's grace in Christ at some length, concluding that faith consists in "the free gift of God or forgiveness and in the initiation of [the work of] the Holy Spirit or the fulfilling [of the law]."<sup>77</sup> In this latter passage the description of the fulfillment of the law could imply a denial of the distinction of the two kinds of human righteousness by anchoring salvation in the keeping of all the commandments. This implication is absent from Rörer's record of what Luther actually preached. Where Rörer recorded that Luther had said, "We keep the law," the editor expanded, "we keep and fulfill the law."<sup>78</sup>

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<sup>73</sup> WA 45:148,18-19.

<sup>74</sup> WA 45:148,26-30.

<sup>75</sup> WA 45:148,38-39.

<sup>76</sup> WA 45:148,40-149,14.

<sup>77</sup> WA 45:150,23-24.

<sup>78</sup> WA 45:150,10 and 30.

In any case, Luther acknowledged that the law's accusing or crushing force remained primary. He told the Wittenberg parishioners, "When I measure my life against the law, I see and feel all the time its opposite in my life."<sup>79</sup> The law convinces sinners of the nature of the ruin and the sickness which they suffer. It therefore leads to Christ as "helper and savior,"<sup>80</sup> thus meeting Agricola on the ground he was trying to occupy, making the person of Jesus Christ the entire content of his theology. Luther then explained that Christ helps sinners in two ways. First, he takes our part against God and serves as

the cloak that is thrown over our shame—ours, I say, the cloak over our shame because he has taken our sin and shame upon himself—but in God's sight he is the mercy seat, without sin and shame, pure virtue and honor. Like a brooding hen he spreads his wings over us to protect us from the hawk, that is, the devil with the sin and death that he causes. God has forgiven this sin for Christ's sake.<sup>81</sup>

The gospel, however, does not only speak of the forgiveness of sins. It also provides the power and strength to live as the children of God. God has bestowed this new identity as his children on sinners by means of that forgiveness.

He not only covers and protects us, but he also wants to nourish and feed us as the hen nourishes and feeds her chicks. That is, he wants to give us the Holy Spirit and the strength to begin to love God and keep his commandments. When Christ demanded that the man give up everything to follow him (Matt. 19:16-25), he was saying that keeping God's commandments involves knowing and having Christ.<sup>82</sup>

Luther's formulation of two dimensions of the gospel's activities illustrates his efforts to hold justification and sanctification distinct but inseparable. God's gracious bestowal of the new life that identifies sinners as his children brings with it expectations for Christian living.

"What does it mean to know Christ?" the preacher asked.<sup>83</sup> Psalm 110 provided the basis of the answer, as Luther presented the Savior as both "David's true, natural descendent, of his flesh and blood, and at the same

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<sup>79</sup> WA 45:151,5-9, 26-28.

<sup>80</sup> WA 45:153,26-32.

<sup>81</sup> WA 45:153,33-154,14.

<sup>82</sup> WA 45:153,15-154,36.

<sup>83</sup> WA 45:154,37.

time David's Lord."<sup>84</sup> For knowing the law is not enough. This Christ does what the law cannot do. He renews the sinner. He was born as a human being,

out of the pure drops of blood of the Virgin, sanctified by the Holy Spirit, conceived as a human being, born pure and innocent, without sin. He is the only human being who could keep and fulfill the law, for he shared human nature with all other people, but without the same guilt, apart from sin and God's wrath. He has gone before God on our behalf, and he is the curtain, the shadow, the brooding hen, under whom we have forgiveness of sins and salvation from God's wrath and hell. Not only that; he gives us the Holy Spirit, that we may follow him and begin to suppress and kill sin as long as we come to him and become like him, without sin and in complete righteousness. For this reason he is risen from the dead, and sits at the right hand of the Father, that he may take away and destroy our sin, death, and hell and bring us to a new eternal righteousness and eternal life.<sup>85</sup>

As he defined both law and gospel, Luther was combating Agricola's brand of antinomianism in this sermon. He feared the confusion that Agricola's ideas could spread among the populace, and he strove to counteract that threat with positive instruction in the proper use of God's word.

#### IV. Conclusion

Theologians seldom reflect directly on their presuppositions and the mechanics of the theological task from the pulpit. Their assignment, as Luther and Melancthon defined theology, is to distinguish and apply law and gospel as the living, active word of God to their hearers, not to discuss how to do this task. However, in two different circumstances—in 1532 and 1537—Martin Luther addressed the congregation in Wittenberg directly on the topic of how to practice the distinction of law and gospel. In these sermons he built upon his typical practice of actually distinguishing law and gospel, which had guided his theology since 1518, with an explanation of how the distinction applied to the specific issues the Wittenberg theological faculty was confronting in each of these years. In both cases he made it clear that God designed the law—his expectations for the performance and action of his human creatures—in such a way that the law crushes, accuses, and condemns sinners. He spelled out, particularly in

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<sup>84</sup> WA 45:155,36-37.

<sup>85</sup> WA 45:156,21-35.

the second sermon, that the expectations of the law that are hostile to sinners remain God's plan for true and good human living. Luther also insisted to the congregation that meeting these expectations remains impossible for sinners apart from the power that the Holy Spirit brings with the forgiveness of sins. He directed the message of Christ's forgiveness to his hearers, bestowing and renewing their identity as forgiven children of God, liberated from their sinfulness through the death and resurrection of Jesus Christ. Without separating the gospel's action into separate parts, he noted for the congregation that the forgiveness of sins, which bestows this new identity upon sinners, also moves and propels them to live as the human beings that God designed them to be, that is, to demonstrate their humanity in love for God and other creatures.

Proclaimers of God's word always must meet the natural tendency of sinful human creatures to ignore God and resist his will with the proclamation of the crushing force of the law and with the pure and adulterated repetition of the promise of forgiveness of sins, new life, and salvation in Jesus Christ. Preachers must always aid the faithful with instruction for the pious practice of that new life which the Holy Spirit plants and nurtures through the word of forgiveness. At the beginning of the twenty-first century, the church in North America faces a situation not unlike that of Luther in 1532, for the society which surrounds it on this continent evaluates human beings on the basis of what they do, of their accomplishments. Against the widespread belief in our culture that human beings create the worth of their own lives by what they achieve on their own, the gospel of Jesus Christ makes it crystal clear that we are creatures of our creator, and that he has come as our savior and liberator to free us from slavery to sin and our own standards of performance.

At the same time, the church in North America faces a situation not unlike that of Luther in 1537, for the society which surrounds it on this continent is engaged in what from the standpoint of human history seems a ludicrous attempt to live without public values and a structure for decent human living. Against the widespread belief in our culture that to be human means to be free to fashion our own plans for human living according to our own desires, the instruction of the church must make it clear what form a God-pleasing, God-designed life takes in service both to God and to other creatures. For these inseparable tasks, the thought and practice of the preacher Martin Luther offer rich resources.