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## Abstract

The Protestant reformation in the 16th century led to some of the major and long-lasting schisms in global Christianity. The doctrine of justification was at the core of Lutheran schism which was triggered by the papal bull of 1521. The Confession of Augsburg (1530) and the subsequent Apology (1531) failed to heal that schism and instead resulted in the hardening of the schism after the Council of Trent (1545-1563). After Vatican II, on-going dialogue between the Roman Catholic Church (RCC) and the Lutheran World Federation (LWF) continued to address this schism. This culminated in the Joint Declaration on the Doctrine of Justification (JDDJ) (1999) signed by the Catholic Church's Pontifical Council for Promoting Christian Unity (PCPCU) and the LWF. However, this declaration did not by itself heal the schism and resulted in mutual discontent, e.g., signalled by RCC's Cardinal Avery Dulles and the statement of 250 German professors (1998), advising Lutheran churches not to sign the JDDJ (1999).

This study explores the reception of the JDDJ (1999) in the context of Evangelical Lutheran Church in Southern Africa (ELCSA) as one of the member churches of the LWF. However, such reception arguably remains extremely limited in terms of synodical debates and resolutions, letters to the press or publications by members of ELCSA. Instead, this study focuses on the positions on justification adopted by two senior Lutheran scholars who are members of ELCSA, namely Klaus Nürnberger and Simon Maimela. The question that will be investigated is whether the views on the doctrine of justification of Klaus Nürnberger and Simon Maimela diverge from the "differentiated" consensus on justification as expressed in the JDDJ (1999).

This entails a literature-based study that requires some background on historical developments around the doctrine of justification with specific reference to the Lutheran tradition. It also requires a brief description of the origins, content, and reception of the JDDJ (1999). On this basis a thick description and critical analysis of the writings of Klaus Nürnberger on justification is offered, i.e., with specific reference to his *The Message of Luther for us today* (2005), and the relevant sections of his two-volume *Systematic Theology Faith in Christ today* (2016b). When this analysis is compared with the position on justification as adopted in the JDDJ (1999), it is possible to assess whether Nürnberger's position on justification diverges from that of the JDDJ, even if he has not discussed the JDDJ explicitly in

his voluminous writings (except for an article entitled “Can Unity be based on Consensus?” (see Nürnberger 2003). The same process is followed with the writings of Simon Maimela, with specific reference to his articles “Faith that does justice” (1989); “Salvation in African Traditional Religions” (1985); as well as the following books: *God’s Creative Activity through the Law: A Black Lutheran on Barth and Luther* (1984); *We are One Voice* (1989), edited by Simon Maimela and Dwight Hopkins; *Modern Trends in Theology* (1990); *Proclaim Freedom to my People* (1987).

On this basis, the similarities, and differences between at least two South African Lutheran voices on the JDDJ (1999) are outlined. The study employs such insights to suggest ways in which ELCSA's response to the JDDJ (1999) (or lack thereof) may be understood.



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Soli Deo gloria



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## Table of Abbreviations

African Methodist Episcopal	AME
African Methodist Episcopal Zion	AMEZ
Anglican Church in North America	ACCA
Anglican Consultative Council	ACC
Ecumenical Association for Third World Theologians	EATWOT
Evangelical Lutheran Church in America	ELCA
Evangelical Lutheran Church in Southern Africa	ELCSA
Evangelical Lutheran Church in Southern Africa (Cape)	ELCSA Cape
Evangelical Lutheran Church in Southern Africa (Natal-Transvaal)	ELCSA N-T
Free Evangelical Lutheran Church in South Africa	FELSISA
Independent Lutheran Church of South Africa	ILCSA
Institute for Contextual Theology	ICT
International Lutheran Council	ILC
Joint Declaration on the Doctrine of Justification	JDDJ (1999)
Liberating Evangelical Lutheran Church in South Africa	LELSISA
Lutheran Church in South Africa	LUCISA
Lutheran Church-Missouri Synod	LCMS
Lutheran Communion in Southern Africa	LUCSA
Lutheran Theological College	LTC
Lutheran World Federation	LWF
North American Lutheran Church	NALC
Official Common Statement	OCS
Pontifical Council for Promoting Christian Unity	PCPCU
Roman Catholic Church	RCC
World Commission of Reformed Churches	WCRC
World Methodist Council	WMC



# Chapter One: Introduction and Methodological Clarification

## 1.1 Introduction

The Protestant reformations in the 16th century led to some of the major and long-lasting schisms in global Christianity. The doctrine of justification was at the core of the schism which was triggered by the papal bull of 1521. The Confession of Augsburg (1530) and the subsequent *Apology* (1531) failed to heal the schism which was instead hardened after the Council of Trent (1545-1563). Since 1965 on-going dialogue between Roman Catholics and Lutherans continued to address this schism. This culminated in the *Joint Declaration on the Doctrine of Justification* (JDDJ) (1999) (in this document referred to as JDDJ) signed by the Roman Catholic Church's Pontifical Council for Promoting Christian Unity (PCPCU) and the Lutheran World Federation (LWF). However, this declaration did not by itself heal the schism and resulted in mutual discontent, e.g., signalled by the statement of 160 German professors (1998), advising churches not to sign the JDDJ (1999).

This study explores the reception of the JDDJ (1999) in the context of Evangelical Lutheran Church in Southern Africa (ELCSA) as one of the member churches of the Lutheran World Federation (LWF). The reception of the JDDJ arguably remains extremely limited in terms of synodical debates and resolutions, letters to the press or publications by members of ELCSA. This study more specifically focusses on the positions on justification in comparison with the JDDJ adopted by two senior Lutheran scholars who are members of ELCSA, namely Klaus Nürnberger and Simon Maimela. The question that is investigated, is whether and to what extent the views on the doctrine of justification of Klaus Nürnberger and Simon Maimela diverge from the consensus on justification as expressed in the JDDJ (1999).

This chapter introduces the study, offers methodological clarification, and explain the procedures, the structure and logic that will be followed in the subsequent chapters.

## 1.2 A context of schism and the relevance of the study

I am a self-supporting pastor in the Evangelical Lutheran Church in Southern Africa (since 2001). As a Pastor and during the preceding 15 years serving as an elder, I have never been



invited to a workshop on the JDDJ, nor did I hear about any activity related to the JDDJ. I have been frustrated by the lack of reception, not least because the tensions between Lutherans and Catholics have clearly not been resolved by the JDDJ. My personal experience is that the schism has remained in place. At a congregational level, there is still no “open table” or Eucharistic fellowship (for example at funerals) even though there is a common recognition of baptism. No recognition is given to me as a Lutheran pastor at Roman Catholic funerals even though I introduced myself at the entrance and dressed in a clerical shirt and black Cossack. This raises the question how the relationship between Lutherans and Roman Catholics changed based on the JDDJ? What exactly has been accomplished with the signing of the JDDJ? It is not possible to explore such broad questions in this study.

The doctrine of justification lies at the centre of the schism between the Roman Catholic Church and the Lutheran tradition that emerged in the 16<sup>th</sup> century. To understand this dispute and the attempts to address the schism after the Second Vatican Council that lead to the signing of the JDDJ (1999), it is necessary to frame this dispute against patristic and medieval discourse on justification that preceded the Protestant reformation and the subsequent developments on the doctrine of justification in both the Lutheran and the Catholic tradition that preceded the process towards the JDDJ, which will be done in chapter two.

No full developed doctrine of justification can be found in the biblical witnesses that form the foundation for the subsequent Christian tradition. Hence, the understanding of the doctrine of justification was always a bone of contention, also amongst Lutherans. This is already evident from the need to draft the Formula of Concord (1577), shortly after the death of Luther, to unite Lutherans. In 1961 in Helsinki, Finland, Lutheran representatives failed to agree on “Justification Today”. The sixteenth century schism will be discussed in more detail in chapter two.

### **1.3 Delimitation and statement of the research problem**

#### **1.3.1 Introduction**

No detailed assessment of the JDDJ has been offered either by ELCSA or by individual theologians who are members of ELCSA. This recognition makes it difficult to speak of the

reception of the JDDJ in ELCSA or by Lutheran theologians in South Africa. Indeed, it may be more appropriate to speak of the non-reception of the JDDJ in the South African context. If so, this begs the question why South African Lutherans seems to be less interested in a classically Lutheran theme such as justification. I will attempt to answer that in the epilogue. It is interesting to note that the reformed South African theologian Russel Botman (2002) did contribute a response entitled “Should the Reformed Join in?” within the context of the question whether the World Alliance of Reformed Churches should also become a signatory of the JDDJ, which they eventually did on 5<sup>th</sup> July 2017.

How, then, should one gage the response to the JDDJ amongst Lutherans in the South African context? The strategy adopted in this study is an indirect one, namely, to focus on the work of two senior Lutheran scholars who are members of ELCSA, namely Klaus Nürnberger and Simon Maimela. Both have written extensively on notions of salvation (or liberation) so that it is possible to describe their explicit or implicit views on soteriology and more specifically the doctrine of justification. The question that is investigated in this study is whether and to what extent the views on the doctrine of justification of Klaus Nürnberger and Simon Maimela diverge from the consensus on justification as expressed in the JDDJ (1999). This does not imply that the JDDJ may be regarded as normative, at least for Lutherans. Instead, the term “diverge” is used in this study in the neutral sense of “drawing apart, to move or extend in different directions from a common point of departure” (Merriam-Webster). The assumption is that these two scholars are cognisant of South African discourse on salvation in general and on justification in particular. If so, a study of their views may enable one to describe and assess their admittedly implicit responses to the JDDJ. On this basis at least two voices from within the South African Lutheran context may be heard – that may also help to explain the rather muted response from within ELCSA to the JDDJ.

To explain the significance of this study some further comments on the selection of Nürnberger and Maimela are necessary:

### **1.3.2 Klaus Nürnberger**

Klaus Nürnberger is a leading Lutheran theologian and a member of ELCSA. He is a prolific writer and a professor emeritus and senior research associate at the University of KwaZulu-Natal in South Africa. He describes himself as “a committed ecumenist, who believes that

there is only one Church of Christ, but there are various gifts to serve each other and various insights to correct and enrich each other” (see <https://klaus-nurnberger.com>). In the concluding part of his authoritative *Faith in Christ: Invitation to Systematic Theology, Volume II: Involved in God’s project* (2016b), he offers some autobiographic comments on his life and career (see 2016b:519-552). His main fields of research include hermeneutics, systematic theology, social dynamics, and theological ethics. His list of publications includes 19 books, 6 Unisa Study Guides; 6 edited and co-edited volumes; 7 booklets; 120 essays in journals and edited volumes; and 50 book reviews.

Nürnberg’s understanding of salvation and justification may be found throughout his writings, also on economic themes, but is best found in his early one-volume *Sistematische Theologie* (1975:119;331-335) and his two volume *Invitation to Systematic Theology* (especially 2016a:74-77, 278-280, 2016b:419-420). In addition, one may also mention his *Regaining Sanity for the Earth* (2011:216; 222), and *Martin Luther’s Message for us Today* (2005:99-128). He consistently explains salvation in terms of God’s benevolent intentionality based upon God’s vision of comprehensive well-being for the world as manifest in Jesus Christ (2016a:32-35).

Nürnberg’s understanding of justification is well documented in his writings such as “Can Unity be Based on Consensus” (2003); “Justification by Faith-a Lifeless Concept or the Power of Divine Healing?” (2017). Ted Peters in his review of *Faith in Christ Today* said that Nürnberg objects to the forensic model of justification because according to him it makes the cross of Christ superfluous; he argues that God could simply declare by fiat that sinners are forgiven without the cross doing any atoning work. However, Nürnberg does embrace the notion of “*iustitia aliena*” and the imputed righteousness of Christ (see Nürnberg1975). In “Can Unity be Based on Consensus” Nürnberg (2003:9) argues that “The Protestant doctrine that we are justified by grace accepted in faith, not by our works, can be translated into communal categories as God’s unconditional, suffering, redeeming acceptance of the unacceptable into God’s fellowship.”

### **1.3.3 Simon Maimela**

Simon Maimela is another leading Lutheran theologian who is associated with ELCSA. He is the former Vice-principal of tuition at the University of South Africa (Unisa). He was the first

black lecturer that was appointed at the Faculty of Theology at Unisa in 1980. He was also the international coordinator of the Ecumenical Association for Third World Theologians (EATWOT). Maimela is regarded by Landman (2010:49) as a frontrunner of public theology through his contribution to black theology. He also contributed significantly to the discourse on liberation theology.

Simon Maimela is a prolific writer and the author of numerous books, edited volumes, and various articles. His writings include *God's creative activity through the law: A constructive statement toward a theology* (1978); *The emergence of church's prophetic ministry* (1986) *Proclaim freedom to my people* (1987); "A message from Harare by black Lutherans" (1987); *We are One Voice: Black Theology in the USA and South Africa* (1989); *Modern Trends in Theology* (1990); "What is the human being" (1994).

Maimela wrote extensively on the topic of salvation (as liberation), including articles and essays such as "The Atonement in the Context of Liberation Theology" (1982); "Salvation in African traditional religions" (1985); "Law and Faith in Barth's Theology" (1987); "Salvation as a Socio-Historical Reality" (1990); and "Black Theology and the quest for a God of Liberation" (1993). According to Maimela (1989:157), "When white theology talks about salvation it talks primarily about restoring of the broken vertical relationship between God and individual sinners – thus giving the wrong impression that genuine salvation is possible apart from and in exclusion of the world in which individuals live. The sin of individuals against their fellows in society is equally important."

Maimela's views on justification are nowhere fully developed and may be found in diverse discussions of themes related to salvation (as liberation). For example, in an article entitled "Faith that does Justice" Maimela says:

Luther's doctrine of justification by faith alone was and continues to be revolutionary. It constitutes a real threat to the institutional Church. For it pulls the rug out from under those powerful human beings who would be tempted to arrogate to themselves the power to decide on the ultimate question of life and death, something which God alone can do. ... This was a revolutionary teaching by Luther because, in the context of Medieval Church, it meant that now life was no longer open to a few, the successful achievers who could please God. Instead, life is now open to the weak, the poor, the powerless and the unsuccessful classes who felt deprived of dignity and meaningful life because the prevailing religious, socio-political and economic arrangements had declared them unwanted failures and losers" (Maimela 1989:5).



However, in *We are One Voice* Maimela (1989:163) says: “Black Theology should no longer borrow from accepted stock of Western theological formulations that are not intelligible to the Black perspective on human life. The main casualty among those Western theological formulations will be the concept of “justification by faith alone” which was propounded by Luther and others to give individual sinners the assurance of God’s forgiveness and life hereafter.”

### **1.3.4 Statement and explanation of the research problem**

This study focusses on the explicit or implicit views on the doctrine of justification of two leading South African Lutheran theologians who are members of the Evangelical Lutheran Church in Southern Africa, namely Klaus Nürnberger and Simon Maimela. I offered a wide description of their views on justification based on their own primary writings in general and their views on the doctrine of salvation in particular. Where explicit reference is made to the doctrine of justification, I have critically analysed their views in relation to the sources that they draw from.

On that basis I sought to establish whether and to what extent their views on justification diverge from the position on justification as formulated in the Joint Declaration on the Doctrine of Justification (1999). While Nürnberger has discussed the JDDJ explicitly in at least some of his contributions (see Nürnberger 2003), this does not apply to Maimela, his views on the JDDJ remains more implicit than explicit. On that basis the research problem that is investigated in this thesis is stated as follows:

To what extent do the views on the doctrine of justification of Klaus Nürnberger and Simon Maimela diverge from the consensus on justification as formulated in the Joint Declaration on the Doctrine of Justification (1999)?

The term “diverge from” is not used here in a normative sense. Given both the endorsement and the critique of the JDDJ in Lutheran circles, the question is one of reception within the ELCSA, namely whether there is indeed support for the JDDJ in this context. The positions of Nürnberger and Maimela are thus placed in mutually critical juxtaposition with the JDDJ.

By opting for two South African scholars, one classified as “white” and the other as “African” in terms of the race classification that prevailed under apartheid, I am allowing for a possible spectrum of views on justification within the Evangelical Lutheran Church in Southern Africa.

Both Nürnberger and Maimela are widely respected and influential but obviously stand in distinct theological traditions and adopt different conversation partners/interlocutors. Although these are only two Lutheran voices from South Africa amongst many others, they were amongst the foremost Lutheran scholars in South Africa by the time that the JDDJ was in the making and eventually signed. This study may therefore be significant to understand the relationship between ELCSA and the Lutheran World Federation theologically.

### **1.3.5 Research procedure**

Given the discussion above, I have investigated the research problem in terms of the following seven logical steps:

In chapter one I introduce the study, offer methodological clarification, and explain the procedures and the structure and logic of the subsequent chapters. The chapter very briefly accounts for the context and motivate the relevance of this study. It also introduces the readers to Nürnberger and Maimela as “representatives” of the implied ELCSA view on the JDDJ.

Chapter two offers a very brief historical overview of the Christian doctrine of justification to place the JDDJ (1999) within such a historical context. The aim was not to be comprehensive but only to mark some crucial doctrinal developments.

Chapter three offers a brief description of the developments leading to the Joint Declaration on the Doctrine of Justification (1999), the structure and core content of this statement and its history of reception amongst Lutherans globally, in other confessional traditions and in the Southern African contexts. The aim was again not to be comprehensive but to frame the reception of the JDDJ in ELCSA in this wider context.

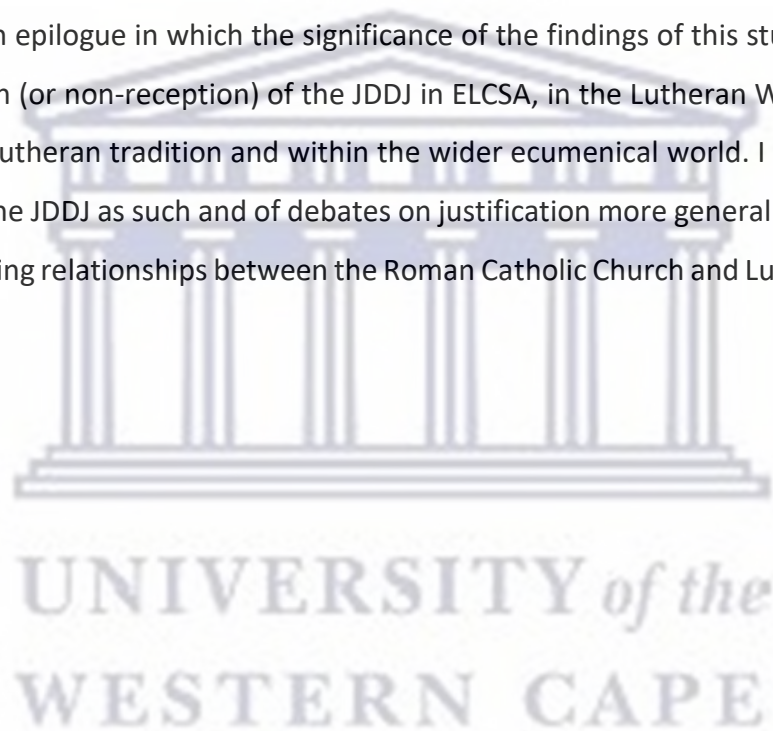
Chapter four of this study discusses Nürnberger’s views on salvation in general, on justification in particular and, where available, on the Joint Declaration on the Doctrine of Justification in more detail. I explore the question whether and where his position diverges from the JDDJ (1999). This required a detailed description and a critical analysis based on his own primary texts, the sources on which he draws and the available secondary literature on Nürnberger insofar as this is relevant to this focus.



In a comparable way chapter five discusses Maimela's views on salvation (liberation), on justification and, where available, on the Joint Declaration on the Doctrine of Justification in more detail. Again, I have explored whether and where his position diverges from the JDDJ (1999). I have done so based on his own primary texts, the sources on which he draws and the available secondary literature insofar as this is relevant to this focus.

Chapter six compares the results of chapters 4 and 5 to outline the distinct ways in which these two senior Lutheran theologians who are members of ELCSA engaged with the JDDJ. The aim is to point out doctrinal matters where they agree with the JDDJ or where they diverge from it.

Finally, I offer an epilogue in which the significance of the findings of this study are indicated for the reception (or non-reception) of the JDDJ in ELCSA, in the Lutheran World Federation, in the broader Lutheran tradition and within the wider ecumenical world. I comment on the significance of the JDDJ as such and of debates on justification more generally for ecumenical relations, including relationships between the Roman Catholic Church and Lutheran churches.



## Chapter Two: Justification by Faith Alone

### 2.1 Introduction

This chapter provides a brief history of the doctrine of justification, which starts with a survey of the pre-sixteenth century use of justification and related terms during the patristic era. This is followed by a brief early history of Martin Luther, the Reformation and justification in the Book of Concord. It is then followed by a description of the doctrine of justification by Luther and the Reformers. Finally, the chapter provides a superficial response by the RCC on the Reformers' definition of the doctrine of justification and the chapter concludes with a discussion on justification from the Enlightenment to Vatican II.

The doctrine of justification by faith alone was at the core of Roman Catholic/Lutheran schism of the sixteenth century. Küng (1964:6) says that the doctrine of justification lies at the root of the ongoing theological battle over the true form of Christianity and the greatest catastrophe that has befallen the Catholic Church. In Lutheran theology, the doctrine of justification is regarded as the very heart of the Gospel. Luther is frequently quoted as having said: "If this article stands, the Church stands. If this article collapses, the Church collapses." He also refers to it as the "first and chief article" and again he said, "it is the ruler and judge over all other Christian doctrine" (Tappert 1959:292). McGrath (1986:1) concurs and adds his voice as to the importance of this doctrine when he says: "There was, and never can be, any true Christian Church without the doctrine of justification, for the community of faith cannot exist without proclaiming, in Word and Sacrament, the truth of what God has done for man in Christ." Barth also concurs with Luther when he says that "With the theology of justification the entire theological enterprise stands or falls ... but he sees it as only "one special aspect" of the Christian message of salvation" (Küng 1964:8).

However, some Roman Catholic theologians as well as a few Protestants, alleges that the doctrine of justification is a sixteenth century invention, unknown for 1500 years. Therefore, this chapter will primarily survey the references to justification during the patristic period with particular reference to the Church Fathers; thereafter the focus will shift to the doctrine of justification as articulated by Luther and the rest of the Reformers including Calvin, during

the sixteenth century. This chapter will also describe further developments on the doctrine of justification after the sixteenth century up to Vatican II.

## **2.2 The doctrine of justification before the sixteenth century**

### **2.2.1 Introduction**

Some Protestant scholars have attested to a meaningful development of a patristic doctrine of justification by faith prior to Augustine. These include Thomas Oden's *The Justification Reader* (2002); Nick Needham's "Justification in the Early Church Fathers (2017); Daniel H Williams' "Justification by Faith: A Patristic Doctrine" (2006) and "Faith Alone in Hilary of Poitiers" (2015); Thomas Schreiner's *Faith Alone* (2015); James Buchanan's *The Doctrine of Justification: An Outline of its History in the Church and its Exposition from Scripture* (2007) and Nathan Busenitz's *Long before Luther* (2017).

However, according to Cho (2014:164); "Catholics such as O'Collins and Rafferty and Protestants such as McGrath contend that there was no significant patristic tradition concerning justification by faith prior to Augustine."

McGrath makes the claim that the Reformation doctrine of justification by faith alone was a "sixteenth century novelty unknown for 1500 years of Christian thought" (McGrath 1986:219-220). He goes on to say that the concept "justification" was never a matter of dispute amongst the pre-Augustinian Church fathers (see McGrath 1986:19).

According to McGrath (1986:19), "early Christian writers did not choose to express their soteriological convictions in terms of justification. This is not to say that the fathers avoided the term 'justification': their interest in the concept is, however, minimal, and the term generally occurs in their writings as direct citations from, or a recognizable allusion to, the epistles of Paul, generally employed for some purpose other than a discussion of the concept of justification itself."

Marshall (2010:1) in an article "Did the Church Fathers teach Justification by Faith Alone (Answer: No!)" says that "Martin Luther invented the doctrine of justification by faith alone via imputation of alien righteousness of Christ."

But what do those Church Fathers say who learned their doctrine directly from the apostles or from the disciples of the apostles? To answer this question and to address the original question raised by Busenitz (2017) when asking “An invention or a recovery?” this study will offer a very brief survey, quoting the sources verbatim in their use of the term “justification” and related matters

before the sixteenth century.

For the purpose of this survey, I have relied primarily on Busenitz (2017); Carlson (1975); Eno (1985); Schreiner (2015); Attebury (2017); and McGrath (1986), websites for some of the sources will be provided in footnotes. The survey will be followed by an analysis of the findings of the survey.

### **2.2.2 Survey of the use of justification and related concepts**

The earliest reference to justification by faith and not by works in the survey is by *Clement of Rome* (believed to be Bishop of Rome), whom many scholars believe is the same Clement whom Paul refers to in Phil 4:3, and who died around 100. According to Busenitz (2017:64), he wrote in his Epistle to the Corinthians 32:4 “And so we, having been called through his will in Christ Jesus, are not justified ourselves or through our own wisdom or understanding and piety, or works that we have done in holiness of heart, but through faith, by the Almighty God has justified all those who existed from the beginning; to whom be the glory forever and ever. Amen.” Schreiner (2015:3) concurs when he states that; “Clement emphasized God’s gracious work in the lives of believers; justification is granted by God to those who exercise faith; and good works results from faith, they’re not the grounds for it.” It must be noted that even at this early stage it was already believed by Clement that good works is a result, or a consequence of faith and that justification is granted by faith.

*Polycarp of Smyrna* (69-159), a disciple of the apostle John, and an Eastern Father, said that “I know that through grace you are saved, not of works, but by the will of God, through Jesus Christ” (Attebury 2017:1). Polycarp endorsed the belief of Clement that we are not saved by our works but through grace.

*Justin Martyr* (ca. 100-165), an Eastern Father, stated that Abraham was declared righteous by God, “not on account of circumcision, but on account of faith.” (Busenitz 2017-71). *Irenaeus of Lyons* (ca. 130-202), states that “faith towards God justifies man” Busenitz

(2017:71-72). *Origen of Alexandria* (182-254), an Eastern Father, says the following about Paul's teachings in Rom 3:28 "He is saying that justification of faith alone suffices, so that the one who only believes is justified even if he has not accomplished a single work" (Busenitz 2017:63). *Origen of Alexandria* uses the thief on the cross as an example of justification apart from works. Clearly through his faith alone he was promised the paradise. There was not a chance that he would ever be able to perform a good work after his confession, nor was there a record of any good works performed by him before his confession. He was justified based on his confession alone (see Busenitz 2017:63). The story of the thief on the cross is "justification by faith" in action. Origen (182-254) further says that "the root of justice is not from the works, but the fruit of the works grows from the roots of justice, that root of justice, indeed, by which God brings justice without works... Despite his insistence on good works, he sees them as fruit of justification" (Eno 1985:113). The word "faith" runs like a golden thread through Justin, Irenaeus, and Origen. Origen appears to be the first that use the phrase "faith alone." Furthermore, the three of them makes it clear that works are not a requirement for justification.

*Cyprian* (d 258), a Western Father is of the view that "If Abraham believed in God and it was imputed to him for righteousness, than each one, who believes in God and lives by faith, is found to be a righteous person."<sup>1</sup> *Athanasius of Alexandria* (296/298-373), also known as Athanasius the Great said that it is "Not by these works, but by faith, a man is justified as was Abraham ... in no other manner can there be redemption" (Attebury 2017:2). Cyprian and Athanasius, just like Origen, use Abraham as an example that we are justified by faith. *Hilary of Poitiers* (300-368) stated that "because faith alone justifies ... publicans and prostitutes will be first in the kingdom of heaven" (Busenitz 2017:66). *Basil the Great* (329-379), an Eastern Father, also known as Basil of Caesarea, says: "This is perfect and pure boasting in God, when one is not proud on account of his own righteousness but knows that he is indeed unworthy of true righteousness and is justified solely by faith in Christ" (Attebury 2017:2). Again, we see that also Basil and Hilary join those who say that to be justified, all we need is faith.

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<sup>1</sup> See Mizzi J. "Church Fathers on Justification by Faith," Justforcatholics.org. (accessed 11/28/2018).



*St. Ambrose* (337-397), a Latin Father, says that “It is not because of your efforts, but because of the grace of Christ. By grace you are saved. Therefore, it is not a matter of arrogance, but faith” (Busenitz 2017:67). He further declares: “we are not justified by works, but by faith.”<sup>2</sup>

*John Chrysostom* (347-407), an Eastern Father, in his comments on Acts 15:9 states: “From faith alone he [Peter] says, they obtain the same gifts [as the Jews]. This also meant as a lesson to those [objectors]; this is able to teach them that faith alone is necessary and not works or circumcision” (Busenitz 2017:68).

*Jerome* (347-420), in his commentary on Ephesians says: “we are saved by grace, rather than by works, for we can give God nothing in return for what he has bestowed on us” (Busenitz 2017:70). Jerome further says that “When an ungodly man is converted, God justifies him through faith alone, not on account of good works, which he possessed not; otherwise on account of his ungodly deeds, he ought to have been punished” (Attebury 2017:2).

*Pelagius* (350-425) was a British monk who denied the doctrine of original sin and emphasized human free will and human effort to the point that salvation could be attained through it, and he was eventually declared a heretic because of these views. He, however, emphatically states that all of us are saved not by our own merits but by the grace of God. It was the views of Pelagius that without faith all other virtues are useless and that the law cannot justify us, for the simple reason that none of us can keep the law. He further says that good works must follow our justification because faith that does not produce fruit is fake. He went so far as to say that faith without works is not sufficed to justify anyone who is already baptized (see Eno 1985:118). Again, we see that St Ambrose, John Chrysostom, Jerome, and Pelagius agree with their predecessors that we are saved by grace, through faith and not by works, but that works is a consequence of our faith.

*St Augustine of Hippo* (354-430), a Latin Father, participated in the first major debate concerning grace and salvation with Pelagius. Augustine not only defended the doctrine of original sin, but also made it clear that salvation is by grace alone and cannot be earned by good works.

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<sup>2</sup> See Mizzi J. “Church Fathers on Justification by Faith.” Justforcatholics.org (accessed 11/28/2018).



Augustine stresses that the law cannot save us; instead, it points us to our sins, and he further points out that our sins are forgiven by grace through faith (see Eno 1985:122). Augustine, just like Pelagius, says that only after having been justified are we enabled to do good works and to have any merits.

Schreiner (2015:34) makes the following points about the views of Augustine: “Augustine differs from the reformers in that he understands the word ‘justification’ to mean ‘to make righteous’ instead of ‘declare righteous.’ Unlike the Reformers, Augustine believed that justification was more than merely an event; it was also a process, and thus he believed in the inherent righteousness rather than imputed righteousness. Augustine did not operate with the distinction between sanctification and justification, which is typical in Reformed and Lutheran thought” (Schreiner 2015:34). However, Cho (2014:164) wrote that “Augustine has more theological affinity with the Reformation movement than with the Catholic Church in the doctrine of justification.”

*Cyril of Alexandria* (412-444) says “For we are justified by faith, not by works of the law, as Scripture say (Gal 2:16). By faith in whom than are we justified? Is it not in Him who suffered death according to the flesh for our sake? Is it not in one Lord Jesus Christ?” (Attebury 2017:2).

*St Thomas Aquinas* (ca. 1225-1274), according to Carlson, St Thomas is at pains to show, in very orthodox fashion, that it is not “works of law” that justifies but rather faith” (Carlson 1975:59). Aquinas further states that justification does not exclude subsequent works and he also links justification to remission of sin (see Carlson 1975:60). *Wessel Gansfort* (d.1489), *John Wessel* (d.1479), and *Johan van Staupitz* (d.1524), who were all fifteenth century Augustinians, stressed the importance of divine omnipotence and of salvation by grace alone.

### **2.2.3 Analysis of the findings of the survey**

The above citations clearly prove that a number of pre- and post-Augustine Church Fathers as well as ancient commentators used the language of ‘justification by faith alone’ to describe the salvation of sinners. Therefore, the allegation that there was no patristic precedent for the doctrine of justification by faith alone and that it was a sixteenth century novelty is false.

Williams is of the opinion that the principles of justification have its roots amongst the patristic writers but that the teaching of justification prior to Augustine has been ignored by doctrinal historians (see Williams 2006: 650-651). Justification wasn’t an issue that was

debated during the patristic period; hence the doctrine of justification by faith alone isn't always integrated and consistent. The Church Fathers took what the New Testament says about justification and preach and teach about it without engaging in a theological discourse on the doctrine. During the patristic period, the primary theological focus centred on "ontological issues of divine nature as it relates to a Trinitarian understanding of God and on the being and work of Christ as God incarnate" (Williams 2006:653).

However, according to Carlson the doctrine of justification was simply not "a theological invention on the part of Luther" (Carlson 1975:7), and that it was also "well established that there were a number of more or less approximate anticipations of Luther's concept justification from as early as the mid-fourteenth century" (Carlson 1975:8). Busenitz, on the other hand, is far more blatant and direct in his support for the reformers. According to him, the doctrine of justification by faith is not an invention but a recovery of theological thought that had been obscured (see Busenitz 2017:23). Melancton (1479-1560) was of the view that the Reformation presented a return to the pure teachings of their predecessors and that they were defending the teachings of Ambrose and Augustine (see Busenitz 2017:24).

Carlson (1975) conducted a survey on the concept of justification in twenty-two commentaries by ancient commentators on the epistles of Paul. In his concluding remarks on the section on the Pauline commentaries, he said that his "survey produces a rather negative conclusion: that Paul's teaching on justification was not viewed as a topic of major importance by the medieval exegetes. There are no extended statements concerning any doctrine of justification per se, nor any reference from which one could infer that the concept in any way formed an issue for debate amongst theologians" (Carlson 1975:65). He further says that "For most of the commentators, justification was a word which happened to form part of Paul's technical vocabulary when describing the process of salvation, neither more, nor less important than any one of the numbers of other such terms found in the Pauline epistles and required no unusual effort of explanation different from any other aspect of Paul's teachings. In sum, justification presented no theological problem as such to the medieval expositors" (Carlson 1975:66). Carlson made two further important points for the purpose of this study and that is that the "commentators are emphatic that faith alone pertains to justification and that it is bestowed by unmerited grace ... The concept "justification" had an inherent semantic bias towards a forensic rather than an ethical interpretation" (Carlson 1975:66, 69).

Cho (2014:166) concludes in his article as follows: "First, the term "sola fide" and its ideas already appeared in the fourth century Latin commentaries. Second, justification was a central theme to the commentaries. Third, the righteousness of justification is not ours but God's and, therefore, imputed to us by faith alone. Fourth, neither Victorinus nor Ambrosiaster had a categorical distinction between justification and sanctification as distinct theological subjects. However, they demonstrated a conceptual distinction between the two" (Cho 2014:166). According to Schreiner (2015:26), the early Church Fathers understood justification forensically.

In conclusion, the above survey clearly demonstrates that "sola fide" is not a "radically new doctrine," nor is it "a novelty" of the sixteenth century reformers. The survey has also shown that the doctrine of justification by faith alone was definitely not "unknown for 1500 years of Christian thought". In fact, there was indeed a "patristic tradition concerning justification by faith prior to Augustine."

Many pre-sixteenth century scholars and Church Fathers proclaim in no uncertain terms that we are saved by grace alone, through faith alone, in Jesus Christ alone, and not because of our works. They further proclaimed that good works are a natural consequence of faith and that faith without works is fake. Some of them made a clear distinction between justification and sanctification, stating that justification is an event that precedes sanctification, and that sanctification is a process. They also understood that the righteousness of God is imputed to us and not infused. It is alien to us because it comes from Christ Jesus. Some of them see the nature of our justification as forensic and that we are not made righteous but declared righteous.

It is indeed true and correct that there was no contestation as far as the doctrine of justification by faith alone is concerned pre-sixteenth century. This is also the reason why the doctrine was not developed to the extent that we know it today. Again, it is also the reason for some form of inconsistency that we find in the pre-sixteenth century doctrine of justification by faith alone. In fact, it was the initiative of Emperor Charles V that led to the consolidation of both Roman Catholic and Lutheran doctrine-which included justification-via the Augsburg Confession and the Confutatio Pontificia (see Bente1965:15-36). The doctrine of justification by faith alone is definitely not an "invention" but a "recovery."

## 2.3 Justification during the sixteenth century

### 2.3.1 Early history of Martin Luther

Martin Luther was born on 10 November 1483 in Eisleben to Hans, a mine worker, and his wife Margarethe. He was baptized the following day, which was St Martin's Day, hence he was named Martin (Booth 2003:5). Hans wanted Martin to become a lawyer and send him to Latin schools in Mansfield and then Magdaburg in 1497 and to Eisenach in 1498 (Liardon 2003:121). In 1501, at the age of 17, he enrolled at the University of Erfurt where he completed his Baccalaureus Artium in 1502 and in 1505 he received his master's degree (Erikson 1959:22).

During 1505, whilst on his way back to Erfurt from his parents' home, he was caught in a bad thunderstorm. He was nearly struck by lightning and thrown to the ground. Whilst on the ground, he prayed to St Anne who was the saint of the mine workers for protection. He vowed to become a monk if he is to survive the thunderstorm. He survived the storm and then joined the Augustinian Hermits in Erfurt (Booth 2003:29).

In 1506, Luther took his monastic vows, dedicating himself to the Augustinian order, devoting himself to fasting, long hours in prayer, pilgrimage, and frequent confessions. This was indeed a period of spiritual despair for Luther, who was supported through this difficult period by his supervisor, Johann von Staupitz. Busenitz (2017:10-11) describes this period in the life of Luther as follows: He was a confused monk and a tormented failure that lived in constant spiritual pain. "Even after joining the monastery, he was profoundly depressed and overwrought with so much guilt that he lived in constant anxiety and fear. Like many sixteenth century monks, Luther believed the road to salvation depended on his own self-effort. He found that road to be impossibly difficult. No matter what he did, he could not overcome the reality of his own sinfulness. Convinced that he had to reach a certain point of worthiness to receive God's grace, Luther went to extremes-starvation, asceticism, sleeplessness. He punished himself in an effort to pay for his sins and appease God's wrath. Even so, he had no peace-and no salvation ... he desperately wanted to be put right with God." In that same year Luther became sub-deacon. In 1507 he began to study theology at the University of Erfurt and the same year he was ordained to the priesthood (Dowley et al 1988:362). In 1508 he started teaching at the Wittenberg University and in 1509 he completed the Baccalaureus Biblicus



(Booth 2003:53). In 1510-11 he visited Rome on businesses for his order and was extremely disappointed with the low level of spirituality of the priests.

In 1512 Luther became a Doctor of Theology. The next four years saw Luther lecturing on the Psalms (1515), Romans (1516), Galatians (1517), and Hebrews (1518).

It was during the studies of the Book of Romans that Luther wrote those famous words in 1515: "My situation was that, although an impeccable monk, I stood before God as a sinner troubled in conscience, and I had no confidence that my merit would assuage him. Night and day, I pondered until I saw the connection between the justice of God and the "just shall live by faith." Then I grasp that the justice of God is that righteousness by which through grace and sheer mercy God justifies us through faith. Thereupon I felt myself to be reborn and to have gone through open doors into paradise. The whole of Scripture took a new meaning" (Dowley et al 1988:366).

Atkinson (1983:163) believe that "God delivered Luther from his anthropocentric attempts to find how he could find grace and directed him to the theocentric deliverance available through Christ and all that God had done for us men and our salvation."

Luther became the priest of the Town Church in Wittenberg. As priest and professor, he taught people "new things" such as: "Forgiveness of sins is not something which we can earn for ourselves by our own good deeds. Rather, it is a free gift, which God gives to us as a result for all that Jesus did for us as our Saviour. Salvation, therefore, is completely and only by faith in Jesus." It was only in 1517 that this "new" teachings of Luther really drew attention.

### **2.3.2 The beginning of the reformation**

According to Küng (2004:6), "The firewood for the Reformation was piled up long before Luther. Difficulties ran the gamut from superficial personal piety at lower levels to a frightening ecclesiastical secularization on higher levels; from unscrupulous nationalistic politics to muddle-headed late medieval theology ... It was Martin Luther's spark which finally kindled it." The Reformation was the response to a fragmenting Western Europe which was crying out for a much-needed reform. It is in this context that several individuals rise to the occasion and demanded reforms. These individuals are known as the forerunners to the reformation and include William of Ockham (1290 -1349); John Wycliff (1329- 1384); Jan Hus

(1373-1415); John Wessels (1400 – 1481); Wessel Gansfort (1419 – 1489); Girolamo Savanoro (1452 – 1498); and Desiderius Erasmus (1467 – 1536). Elert (1962: 76-77) states that:

Luther said that his reformatory knowledge began when the knowledge of the "righteousness of God" was revealed to him from Rom 1:17. He believed that together with the sudden change of his understanding of this concept he experiences a new birth and eternal life. Because he had learned to know the "righteousness of God" merely as an attribute of God "by virtue of which God is righteous" and punish sinners and unrighteousness, he hated God. The Gospel which according to Rom 1:17 -reveal this righteousness just as His wrath is revealed according to Romans 1:18 appeared as a worsening of the law. But then it became clear to him from the second half of Rom 1:17 that here Paul is speaking about the righteousness by which, as a gift of God, the righteous man lives, namely, by faith, and that this means that the righteousness of God is revealed through the Gospel, namely, a passive righteousness, by virtue of which a merciful God justifies us through faith, as is written: "the just shall live by faith."

The Reformation was triggered by the selling of a new type of indulgences by Johann Tetzel to raise money for the building of the St. Peter's Church in Rome as well as to pay off the debt of Archbishop Albert of Mainz which he incurred when he borrowed money from the Fugger bank of Germany, to buy a greater and more powerful office in the church. This practice was referred to as simony. In response to the sale of indulgences, Luther wrote 95 theses in Latin, which showed that the sale of these indulgences was contrary to the Bible. On 31 October 1517, Luther nailed his 95 theses on the door of the Castle Church in Wittenberg challenging the practice of indulgence and invited scholars to enter into a debate with him on the matter. Luther does not refer to the doctrine of justification by faith alone in his 95 theses, but does however address inter alia, the issue of sinners being put right with God. He condemned the use of indulgences as a manner of putting sinners right with God.

Luther was asked by the Pope to retract his statements but refused to do so unless he could be convinced from the Bible that he was wrong. Luther had no intention of finding a new church but in 1521 he was excommunicated and declared a heretic at the Diet of Worms; he was also declared an outlaw and an enemy of the state by Emperor Charles V. The buying, selling, possessing, or even using one of Luther's writings was declared illegal and anyone found to be helping Luther in any way would be considered a criminal.

However, the princes that ruled in Saxony were supportive of him and protected him despite the emperor's ban. Whilst in exile, protected by Frederick the Wise in Wartburg, he translated the New Testament from Greek into German, he also published "Address to the Christian



Nobility of the German Nation” (1520); “On the Babylonian Captivity of the Church” (1520); and “On the Freedom of a Christian” (1520).

During this very same period the emperor was confronted by war between Muslims and Christians. He was scared that a divided Empire stood no chance against a Muslim onslaught. Many people have turned against the Pope and left the Roman Catholic Church, which severely fragmented the Church. This forced Charles V to seek ways and means to unite the Church under the Pope. In 1530 he summoned all princes and principalities to attend an imperial diet in the city of Augsburg on 25<sup>th</sup> June 1530 and instructed the Lutherans to present their position of faith. It can be argued that the actions of Charles V resulted in the formulation of the initial Lutheran doctrine. The Imperial Diet gave birth to the Augsburg Confession.

## **2.4 Justification as per the Book of Concord<sup>3</sup>**

### **2.4.1 Augsburg Confession**

Elector John of Saxony and the Lutherans were invited by the emperor to attend the imperial diet and were invited to present their position of faith. Luther could not attend the diet due to ill health because he was still considered a heretic and an outlaw. Philip Melancthon functioned as Luther’s representative at the diet (see Bente 1965:15-17).

On 25 June 1530 at 15h00, Elector John and other Lutheran princes and officials stood before the assembly where the Lutheran Confession of faith (Augsburg Confession, also known as Augustanae) was read by Dr Christian Beyer, Chancellor of Saxony, in the presence of the emperor. Melancthon was the principal author of this confession, which became known as the Augsburg Confession of 1530 (see Bente 1965:19).

Due to the focus of this study, I will only focus on the article on justification (article 4) as well as article 5, 6, and 20 because the Roman Catholics, in their response (which the Reformers titled the Confutatio Pontificia), lump them together due to their relatedness. Because article 4 is short, it is written in full whilst only salient points are extracted verbatim from the rest of the relevant articles.

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<sup>3</sup> All Lutheran confessions are written in the Book of Concord. This section will only focus on the sections and articles in the Book of Concord that are relevant to this study.

#### Article 4: On Justification

We believe; teach and confess that no person anywhere can be forgiven; made righteous or acceptable before God by his or her own inward qualities, outward works, or satisfactions. We can only receive forgiveness of sin before God by grace (Ephesians 2:8-9; Titus 2:11) for Christ's sake, through faith in Christ who suffered for the sins of the whole world and for us, for His sake our sin is forgiven, and true righteous and eternal life are given to us (Rom 2:23-28; Rom 4:5).

According to Grane, the "issue is about justification before God (*coram Deo*) and not justification before humans (*coram hominibus*) ... The idea of merit is completely rejected as a means to salvation because before God humans have no merit. "Christ is the source, faith the way to justification. Faith's content is the conviction that sinners are forgiven for Christ's sake" (Grane 1987:58-9).

It is interesting to note that even though the article is entitled "On Justification," the word "justification" is not used in this article nor the phrase by "faith alone." Furthermore, the phrase "made righteous," instead of the Lutheran phrase "declared righteous" are being used. What is however clear is that we are given righteousness and eternal life by grace through faith in Christ and not by our works.

#### Article 5: Of the Ministry

That we may obtain this faith, the Ministry of Teaching the Gospel and administering the Sacraments was instituted. For through the Word and Sacraments, as through instruments, the Holy Ghost is given, who works faith; where and when it pleases God, in them that hear the Gospel, to wit, that God, not for our own merits, but for Christ's sake, justifies those who believe that they are received into grace for Christ's sake.

This article makes it clear that faith is obtained through hearing the Gospel and celebrating the Sacraments through which the Holy Spirit is given to us and that we are justified if we believe that we "are received into grace for Christ's sake." The word "justifies" are used in this article.

#### Article 6: Of New Obedience

Also, they teach that this faith is bound to bring forth good fruits and that is necessary to do good works commanded by God, because God's will, but that we should not rely on those works to merit justification before God. For remission of sins and justification is apprehended by faith, as also the voice of Christ attests: When ye shall have done all these things, say: "We are unprofitable servants" Luke 17, 10. The same is also taught by the Fathers. For Embrose says: "It is

ordained of God that he who believes in Christ is saved, freely receiving remission of sins, without works, by faith alone.”

It is clearly stated that “good works” is a result of faith, and that good works does not merit justification. Justification is apprehended by faith and not by good works. Embrose is being quoted as using the phrase “faith alone” which is prove that this is not “a novelty, nor a sixteenth century invention.”

#### Article 20: Of Good Works

This article is an elaboration of article 6 because “good works” was dealt with under it. In this article Melancton is extremely critical of the Romans preachers because they “urged only childish and needless works” such as “particular holy-days, particular fasts, brotherhoods, pilgrimages, services in honour of saints, the use of rosaries, and monasticism.”

This article speaks to the centrality of the justification when it refers to “the doctrine concerning faith” as “the chief one in the Church” and “that our works cannot reconcile God or merit forgiveness of sins, grace, and justification, but that we obtain this only by faith ... “

I believe that the Reformers wanted to drive the point home that what they believe is exactly what was preach by the church fathers when they quote Ambrose in his *De Vocatione Gentium* where he says as follows: “Redemption by the blood of Christ would become of little value, neither would the pre-eminence of man’s work be superseded by the mercy of God, if justification, which is wrought through grace, were due to the merits going before, so as to be, not the free gift of a donor, but the reward due to a labourer.”

Furthermore, this article also taught “that it is necessary to do good works, not that we should trust to merit grace by them, but because it is the will of God. It is only by faith that forgiveness of sins is apprehended, and that, for nothing.”

The Lutheran doctrine of justification did not render works superfluous, as its opponents claimed; and that though the necessity of works is maintained, the motivation for them was completely different (see Grane 1987:82). This can also be seen in “The Freedom of a Christian” where Luther speaks of being a Christ to one’s neighbour, i.e., in serving God, but on the contrary, being united with God by faith, is participating in the work of God himself ... Again in “The Freedom of a Christian” Luther states: “We conclude, therefore that a Christian live not in himself, but in Christ and his neighbour. Otherwise, he is not a Christian. He lives in

Christ through faith, in his neighbour through love. By faith he is caught up beyond himself into God. By love he descends beneath himself into his neighbour. Yet he always remains in God and his love.”

#### **2.4.2 Apology to the Augsburg Confession**

The Apology constitutes the response of the Reformers to the Confutatio Pontificia. The sequence of the articles agrees with that of the Augsburg confession, however, as indicated before, articles 4,5,6, and 20, which was of related doctrine, was lumped together under article 4. In September 1530, Charles V, declared the Confutatio Pontificia as sufficient response to the Augsburg Confession and gave the Lutherans until 15 April 1531 to either accept or reject the Confutation. The Confutatio Pontificia did not respond to justification at all. It was only at the Council of Trent (1545-1563) that the Roman Catholics responded to the Lutheran doctrine of justification by faith alone and declared it an anathema.

In response to the deadline set by the Emperor, Melanchthon started to write a lengthy response to the Confutatio Pontificia. On 29<sup>th</sup> August, the Lutherans took an official decision regarding the preparation of an Apology (Defence) of the Augsburg Confession. By 20<sup>th</sup> September, the Apology was completed and at a meeting of the Diet of Augsburg on 22 September 1530, the Reformers presented the Apology of the Augsburg Confession, but the emperor refused to accept it. The Apology supported the Augsburg Confession and refuted the arguments of the Confutatio Pontificia. Then on 15 April 1531 the Reformers answered the deadline of the emperor defiantly with the publication of the Augsburg Confession and the Apology (Bente 1965:40-41).

The Roman Catholics, as indicated before, rejected article 4, 5, 6, and 20 as well. In the Apology, article 4 explains how the sinner is justified, whilst Article 5 explains how the sinner obtains the faith which God imputes for righteousness. Whilst good works are commanded, it is not to merit justification before God. Article 20 is an elaboration on good works.

Melanchthon clarifies the central issues of article 4, 5, 6, and 20 as follows: “Justifying faith is not mere knowledge; it is assent to the promise of God in which the remission of sin is freely offered. Assent is certain trust, “faith of the heart,” the wish to receive the offered promise of justification” (see Apology 4:48-60).



In the Apology (4:61-74) Melanchthon treated the question of how faith was obtained. He “insists that while the claim of merit must be excluded, the Word and Sacraments must not be excluded.” He further argues in the Apology (4:75-86) that “to be justified is to possess remission of sins and that faith is our righteousness before God.”

In Apology 4:107-400, Melanchthon presents “a detailed discussion of believer’s obedience to the law of God, the necessity of good works, the impossibility of pleasing God apart from justifying faith, and a proper understanding of the Biblical concept of reward. Far from disowning good works, the Apology compellingly argues that believers receive the Holy Spirit in order to obey the demands of the Law.”

Melanchthon states in the Apology “Christ does not stop being the mediator after our renewal” (Apology 4:162). He continues to say if it is only “initial grace” which is given us for Christ’s sake, while the increase of grace is dependent on good works (i.e., on human cooperation with grace), than salvation in the final analysis, does not depend on Christ, but on ourselves. All merit, even in the state of grace, detracts from the works of Christ.”

Lastly the Apology state that “Where this single article remains pure, Christendom will remain pure, in beautiful harmony, and without any schisms,” once again confirming the centrality of justification.

### **2.4.3 Smalcald Articles**

On 11 December 1536, the Elector of Saxony instructed Luther to prepare a statement indicating the articles of faith in which concessions might be made for the sake of peace and articles in which no concessions would be made. The statement was ready for review on 28 December 1536 by a few theologians at a meeting in Wittenberg. On 8 February 1537, these articles, which later became known as the Smalcald Articles was presented and were signed by many clergy. Even though it was never formally adopted, it was incorporated into the Book of Concord.

At the conclusion of the articles, Luther said: “These are the articles on which I must stand, and God willing, shall stand even to my death; and I do not know how to change or to yield anything in them. If anyone wishes to yield anything, let him do it at the peril of his conscience” (Bente 1965:58).



The Smalcald Articles consist of three parts. Part 1 treats the sublime majesty; Part 11 treats the articles in the office and works of Jesus Christ; Part 111 deals with fifteen articles which include: Sin, The Law, Repentance, The Gospel, Baptism, Sacraments of the Altar, The Keys, Confessions, Excommunication, Ordination and Vocation, The Marriage of Priests, The Church, Monastic Vows, Human Traditions.

In Part II, Article I of the Smalcald Articles it is stated:

The first and chief article is this, that Jesus Christ, our God, and Lord, "was put to death for our trespasses and raised again for our justification" (Rom 4:25). He alone is "the Lamb of God who took away the sins of the world" (John 1:29). "God has laid upon him the iniquities of all of us" (Isa 53:6) Moreover, "all have sinned, and they are justified by his grace as a gift through the redemption, which is in Christ Jesus, by His blood" (Rom 3:23-25).

Inasmuch as this must be believed and cannot be obtained or apprehended by any work, law, or merit, it is clear and certain that such faith alone justifies us, as Paul says in Rom 3, "For we hold that a man is justified by faith apart from works of law" (Rom 3:28), and again, that "He [God] himself is righteous and that he justifies him who has faith in Jesus" (Rom 3:26).

Nothing in this article can be given up or compromised, even if heaven and earth and things temporal should be destroyed." For as St Peter says, "There is no other name under heaven given among men by which we must be saved" (Acts 4:12). "And with his stripes we are healed" (Isa 53:5).

On this article rests all that we teach and practice against the pope, the devil, and the world. Therefore, we must be quite certain and have no doubts about it. Otherwise, all is lost, and the pope, the devil, and all our adversaries will gain victory. Nothing in this article can be given up or compromised, even if heaven and earth and things temporal should be destroyed.

In the light of the current Lutheran-Catholic dialogue and the JDDJ (1999), I have quoted Part II, Article I of the Smalcald Articles almost verbatim. This is harsh words indeed. It leaves no room for any form of dialogue in which something will be given up or compromised. It is an all or nothing approach, which is at the same time very hostile towards the pope. The centrality of justification is once again emphasized.

#### **2.4.4 Formula of Concord**

Martin Luther died on 18 February 1546. After his death, the emperor wanted to crush the Reformers and went to war with the Protestants in 1547 in what was known as the Smalcald War during which the Protestants suffered a crushing defeat. On 15th May 1548, the emperor proclaimed the Augsburg Interim at Augsburg. The objective of this document was to regulate the church affairs in the interim. Protestant clergies were given a temporary right to celebrate Eucharist in both kinds and to marry. They had to restore the Roman Catholic customs and

ceremonies; acknowledge supremacy of the pope and bishops; transubstantiation and the seven sacraments were confirmed. Soon thereafter the marriages of Lutheran clergy were declared void and their children were declared bastards. Reformers suffered severely during and after the Smalcald War (Bente 1965:93-96).

The Interim taught that in justification God absolves the sinner from guilt, but also makes him better by imparting the Holy Spirit, who cleanses his heart. The Interim also declared that faith obtains the gift of the Holy Spirit by which the love of God is infused. After this has been added to faith and hope, the sinner is justified by the infused righteousness, which is in us, for this righteousness consists in faith, hope and love (Bente 1965:97-98).

The political power of the emperor was broken with the declaration of the Peace of Passau, which granted religious tolerance in 1552. In 1555, the Peace of Augsburg recognized the right of the churches of the Augsburg Confession to exist within the empire (Bente 1965:102).

The Formula of Concord, the only Lutheran confession written after the death of Luther, was the theological answer to discord and disunity amongst Lutherans. They were basically split into two groups because of nine controversies. The Formula of Concord was begun by Jacob Andrea in 1567 and he was later assisted by Martin Chemnitz, Nicholas Schneckler, and others.

In 1577 the Formula of Concord was published, consisting of two parts, one being the Epitome, which “declare that sinners are justified before God solely, by faith in Jesus Christ. Christ alone is our righteousness ... The other is The Solid Declaration that resolved the nine controversies and refers to justification by faith as the article of the entire Christian doctrine” “without which no poor conscience can have any abiding comfort or rightly understand the riches of the grace of God.”

Article 3 is titled “The Righteousness of Faith before God”. Osiander denied the forensic nature of justification and taught that Christ is our righteousness only according to His divine nature. Stancarus contended that Christ is our righteousness according to His human nature only. Article 3 resolved what was known as the Osiandristic and Stancarian Controversy. Article 4 is titled: “Good Works”. This article settled the Majoristic Controversy in which George Major and Justus were defending the phrase that good works are necessary to salvation (Tappert 1959:539-551).

The Formula is clear: “Good works are the unfailing consequence of justifying faith. True faith cannot coexist with mortal sin; neither is it ever without the fruit of good works.” The Formula also rejects out of hand the notion that “believers are justified before God both through the imputed righteousness of Christ (which is by faith) and through their own inchoate new obedience.” Rejected as well is the notion that believers are “justified in part by righteousness of Christ and in part by their own obedience, imperfect though it may be.”

The Formula further asserts that “it is the will of God that the justified do those good works which are clearly prescribed by God in His Word. Such “truly good” works are true fruits of faith to which God attaches both temporal and eternal rewards. But while it is impossible to separate works from faith, such good works and merits are completely excluded from the article of justification.”

In the Solid Declarations at 4.3 in the Formula, Luther is quoted as follows: “Faith alone apprehends the blessings without works; and yet, faith, is at no time never alone.” It is being made abundantly clear that the Reformers were never against good works, but they in fact insist that good works is the natural outcome or consequence of faith because it is the will of God, and that merit does not contribute to justification at all.

## **2.5 Justification as articulated by Luther and the Reformers**

### **2.5.1 Introduction**

Lutherans believe that we are saved by grace alone; through faith alone; in Christ Jesus alone; and not by any works or efforts from us, however, works are a consequence of faith. Lutherans further believe that justification is forensic in nature; that we are declared righteous and not made righteous; that our righteousness are imputed and not infused; that our righteousness is an alien righteousness; that justification is an event, and that regeneration is a process.

### **2.5.2 Definitions of justification**

The doctrine of justification by faith alone lies at the heart of the conflict which started in the sixteenth century between Roman Catholics and Lutherans. Küng (1964:6) confirms this when he states that “Without exaggeration we can say that it is the theology of justification that

lies at the root of the still continuing theological battle over the true form of Christianity, at the root of the greatest catastrophe that has befallen the Catholic Church.” But what is justification? Justification deals with the question: How can I be put right with God? But how can I, a sinner, be accepted by a holy and righteous judge?

Justification is not a sixteenth century invention but has been proclaimed both in the Old- and New Testament, e.g., Hab 2:4 “the righteous will live by his faith”; Rom 1:17 “The righteous will live by faith”; Gal 3:11 “The righteous will live by faith”; and Heb 10:38 “But my righteous one will live by faith.”

As indicated earlier, for Luther the doctrine of justification by faith is the alpha and omega of Christian doctrine. Barth, quoted by Küng (1964:8), also concurs with Luther about the centrality of justification when he says that “With the theology of justification the entire theological enterprise stands or falls ... but he sees it as only ‘one special aspect’ of the Christian message of salvation.”

Elert (1962:73) sees justification as the final straw between the Reformers and the Roman Catholics: “it is in this concept (justification) that the final opposition to the medieval Church is developed. As Martin Chemnitz showed in his critique of the Trent dogma, this concept made it impossible to bridge the opposition.” According to McGrath (1986:182/3), Luther “introduced a decisive break with the western theological tradition as a whole by insisting that, through justification, we are intrinsically sinful yet extrinsically righteous. “Justification by faith alone did not only separate Roman Catholics and Lutherans because according to Atkinson (1983:127), but justification by faith is also what essentially differentiates Christianity from Judaism from which it originates, as well as from all other religions in the world. Literature on the Reformation is littered with definitions or description of the notion of justification, some of which is recorded below:

As for McGrath (1986:1-2),

The doctrine of justification is about the turning of the godless man against his godlessness, with his transformation from man without God, to man with God, for God and before God; with his transition from “homo peccator” to “homo iustus”.



According to Schmid (1889:424),

Justification can by no means be understood as a moral condition existing in us, or a moral change which we have experienced, but only as a judgment pronounced upon us, by which our relationship with God is now reversed, and in such a manner that we can now consider ourselves as someone whose sins are blotted out, and who is no longer responsible for them before God, but appears before Him as accepted and righteous, and in who God finds nothing more to punish nor has any reason to be displeased with him.

Millard (1985: 95) argues that “in order to understand justification, it is necessary to first understand the Biblical concept of righteousness, for justification is a restoration of the individual to a state of righteousness”. According to Millard (1985), in the Old Testament righteousness was understood to be a matter of living up to the standards set for a relationship. Those who fulfil the requirements of the relationship in which they stand are righteous e.g., David was righteous for not killing Saul thereby he complied with the monarch-subjected relationship (1 Sam 24:17; 26:23) and Tamar was more righteous than Judah because he failed to fulfil his obligations as her father-in-law (Gen 38:26) (see Millard 1985:95).

The Anglican systematic theologian J.I Packer defines justification as: “God’s act of remitting the sins of guilty men, and accounting them righteous, freely, by His grace, through faith in Christ, on the ground, not their own works, but of the representative law-keeping and redemptive blood-shedding of the Lord Jesus Christ on their behalf” (Mathew 2020:1). This clearly indicates that the merit that is involved in justification is the merit of Jesus.

### **2.5.3 By Grace Alone**

“Grace alone” (Sola gratia) is one of the so called Lutheran solas. Paul says in Rom 3:24 they “are justified freely by His grace through the redemption which came by Jesus Christ.” Again, in Ephesians 2:8-9 Paul says, “For it is by grace you have been saved through faith -and this is not from yourselves, it is the gift of God- not by works, so that no one can boast”. Scripture unequivocally declares that our salvation is by grace alone.

Thomas Aquinas (1225-1274) taught that without divine grace we cannot merit eternal life either in the state of purity, nor in the state of corruption. He taught grace alone brings this about. Peter Lombard (1096-1160) agreed that the new person- the ethical, eternal person- owes the inner person to grace alone (see Elert 1962:76, 7). Even though the medieval Church



never accepted Augustinian theology in its entirety, Aquinas, Anselm, and Abelard never repudiated Augustinian theology. They admitted the Augustinian theology that our salvation- and justification as part of it- depends in the final analysis on the grace of God (see Atkinson 1983: 121). Augustine, Aquinas, Anselm, Abelard, and Lombard all subscribe to the scriptural declaration that salvation is by grace.

Hans Küng (as quoted in Atkinson 1983:128) writes: “In justification the sinner can give nothing which he did not received by God’s grace, he stands before God with his hands entirely empty.” Atkinson (1983:133) concurs when he states: “The sinner cannot ever attain righteousness of his own: he merits or deserves only condemnation. But God in His mercy, while we were yet sinners, freely opted to receive us to Himself and restore us to his side, to a fellowship that we from our side had broken and could never mend. Luther expresses it as follows: ‘simul iustus et peccator’ (at one and the same time both righteous and a sinner).”

Romans 11:6 reads “If it be by grace, then it is no more of works.” This simply means that if works is required than grace is no more grace. If righteousness be by grace, manifestly it cannot be by works, because grace cannot require works (see Metcalf 1987:43).

#### **2.5.4 Faith Alone**

“Faith Alone” (Sola Fide) is another one of the Lutheran solas. Faith can be described as the alpha and the omega of Christianity and the gateway to salvation. When the jailer asks Paul and Silas: “What must I do to be saved,” the response was: “Believe in the Lord Jesus and you will be saved” Acts 16:30-31. Again, in Acts 13:39 it is written: “Through Him everyone that believe is justified, from everything which you could not be justified from by the Law of Moses.” Abraham was accounted righteous some before the Law was given, and, moreover, this was by faith alone. Abraham believed God and it was accounted for him for righteousness.

Chemnitz (cited in Schmid 1889:439-40), states that if we were to be challenged on our insistence on the particle “alone”, and why we are not satisfied with those exclusive particles which are contained in Scripture, the answer is precisely because this particle ‘alone’ embraces all the exclusive particles which the Scriptures use ...Osiander remarks that if we want to speak correctly and according to Scripture, than we must say that God alone justifies, because justification is an act of God alone, but by faith.

It must be noted that the phrase 'Sola fide' does not actually occur in the Pauline texts. Yet it was not an importation to the text, but a genuine interpretation of what Paul himself said without using the word sola.

In his writing "On the Liberty of the Christian Man" (see Elert 1962:80), Luther demanded that the Gospel must be proclaimed in such a way:

that you hear your God speaking to you, [that you hear] how all your life and deeds are nothing before God, together with everything in you, must perish eternally. If you believe this aright- that you are guilty –you must despair of yourself ... But in order that you may come out of and away from yourself, that is out of doom. He puts before you His dear Son Jesus Christ and has Him speak to you His living comforting Word- You should surrender yourself to Him in firm faith and trust boldly in Him. Then, because of this faith, all your sins shall be forgiven, all your doom shall be overcome, and you shall be righteous, true, pious, reassured, regarded as having fulfilled all the commandments, and free from all things.

When we believe the Gospel as referred to by Luther above, we are justified, and all our transgressions are forgiven. Schmid (1889:426) agrees and states "For with and through faith man is at once justified; so that the act by which man is justified, are simultaneous, although faith is by nature first in order and justification subsequent to it ... The immediate effect of faith is the remission of sins, adoption, justification, union with Christ, access to God, and peace of conscience. Amongst all these effects of faith, justification is central, to which all the rest can be referred."

According to Atkinson (1983:127,128):

Faith is not something inherent within you that grow. According to Luther it is a free surrender and joyous wager on the unseen, untried, and unknown goodness of God ... if you believe, you possess, if you do not believe, you do not possess- everyone always has as much of God as he believes ... Faith is a gift (Ephesians 2:8) ... it is not something for which we can strive. It is not credulity, neither is it a feeling. It is not a mystical intuition, neither is it a psychological state of mind.

Elert (1962:78) describe faith "as a certain knowledge that sees nothing." Christ is the end of the Law for righteousness, it follows that this is the end of works according to Rom 10:4. If Christ is the end of the Law for righteousness, it follows that this is the end of works. For the Law demands works, but the Gospel demands faith. Everyone that is of faith, that believes, for them the Law has ended, Christ is the end of it. Righteousness, by faith, revealed in the Gospel, has been affected."

It is clear from the above statements that faith is bound to the receiving of forgiveness of sins and that forgiveness of sins are bound to the Person and the work of Christ. Christ took upon Himself the punishment that the Law has fixed for sins. But faith comes by hearing the Gospel. Those who believe what they have heard, for them the Law and works as a prerequisite for justification has come to an end. It is important to note that the doctrine of justification is properly referred to as the doctrine of justification through faith alone (*sola fide*).

### **2.5.5 Not by good works or merit**

Luther realised that salvation was not a matter of works of merit, pilgrimages, fasting, and good work, but a simple submission in faith to God's work of salvation. He became acutely aware that his own works, however good they may be, cannot compare with Christ's perfect work and that his forgiveness of sins and his salvation depends on Christ alone (Comby and MacCulloch 1986:11,13).

The basis of our justification lies in the merit of Christ alone. No merit or worthiness on our part is required as a prerequisite for the imputation of justification (see Schmid 1889:425). Galatians 3:10-11 says: "For all who rely on works of the law are under a curse ... Now it is evident that no man is justified before God by the Law." Paul said that Abraham was not justified by works, but by faith. "Abraham believed God, and it was reckoned to him as righteousness" (Gal 3:6).

But what exactly is meant by good works or what constitutes good works? Hollis's defines good works a "free acts of justified persons, performed through the renewing grace of the Holy Spirit according to the prescription of the divine Law, true faith in Christ preceding, to the honour of God and the edification of the people ... A good work is that which God commands, and which is done with disposition, manner, and purpose for which it has commanded" (see Schmid 1889:493).

Schmid (1889:492) takes the definition of good works further when he says that "Good works are called "good works," not as though they were good and perfect in themselves, but because they are the outgrowth of a good disposition, well pleasing to God, and because they proceed from the faith of one who is reconciled to God. They, cannot be produced, therefore, until man has been regenerated, because not until then does such a disposition, wrought by the Holy Ghost and well pleasing to God, dwell in man, and not until then has he become able

to do what is good; even those acts of the ungenerate which externally correspond with the divine Law cannot at all be called good works.”

According to Millard (1985: 960), “It is clear that works does not produce salvation. But the Bible is just as clear that whilst it is faith that leads to justification, justification must and will invariably produce works appropriate to the nature of the new creature that has come into being.” James 2:17 says “So faith by itself, if it has no works, is dead.” We shall not live before God by our own works which is worth nothing. Isaiah 64:6 says, “All our righteousness is like filthy rags.” Paul confirms this: “Not by righteousness things we have done, but according to His mercy He saved us” Tit 3:5. The bottom line of all this is: I cannot save myself nor can I even contribute to my own salvation through good works or effort by me.

### **2.5.6 The forensic nature of justification**

Busenitz (2017:39) makes it very clear that “Luther himself never used the term forensic as such, but of course repeatedly speaks of imputation as the divine act through which righteousness comes to the sinner ... It was Melancton who first gave the term official currency when he spoke of “forensic usage” in the Apology: “In this passage (Rom 5:1) “justify” is used in a judicial way to mean “to absolve a guilty man and pronounce him righteous, and to do so on account of someone else’s righteousness, namely, Christ’s, which is communicated to us through faith.” Calvin in Busenitz (2017) similarly notes that the phrase “to be justified” derives its meaning “from legal usage” in the Old Testament.” In his Institutes, Calvin argues that justification is forensic since Paul contrast acquittal with accusation (see Busenitz 2017:40-1).

Calvin also used law court imagery to describe justification. He writes “Our discourse is concerned with the justice not of a human court but of a heavenly tribunal, lest we measure by our small measure the integrity of works needed to satisfy the divine Judge... As Calvin explains Justified by faith is, he who, excluded from the righteousness of works, grasps the righteousness of Christ through faith, and clothed in it, appears in God’s sight not as a sinner but as a righteous man” (Busenitz 2017:38).

Whilst Calvin concurs with Melancton, the Roman Catholics of the time saw justification as pure ‘extrinsicism’ and argue that since justification is totally extrinsic to the believer, it effects no real change or transformation and is therefore something of a legal fiction. If it is



really forensic, then it is not effective. Even in the Reformation camp forensic justification has not always been accepted without qualification. Osiander was part of those early voices against it.

Baier, in his definition of justification, makes use of legal terminology when he says that “Justification denotes that act by which the sinner who is responsible for guilt and liable to punishment, but who believes in Christ is pronounced just by God the Judge. This act occurs at the instant in which the merit of Christ is appropriated by faith and can properly be designated a forensic or judicial act, since God is in it, as if in a civil court, pronounces a judgment upon man, which assigns to him an entirely different position, and entirely different rights” (Schmid 1889:424).

Millard (1985:956) provides us with the following crisp description of the forensic nature of justification. “It is a forensic act imputing the righteousness of Christ to the believer; it is not an actual infusing of holiness into the individual. It is a manner of declaring the person righteous, as a judge does in acquitting the accused. It is not a matter of making the person righteous or altering his or her actual spiritual condition.”

Busenitz (2017:40-1) is at pains to demonstrate that the language used by Paul is indicative that he too regard justification as forensic. “Paul’s use of the courtroom metaphor in Rom 8:33-34 is evident, with an imaginary accuser bringing legal charges against God’s elect. Yet the accusation carries no weight because no one can condemn those whom God has justified. The direct contrast between the terms justify and condemns indicate that both should be understood as legal declarations ... As sinners are condemned (declared guilty) through Adam, believers are justified (declared righteous) through Christ. In this way, justification (acquittal) is accurately defined in the light of its opposite (condemnation).”

The above is a clear indication that the forensic nature of justification is not something that crept into the Lutheran doctrine during the sixteenth century. Just because Luther did not directly use the term “forensic” doesn’t mean that he disagreed with it. In fact, there is no evidence that he opposed it, but what can be said without a doubt is that he anticipated that justification is forensic.



### 2.5.7 Imputed righteousness of Christ

Paul makes it clear that righteousness is imputed, not imparted nor infused. In Romans 4:6 he says, “the blessedness of the man unto whom God imputed righteousness without works,” again in Rom 4:11 he says: “that righteousness might be imputed unto them also.”

According to Grane (1987:61-2), “The idea of imputation had been a decisive element in the Lutheran doctrine of justification from the very beginning ... Imputation does not mean that imputed righteousness is a fictitious righteousness set alongside of one’s own. Rather, it means that imputed righteousness is a renewal of the whole person. This renewal can never take place through the gradual improvement of the sinner but consist in the fact that now a person has righteousness only in Christ.”

Busenitz (2017:37) says that “God as Judge declare sinners to be righteous because Jesus’ righteousness has been credited or imputed to them.” The imputation of the righteousness of Christ should be understood as follows: “from the moment, in which faith is exercised, regards all that Christ has accomplished, as if it has been done by man, and attributes the merits of Christ to him, as if it were his own” (Busenitz 2017:37). The Reformers differentiate between justification (the external act by which God declares the sinner to be righteous) and regeneration or sanctification (the internal process of renewal within humans). According to the Reformers, justification occurs at the instant of salvation, which means the believer is immediately declared righteous and restored to God’s favour. Justification is an event and not a process. Sanctification on the other hand is a process; it takes place progressively over the believer’s entire life, and results in personal spiritual growth through the Holy Spirit (see Busenitz 2017:46).

According to Atkinson (1983:115), “This distinction between the righteousness of faith and the righteousness of the law, between justification and sanctification, was the foundation of Luther’s doctrine. He insisted on this distinction for two main reasons- “for the glory of Christ and the comfort of troubled conscience.” He contended that salvation is based solely on the righteousness of faith, on the righteousness of Christ, by grace alone, by faith alone. If we bring into this relationship, or associate with it, sanctification, we obscure the glory of Christ, because we fail to ascribe our salvation to His doing and dying alone.”

Calvin also distinguished between [righteous] justification and sanctification. He is clear that they are distinct but at the same time inseparable. Calvin understand the union of believers with Christ to mean that they are partakers of the righteousness of Christ. The believer are partaking in His justification through the imputation of Christ's righteousness, and in sanctification, through the impartation by the Holy Spirit, who confirms believers to the image of Christ (see Busenitz 2017:49).

Whilst the Reformers make a clear distinction between justification and sanctification, the Roman Catholics view regeneration, sanctification as part of justification.

## **2.6 Roman Catholic response to the reformation**

Whilst suffering a crushing military defeat in 1547 and losing their leader, Martin Luther in 1546, the Reformation spread like a veld fire into the rest of the world. England and some Scandinavian countries were amongst the first to have joined the ranks of the Reformation as early as 1536. There was desperation amongst Roman Catholics to call a Council. The last council, The Fifth council of Lateran that focussed on discipline in the Church took place during 1512-1517. There was, for political reasons, a reluctance to convene a council. There was also conflict over the venue of the Council. Furthermore, the Emperor and the Pope wanted the Council to perform different functions and have different objectives. Eventually in 1545 Pope Paul III convoked the Council. The Council met for 25 sessions between 13 Dec 1545 and 4 Dec 1563 in Trento. Sessions 9-11 was held in Bologna during 1547. Pope Paul III presided over sessions 1-11 (1545-1547); Pope Julius III presided over sessions 12-16 (1551-1552); Pope Pius II presided over sessions 17-25 (1562-1563). Each Pope presided over a section of the Council during his reign.

As it turned out, from a Roman Catholic perspective, Trent was the most important ecumenical council between Nicaea (325) and Vatican II (1962-1965). The major achievement of the Council was that it shaped the response of Rome to the Protestant Reformation. The following are some of the focus areas that was addressed and reconfirmed and anyone who disagreed with the Church was "anathematized": Justification by faith alone was declared insufficient; Scripture and unwritten tradition must receive equal reverence; it was confirmed that there are seven sacraments and not two or three; that the Latin Vulgate and not the Hebrew Bible was accepted as the authority; the doctrine of a repeated sacrifice at Calvary

was confirmed; whilst the Reformation wanted liturgy to be conducted in the local language, the Council confirm it must be done only in Latin; the doctrine of transubstantiation was confirmed; it was confirmed that Laity shall receive the one element only at the Eucharist; and celibacy of priests was confirmed.

The Council of Trent drew the final battle lines between Catholicism and Lutheranism. The rest of the 16<sup>th</sup> century saw Lutheranism oppressed by the alliance of the Pope and the Emperor and divided to the point that could have so easily resulted in the end of Lutheranism as we know it today. The Formula of Concord which was first published in 1580 in German and in 1584 in Latin put an end to all the controversies amongst Lutherans. The latter parts of 16<sup>th</sup> century as well as the 17<sup>th</sup> century saw no further development as far as the doctrine of justification is concerned, save for Protestantism that expanded into the rest of Europe. However, this period also witnessed a series of religious wars which include the Thirty Years of War (1618-1648). During this period, Catholicism responded with Counter-Reform, which was led by the Jesuits.

## **2.7 From the enlightenment to the nineteenth century**

During the 18<sup>th</sup> century the focus on justification dissipated. This period in history became known as the Enlightenment. The focus shifted to issues such as: liberty, tolerance, fraternity, constitutional government, and the separation of church and state. The movement was also opposed to an absolute monarchy and the fixed dogmas of the Roman Catholic Church. The French Revolution was inspired by the ideas of The Enlightenment. Influential books such as Adam Smith's *The Wealth of Nations* and Rousseau's *Discourse on Equality* were published during this period.

John Wesley, an 18<sup>th</sup> century English cleric, together with his brother Charles and fellow cleric George Whitefield founded Methodism. Prevenient grace provides the foundation for Wesley's doctrine of justification. Prevenient grace consists of two separate forms. Wesley refers to the first dimension of prevenient grace as "pardon" and the second dimension as "power" (almost verbatim). In his sermon "Justification by faith," he makes the statement: "But what is it to be justified? What is justification? This was the second thing which I proposed to show. And it is evident from what has been observed already, that is not the being actually made just and righteous. This is sanctification, which is, indeed, in some degree,

the immediate fruit of justification, but, nevertheless, is a distinct gift of God, and is of a totally different nature. The one implies, what God does for us through His Son, the other, what He does in us by His Spirit” (Wesley 2002:52). The formal doctrine of Methodism is recorded in the Articles of Religion in the Book of Discipline of the Methodist Church.

The Enlightenment gave birth to 19<sup>th</sup> century movements which include liberalism and neo-classicism. Liberalism focused on liberty, equality, civil rights, democracy, secularism, gender equality, freedom of speech, freedom of religion, and freedom of association. The philosopher, John Locke is regarded as the founder of liberalism. There were four theologians / philosopher during the 19<sup>th</sup> century that had the most profound impact on theological thinking for modern liberals and scholars, especially in a Lutheran context, namely Friedrich Daniel Ernst Schleiermacher (1768-1834), G.W.F Hegel (1770-1831), Søren Kierkegaard (1813-1855) and Albrecht Ritschl (1822-1889).

Of the four theologians, Schleiermacher and Ritschl are the only two who really engaged with the doctrine of justification. For Schleiermacher “justification is a changed relationship with God, which comes only through union with Christ. God justify the one who is converted. As Christ influence the believer, his consciousness of sin becomes the consciousness of the forgiveness of sin. When forgiveness of sin is felt, there emerges also a consciousness of being adopted as a child of God. Once a man is converted and justified, the fellowship with Christ is his heart must steadily grow. This is the state of sanctification in which fellowship with Christ always mean fellowship with Him in His mission to the world. Though the believer still sins, he carries with him the forgiveness of sin and so does not lose the redemption, no new sin can develop” (Masaki 2012:227).

Schleiermacher has no use for Christ’s atoning death on the cross. He ignores the means of grace and the certainty of being justified is known only empirically in a quantitative way and by looking at one’s own heart and work (see Masaki 2012:227, almost verbatim).

Hegel was a leading figure and philosopher in the German Idealism movement in the early 19<sup>th</sup> century, who was an absolute idealist inspired by Christian insights and always regarded himself as a theologian. Hegel claimed that his philosophy was consistent with Christianity. “Whilst officially declaring that philosophy and religion had the same content, namely God, Hegel claimed that the conceptual form of philosophy dealt with this concept in a more developed way than that which was achievable in the imagistic representational form of



religion.”<sup>4</sup> His denial of the final and complete authority of the Christian Scriptures and the impersonalism of God is incompatible with Christian orthodoxy.

Furthermore, Hegel’s identification of God as the Absolute is a key aspect of his philosophy. According to Hegel, for God all people are significant to the extent that they will, as individual persons, be rewarded or damned for their actions, especially their faith in or rejection of Christ as their Lord and substitute for God’s punishment of their sins. In contrast to orthodox Christianity, in which God became man in Jesus, for Hegel, Jesus’ achievement as a man was, to become God. “To Hegel, Jesus is not God become man, but man become God” (Rothbard 2012:2).

Hegel’s system for understanding history and the world itself was developed from his famous dialectic teachings of thesis, anti-thesis, and synthesis. He saw history as a progression, always moving forward, never static, in which each successive movement emerges as a solution to the contradictions inherent in the preceding movement.<sup>5</sup>

Søren Kierkegaard was born in Lutheran family. His central problematic was how to become a Christian. He believed that becoming a Christian is a decision to be made in time, just like becoming good is a decision made in time. Furthermore, he believed that Christianity was not a doctrine to be taught, but rather a life to be lived. “To become a Christian is the ultimate, to want to ‘understand’ Christianity, as if it were some doctrine, is open to suspicion” (Moore 2002:2). Kierkegaard focused on numerous themes which include but is not limited to a changeless God; sin and forgiveness; faith; grace; love; and suffering.

Ritschl was a professor who lectured in systematic theology, he rejected doctrines such as original sin, the miraculous birth of Christ, the Trinity, the deity of Jesus, and the incarnation (See Frei 2018:2). As for justification, his premise is that the doctrine of justification and reconciliation constitute the real centre of the Christian theological system (Rucks 2002:6). Ritschl (1822) writes: “For justification removes the guilt and reconciliation removes the enmity, of sin towards God; both notions thus include in themselves an effect upon the

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<sup>4</sup> See George Wilhelm Friedrich Hegel-Stanford Encyclopaedia of Philosophy. <http://plato.stanford.edu> (accessed 6/3/2018).

<sup>5</sup> See The Basics of Philosophy: Georg Wilhelm Friedrich Hegel. [https://: www.edu](https://www.edu) (accessed 6/3/2018).



human will just as certainly as guilt and enmity toward God can only be understood as belonging to the human will” (Rucks 2002:7).

Ritschl defines justification “as the forgiveness of sins, human beings recover their ethical freedom from the interruption of sin, and the fellowship between God and human beings is restored through the faith in Jesus Christ whose death was understood not as a sacrifice for our sins but as a result of vocational obedience to His Father” (as quoted in Moon 1998:3). Whilst Ritschl believe that our relationship with God is restored by faith in Jesus Christ he does not believe that Christ died for our sins.

Ritschl makes a distinction between justification and reconciliation and whilst he regards both as corporate, he regards reconciliation as primary. “For Ritschl, forgiveness of sin means that the penalty of separation from God has been removed. God does not need to be reconciled, but men do. Reconciliation implies more than justification. He believes that justification and reconciliation is a corporate matter.”

In the latter half of the 19<sup>th</sup> century during the Kantian revival, renewed concern was raised by those influenced by the work of Albrecht Ritschl about a purely forensic justification. Their assertion was that justification, and for Luther in particular, “was to be understood as an analytic judgment rather than a synthetic one. An analytic judgment was understood, to be one based on a view of the outcome of the process of justification, whilst a synthetic judgment is forensic in a sense that it declares the truth” (see Forde 1976:278-9).

## **2.8 Justification in the Twentieth Century up to Vatican II**

The 20<sup>th</sup> century witnessed the recovery of the doctrine of justification in the dialectic theology of Karl Barth (1886-1968), Paul Tillich (1886-1965), and later Hans Küng (1928- 2021) and Eberhard Jüngel (1934-2021).

Barth rejected liberal theology and refused any synthesis between the church and culture and emphasized the radical disjunction in God and human beings. “Barth differs from the Reformers in crucial ways in his understanding of justification. Perhaps the biggest difference in Barth’s sola fide is that he does not consider the justification of human beings to be contingent upon faith rather how our relationship to God’s redemption in the two – fold divine sentence is realised. His insistence that faith never be seen as the attainment of merit

or the accomplishment of justifying righteousness pervades his discourse of what is meant by faith alone ... Barth scathes any understanding that justification is by faith precisely because of the particular good qualities of it (even as the gift of God) – faith as *notitia* (knowledge), *assensus* (assent of the will) or even *fiducia* (the heart’s trust) is not what justifies man.”<sup>6</sup>

Barth is not even comfortable speaking about “justifying faith.” In order to prevent a misunderstanding of faith as contributing anything to man’s justification, Barth would rather speak of faith as consisting of “wholly and utterly” in humility because “it is the abdication of vain – glorious man from his vain – glory,” or rather a radical and total distaste for it. Faith is a “despairing of self,” a joyful “humility of obedience” and a “free decision” and “a comfortable in despair.” Because of his denial that human’s justification is dependent upon any human response and is “realised” (not actualised) through faith. Barth’s *sola fide* is quite different from that of any of the Magisterial Reformers (almost verbatim).<sup>7</sup>

Barth also differs from the reformers as far as the relationship between justification and sanctification is concerned. Barth, quoted by Jason Goroncy in an article,<sup>8</sup> states “When, however, we speak of justification and sanctification, we have to do with two different aspects of the one event of salvation. The distinction between them has its basis in the fact that we have in this event two genuinely different moments.”

Paul Tillich was an ordained Lutheran cleric, who served as a military chaplain during World War 1. He is well known for his statement: “God does not exist.”<sup>9</sup> Tillich placed regeneration prior to justification, thereby making faith a precondition of justification, even though he always insisted that faith is only receptive. According to Tillich, faith is doing nothing, but it is only receiving (see Braaten 1990:391). Tillich claims that “justification by faith does not make sense to modern people. He argues that twentieth century human beings do not appear to be preoccupied with finding a gracious God as 16<sup>th</sup> century human was. He believes that if it

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<sup>6</sup> See “The Sola Fide of Karl Barth: Justification by Faith Alone,” *Theo.philogue*, [google.com/amp/s/theophilos.com](http://google.com/amp/s/theophilos.com) (accessed 5/6/2018).

<sup>7</sup> See “The Sola Fide of Karl Barth: Justification by Faith Alone,” *Theo.philogue*, [google.com/amp/s/theophilos.com](http://google.com/amp/s/theophilos.com) (accessed 5/6/2018).

<sup>8</sup> See “Karl Barth on the relationship between justification and sanctification,” <https://jasongoroncy.com> (accessed 5/6/2018).

<sup>9</sup> Henderson: “Theism Rewritten for an Age of Science,” [www.godweb.org](http://www.godweb.org), (accessed 5/20/2018).

is a question of justification, this creature called human being seems to be more interested in demanding that God be justified before him for the way He is running this world.”<sup>10</sup>

Hans Küng (1928-) was one of the advisors to the bishops gathered at the Second Vatican Council (1962 – 1965). His doctoral thesis titled *Justification* was published in 1957. The remarkable conclusion of his book *Justification* is that “Protestants and Roman Catholic differences in doctrine of justification are only imaginary and there is no longer any “justification” for Protestants and Roman Catholics to remain separated.”<sup>11</sup>

Küng (1964) further says that “the difference between Roman Catholics and Protestants is a matter of emphasis. Protestants focus on the work of God in justifying the person, and Roman Catholics focus on the outcomes of the justification of a man. Both are entirely the work of God. Protestants do not deny that justification of the person by God is without results in the sinner, and that Roman Catholics do not deny that the works of a man are entirely given to the man who works. Protestants and Roman Catholics emphasize the different sides of the same coin of the Doctrine of Justification.”<sup>12</sup> Küng’s work played a crucial role in paving the way towards the Joint Declaration of 1999.

Eberhard Jüngel (5<sup>th</sup> December 1934-2021 ) points out that justification of the ungodly happens through “the word alone”, because the word alone can both “declare” and “make” righteous. He clearly distinguishes the punctual act of justification from that of sanctification. He too sees justification as forensic. Jüngel’s position will be discussed in more detail in the next chapter.

The twentieth century has also seen theology taking a remarkable turn in respect to the doctrine of justification by faith, so much so that it is alleged that justification is a doctrine in crises and under attack. The centrality of justification is also seriously under attack. Leonard Hodgson declares that the phrase justification by faith has outlived its usefulness and he recommended that it “had better be dropped from our theological vocabulary.” Albert Schweitzer claimed that justification is not the main theme in Paul, but a subsidiary doctrine.

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<sup>10</sup> Brinsmead: Lutherans in Crisis over Justification by Faith. Part 2 [www.presentstruthmag.com](http://www.presentstruthmag.com) (accessed 5/6/2008).

<sup>11</sup> See *The Legacy of Hans Küng’s Doctrine of Justification*” <http://postbarthian.com>, (accessed 5/6/2018).

<sup>12</sup> See “Hans Küng says Catholic Justification is not Synergistic” <https://postbarthian.com>, (accessed 5/6/2018).

James Steward and E. P Saunders also disagree with the centrality of justification in Pauline theology. John Macquairrie, an Anglican theologian, calls justification a “notion ... vastly exaggerated” and “neither indispensable nor specifically illuminating.”<sup>13</sup>

The forensic nature of justification is just as much under attack. Brinsmead (1979) state that, “The nature of justification is being compromised and repudiated by Protestant scholars on every hand. Leading the stampede away from this great landmark of the Reformation are prominent Lutheran scholars.” According to them<sup>14</sup>, Luther did not teach forensic justification. They argue that Melancton and the authors of the Formula of Concord introduced this “legal” doctrine into the church. The Protestant Reformation understood justification to be a judicial verdict distinct from an act of inner healing. It was a “declaring righteousness” and not a “making righteousness.”<sup>15</sup>

## 2.9 Conclusion

The intention of this chapter was not to provide a complete historical overview of the doctrine of justification, but to provide some background and historical developments around the doctrine of justification from a Lutheran perspective. It is clear from this chapter that the doctrine of justification is not a sixteenth century invention, or a radically new doctrine nor a novelty and surely it is clear that it was not unknown for 1500 years. It is most definitely a recovery of a doctrine that was well known during the patristic era. Some of the church fathers clearly stated that we are saved by grace alone, through faith alone, in Jesus Christ alone and not of works, and that works are the consequence of faith. Some amongst them even understood justification as an event and sanctification as a process and draw a clear distinction between the two. According to some, righteousness is imputed and not infused, and that justification is forensic. I have not found any evidence where the church fathers

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<sup>13</sup> Brinsmead R. D Lutherans in crisis over Justification by Faith, p10, [www.presenttruthmag.com](http://www.presenttruthmag.com) (accessed 5/6/2018).

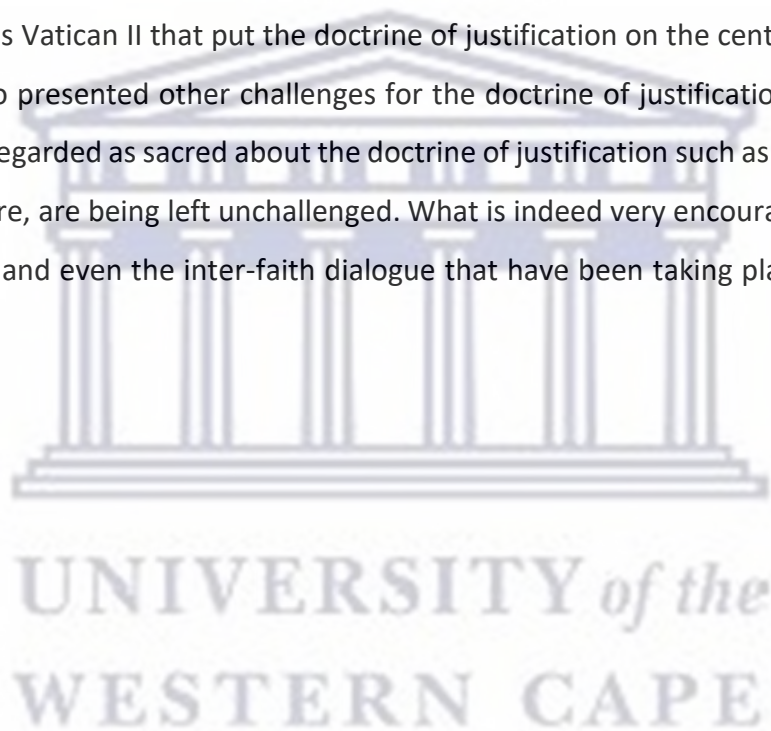
<sup>14</sup> Andreas Osiander a peer of Melancton and John Henry Newman, an Anglican priest and theologian who later converted to Catholicism was amongst the first who challenge the forensic nature of justification. The latest to the list is Klaus Nürnberger.

<sup>15</sup> Brinsmead R, Protestants in Crisis over Justification by Faith p3 cites Nigel Watson (1970, who in his article “Justification-New Look” states: For 400 years, from Melancton to Sanday and Headlam, Protestant scholars were virtually unanimous that the word “dikaion” means “acquit” or “declare”.

dispute any of the above pronouncements. I am certain that if they have disagreed, they would have dealt with it like they did with Pelagius.

As can be seen in the section on the Book of Concord, the pronouncements of the church fathers find their way into the Lutheran Statements of Confession. In the same manner in the overview of the different aspects of the doctrine of justification by faith alone, the Reformers clearly concur with the church fathers.

The Council of Trent drew the proverbial line in the sand. Nothing really significant happened as far as the doctrine of justification was concern. It is only during the 20<sup>th</sup> century that the doctrine of justification reappears on the theological agenda via Barth, Tillich, Kung and Jüngel. But it was Vatican II that put the doctrine of justification on the centre stage. But the 20<sup>th</sup> century also presented other challenges for the doctrine of justification. None of what was previously regarded as sacred about the doctrine of justification such as its centrality and its forensic nature, are being left unchallenged. What is indeed very encouraging is the inter-denominational and even the inter-faith dialogue that have been taking place since Vatican II.





## **Chapter Three: The Joint Declaration on the Doctrine of Justification**

### **3.1 Introduction**

This chapter first focuses on the road of the JDDJ (1999) from Vatican to the signing of the JDDJ (1999) and thereafter it focuses on the structure and content of the Joint Declaration on the Doctrine of Justification, with special reference to Section 4: “Explicating the Common Understanding of Justification”. Section 4 deals with matters related to the doctrine of justification that were or are still in dispute. It is also these seven paragraphs of Section 4 that will be used primarily as a yardstick to assess whether the views on the doctrine of justification by Maimela and Nürnberger diverge from the views reflected in the JDDJ (1999). The chapter also focuses on the criteriological significance of the doctrine of justification as well as the ecclesiastical dispute. Very brief comments are made after each section, paragraph, or sub-paragraph in terms of its content. This is followed by a brief discussion on the different challenges confronting the doctrine of justification. The chapter concludes with a discussion about the reception of the JDDJ (1999).

When the JDDJ (1999) refers to Lutherans, it is referring to the Lutherans who subscribe to the LWF and when it refers to Catholics it is referring to what is known as the Roman Catholic Church. Furthermore, when I will be referring to “Lutherans” or “the Lutherans,” I am referring to LWF unless otherwise indicated. The JDDJ (1999) makes a clear distinction between the Lutheran and the Catholic position even though it is a joint declaration because they have reached what is being referred to as “differentiated consensus”, therefore, I will be referring in the text for example, “according to the Lutherans or Catholics”. Lastly, henceforth, when referring to the JDDJ (1999) I will refer to it just as “JDDJ”.

### **3.2 From Vatican II (1962-1965) to JDDJ**

Contact established between the LWF and the Roman Catholic Church during Vatican II, led to the formation of the Lutheran-Roman Catholic Working Group which met in 1965 and 1966. This working group was officially endorsed by the parties and met for the first time in

1967 as the Joint Lutheran-Roman Catholic Study Commission. As can be seen below, several phases of dialogue have taken place over a period of five decades.

“The Malta Report” (Lutheran World Federation 1972) under the title “The Gospel and the Church” was the result of the dialogue of what became known as phase one,<sup>1</sup> according to the “Lutheran-Catholic Dialogue”. According to the “Malta Report” (Lutheran World Federation 1972), “Both delegations were convinced that the traditionally disputed theological issues between Catholics and Lutherans are still of importance but that these appear in a different light “through the emergence of the modern world” and because of new insights in the natural, social, and historical sciences and in biblical theology. In view of these new insights the delegations therefore agreed to “engage in serious discussions on theological issues” and thus to “identify and eliminate misunderstandings and causes of irritation.” They agreed that “it is not of primary importance to look for quick solutions to practical problems but rather to enter into comprehensive dialogue about the basic problems which separate and unite both churches.” In §26 the report further claims that “Today, however, a far-reaching consensus is developing in the interpretation of justification” (Lutheran World Federation 1972).

Phase two of the Catholic-Lutheran dialogue covers the period between 1973 and 1984. Because of the wide scope of the “Malta Report” (Lutheran World Federation 1972), several doctrinal matters which were regarded as church dividing, formed the basis of the dialogue between the parties. The following reports were developed during phase two: “The Eucharist” (1978); “All Under One Christ” (1980); “Ways to Community” (1980); “The Ministry in the Church” (1981); “Martin Luther-Witness to Christ” (1983); “Facing Unity-Models, Forms, and Phases of Catholic-Lutheran Church Fellowship”. The document “All under One Christ” (1980) claims, in language that goes beyond the “Malta Report” (Lutheran World Federation 1972), that “A broad consensus emerges in the doctrine of justification, which was decisively important for the Reformation” (§4).

During phase three (1986-1993), the Roman Catholic-Lutheran Joint Commission produced a statement, “Church and Justification: Understanding the Church in the Light of the Doctrine

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<sup>1</sup> See Dept of Theology and Public Witness, LWF, <https://www.lutheranworld.org> (accessed 9/28/2018).

of Justification” (1994). According to the commission, substantial consensus had been reached on certain aspects of the doctrine of justification (see Jowers 2006:1).

In the interim, various national study groups made inputs that fed into the process leading towards the JDDJ. In the United States of America, Lutheran and Catholic Dialogue has focused on theological areas central to the common faith: justification by faith; the status of Mary; the saints; the Petrine ministry; and baptism. In 1983, a statement, “Justification by Faith”, was produced by the parties. In Germany, the Evangelical Church in Germany (EKD) and the German Bishop’s Conference of the Roman Catholic Church, has focused on several central theological themes. In 1986 they produced a document “The Condemnations of the Reformation Era: Do They Still Divide?”

Activities towards the development of the JDDJ started as early as 1993 and became known as phase four of the Catholic-Lutheran dialogue. The Evangelical Lutheran Church in America (ELCA) proposed in 1993 that the LWF prepare a document by 1997 that would declare it official that the 16<sup>th</sup> century condemnations between Lutherans and Roman Catholics no longer apply (see Menacher 2009:27). At a meeting in Kristiansand, Norway in 1993, the LWF Council approved a process to implement the ELCA’s suggestion.

From 1 to 5 March 1994, a group of Roman Catholic and Lutheran ecumenists convened in Geneva to draft such an accord. This was the precursor to the JDDJ. The JDDJ went through three major revisions. On 30<sup>th</sup> January 1995, Ismael Noko, who was the newly appointed LWF General Secretary at that time, circulated the first draft to all LWF member churches for consultation. He requested that LWF member churches approve this draft prior to the LWF Assembly in Hong Kong. According to Menacher (2009:27), by May 1996, only thirty-five member churches responded positively to Noko’s request.

Responsibility for the next draft of the JDDJ was given to an internationally more representative committee composed of 14 members, seven Lutherans and seven Roman Catholics, who met in Würzburg, Germany, from 3 to 7 June 1996. This draft was subsequently reviewed by “eminent persons” from LWF member churches and by two selected LWF ecumenists, Michael Root and Theo Dieter, as well as the Vatican’s Congregation of the Doctrine of Faith. This draft was again reworked in Würzburg from 16 to 18 January 1997. The Executive Committee of the LWF forwarded this third draft to all member churches requesting

their responses by 1<sup>st</sup> January 1998. The draft was met with resistance and criticism from various quarters within the Catholic and Lutheran communities.

In 1997, in an article "For God's Sake-Clarity! Critical Remarks on the Subjugation of the Function of the Justification Article as Criterion-On the Occasion of an Ecumenical "Joint Declaration on the Doctrine of Justification," Jüngel discusses how, at a meeting of the LWF in Hong Kong in 1995, it was agreed that the final version of the doctrine of justification should read: "the criterion" that "orients all the doctrine and practice of our Churches constantly on Christ". However, due to the influence of Cardinal Ratzinger and the Pontifical Commission for Promoting Christian Unity, the final version merely state that justification is "an indispensable criterion" instead of "the criterion."<sup>2</sup>

Jüngel (1998) talks about the indispensable centrality of justification as far as Lutherans are concerned. This means that justification "is not just one doctrine amongst others, but rather the criterion for all doctrine, the doctrine against which all other doctrines can be tested, and their truth value established." For him justification have absolute centrality in Lutheran theology (see Taylor 2004:402).

Forde (1999:71) states that on 27<sup>th</sup> January 1998, a group of 160 (it grew to 165) German theological professors ratified a document titled "Joint Declaration on the Doctrine of Justification": A Critical Evaluation by Professors of Protestant Theology", which was initiated by two of the most prominent Lutheran theologians, Gerhard Eberling and Eberhard Jüngel-who will be discussed below. The Critical Evaluation consist of seven paragraphs. For the sake of brevity, I will only raise a few salient points from some of these paragraphs.

In §1, the professors cite the Lutheran teaching that justification is "the article about which nothing ... can be given up or compromised" and it is the article "by which the church stands or fall." They therefore argue that consensus on the doctrine of justification must make it clear that the truth of justification by faith alone has not been compromised, and based on the consensus, the two churches recognize each other as true church of Christ as well as recognising each other's ministerial office. None of the above was agreed upon in the JDDJ.

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<sup>2</sup> Taylor (2004:112-113) quoting from "Um Gotteswillen-Klarheit! Kritische Bemerkungen zur Verharmlosung der kriteriologischen Funktion des Rechtfertigungsartikeis-aus Anlass einer okmenischen 'Gemeinsamen Erklarungzur Rechtfertigungslehre", *Zeitschrift fur Theologie und Kirsche*, 94 (1997), Issue 3, 394-406.



In §2, the professors claim that there is no consensus on the following (quoted verbatim):

- That justification by grace alone is rightly proclaimed only when it is made clear that (1) the God who deals with the sinner by grace alone justifies the sinner only through this Word and through sacraments administered according to his Word ... and (2) the sinner is justified by faith alone.
- That faith is the assurance of salvation.
- Concerning the sinful nature of the one justified.
- Concerning the importance of good works for salvation.

They further argue that inadequate consensus has been reached concerning Law and Gospel and criticized the way the JDDJ has made use of the Old Testament as far as justification of sinners was concerned. Lastly, in § 5, the professors make the point that the consensus has got no ecclesiological and practical consequences. It is like getting married without marital rights and benefits. If the marriage between the Lutherans and Roman Catholics was real, the joint celebration of the Eucharist was the obvious consummation of the marriage. It never happened.

On 16<sup>th</sup> June 1998, the LWF endorsed the JDDJ and released a document consisting of two sections namely, A: Background, and B: Recommendation. The Background deals with the Development of the JDDJ; Nature of the Joint Declaration; and Summary of the analysis of the responses by the LWF. The Recommendations primarily deals with the endorsement by member churches. The document raises the following concerns about the JDDJ: status of the doctrine of justification as criterion; concupiscence and sin in the justified; and the relation of good works to the preservation of grace. According to the document, sixty-two member churches, which include ELCSA, voted “yes” without qualifying comment, whilst ELCSA(N-T) voted “yes” with qualifying comment.

The least expected source of objection to the JD came from the Catholics in the form of a document titled “Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification” published on 25<sup>th</sup>



June 1998).<sup>3</sup> What makes the objection ironic is that this document has been prepared by common agreement between the Congregation for the Doctrine of the Faith and the Pontifical Council for Promoting Christian Unity. It was signed by the President of the same very Pontifical Council, which is solely responsible for the ecumenical dialogue with LWF to produce the JDDJ (almost verbatim).

The response of the Roman Catholic Church referred to above, begins with a “Declaration” which starts off on a positive note although the statements are not specific. It claims that the JDDJ “represents a significant progress in mutual understanding and in the coming together in dialogue of the parties concerned.” It further claims that “there are many points of convergence between the Catholic position and the Lutheran position,” it also claims that “a high degree of agreement has been reached” and that there is “consensus in basic truths of the doctrine of justification.”

This Catholic response maintains that it is not yet possible to speak of a consensus that would eliminate every difference between the Catholic and Lutheran understanding of justification and that the JDDJ refers to these differences. It further states that there are still divergent positions and that the Catholic Church is committed towards overcoming these divergent positions. But then, after stating that, it listed points that still constitute an obstacle. The “Declaration” makes a very profound statement: “The Catholic Church hopes that the following indications may be an encouragement to continue to study these questions” which implies that the discussions has not been exhausted. The Roman Catholic Church makes it clear that they do not regard the issues listed as areas of consensus and that more studies and dialogue must take place to resolve it.

The “Declaration” is followed by a section titled “Clarifications” which consist of six sections in which the Roman Catholic Church list their points “that still constitute an obstacle” between the parties.

Section 4.4 “The Justified as Sinner” presents a “major difficulty” for Roman Catholics. It prevents an affirmation of total consensus between the parties. The title alone is already a cause of perplexity for them. According to the doctrine of the Catholic Church, in baptism,

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<sup>3</sup> See “Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification”, [www.vatican.va/roman\\_curia/pontifical\\_councils/chrstuni/documents/rc](http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc) (accessed 20/8/2019).

everything that is really sin is taken away, and so, in those who are born anew there is nothing that is hateful to God. It follows that the concupiscence that remains in the baptized is not, properly speaking, sin. For Catholics, therefore, the Lutheran formula “at the same time righteous and sinner ... is not acceptable” (*simul iustus et peccator*). They also have an issue with JDDJ §28-30 because according to them Catholics and Lutherans understand the expression “Opposition to God” differently and therefore it becomes ambiguous. They also claim in JDDJ §22 “God no longer imputes to them their sin and through the Holy Spirit effects in them an active love”, is just as ambiguous (almost verbatim).

The second area of difficulty arises in JDDJ §18 which speaks to the importance of justification. Whilst for the Lutherans, this is “the article on which the church stands or fall,” for the Roman Catholics, justification is merely a doctrine amongst many others which must be “organically integrated into the fundamental criterion,” that is, the confession of one God in three persons, Christologically centred and rooted in the living Church and its sacramental life.

The third point of concern raised by the Roman Catholics relates to human participation in their own salvation. They acknowledge that according to JDDJ §17 “Lutherans and Catholics share the common conviction that the new life comes from divine mercy and not from any merit of ours.” They further acknowledge that JDDJ §21 conforms with Canon 4 of the Decree on Justification of the Council of Trent which states that man can refuse grace. Given the above, the Roman Catholic Church seeks clarification as to the compatibility of this “involvement” on the one hand and “mere passive” on the other.

In their fourth point, the Roman Catholic Church recommends an expansion on the “sacrament of penance” which is referred to in JDDJ §30 because according to the Council of Trent, through this sacrament the sinner can be justified anew, because there is this possibility that by means of this sacrament, as distinct from baptism, to recover lost justice.

In point five they state that even though a high degree of consensus has been reached, they still cannot affirm that the remaining differences are merely a matter of emphasis and language. The points of divergence, e.g., “*simul iustus et peccator*,” must first be overcome before they can confirm that the condemnations of Trent do not apply.

In the final point on their list of concerns, the Roman Catholic Church raised the issue of the representativeness of the LWF and whether they had the mandate to sign the agreement on

behalf of the Lutheran community. The Roman Catholic church was from the onset very much aware about the structure of its partner, to complain and question at this stage the representivity and authenticity of the Lutherans as a partner in dialogue, is in my view unprofessional and negotiations in bad faith.

The document concludes with a section entitled “Prospects for Future Work” in which they reiterate their desire to see further work being done on the JDDJ which will provide satisfactory clarification on the divergent issues that still exist.

Because of such widespread opposition to the JDDJ, a rescue team was put in place, consisting of Joachim Track (Chair of the LWF Committee for Theology and Studies), and Johannes Hanselmann (former Lutheran bishop of Bavaria), Roman Catholic Cardinal Joseph Ratzinger and Catholic ecumenist Heinz Schütte. They met on 1 November 1998 to begin drafting the “Official Common Statement” (OCS). The OCS which consists of only three paragraphs was supplemented with an Annex designed to address objections to the JDDJ.

On 11<sup>th</sup> November 1998, 255 of the approximately 300 German professors of theology, signed and published a “Position Statement of Theological Instructors” in which they reject the OCS, the Annex, as well as the JDDJ.<sup>4</sup> This document consists of seven clauses.

In clause 1 the professors state that the Annex and the OCS failed to address the objections against the JDDJ raised by them and several Lutheran synods. They then again list the issues (which was listed above) which they originally raised in their “Critical Evaluation.”

In clause 2 they expressed the view that the intention to sign the OCS was premature because even the OCS acknowledge the fact that further work is required on several issues.

In clause 3 the professors criticize the OCS for using Lutheran phrases such as “simul iustus et peccator” and “sola fide”, “but it interprets them against their reformational significance in a Roman Catholic sense.” This re-interpretation enables the Tridentine condemnation to be lifted but it undermines the very foundations of the Lutheran doctrine of justification.

In clause 4 the professors claimed that the only reason why the OCS was drafted, was to address the issues raised by the Roman Catholic Church in their Official Response on 25<sup>th</sup> June 1998 and that the concerns of everyone else has been ignored.

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<sup>4</sup> See Menacher M. German Professors protest JDDJ (accessed 4/12/2018) <https://archives.wordalone.com>

In clause 5 they object to the fact that the signing of the OCS will ratify the JD in its entirety. According to clause 6, the signing of the OCS will not improve the practical co-existence of Protestants and Catholics. Lastly in clause 7 they point out that the signing of the OCS will undermine the member churches of the LWF because they have not been consulted in this regard.

The professors concluded their statement with the following four points: “With its substantive claims, the OCS places in doubt the Lutheran doctrine of justification; presupposes an ecumenical goal that is incompatible with the Churches of the Reformation; never gained the approval of the institutions responsible for doctrinal questions; and brings about no practical consequences for ecumenical co-existence in local communities.”<sup>5</sup>

The OCS and the Annex which was published on 11<sup>th</sup> June 1999 attempted to revisit areas that were still in doubt in the JDDJ and attempted to provide clarity. It appears that the rescue team primarily attempted to address the concerns raised by a “Response to the Joint Declaration” by the Roman Catholic Church but the JDDJ remained intact.

In his presentation to the Vatican on 25<sup>th</sup> June 1998, Cardinal Cassidy (who authored the Response of the Catholic Church to the JDDJ and who earlier raised serious objections), as President of the Pontifical Council for Promoting Christian Unity, endorsed the JDDJ. He states in §3 that “The consensus now achieved will be of importance, moreover, not only for Catholic-Lutheran relations and future dialogue, but also for progress in search for unity between Catholics and other communities coming out of the Reformation controversies.”<sup>6</sup> This desire expressed by Cardinal Cassidy became a reality with the endorsement of the JDDJ by the World Methodist Council (23 July 2006), Anglican Consultative Council (April 2016), and the Association of World Reformed Churches (5<sup>th</sup> July 2017).<sup>7</sup>

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<sup>5</sup> See Menacher M. German Professors Protest JDDJ.

<sup>6</sup> See Presentation to the Vatican Sala Stampa of His Eminence Idris Cardinal Cassidy President of the Pontifical Council for Promoting Christian Unity 25 June 1998. [www.vatican.va/roman\\_curia/ponifical\\_councils/chrstuni/documentsrc](http://www.vatican.va/roman_curia/ponifical_councils/chrstuni/documentsrc)

<sup>7</sup> Joint Declaration on the Doctrine of Justification; The Lutheran World Federation and the Roman Catholic Church; 20<sup>th</sup> Anniversary Edition <https://www.christianunity.va>



Cassidy further states in §7 that the JDDJ “has limits ... it does not pretend to solve all the issues that Lutherans and Catholics need to face together on their pilgrimage out of separation, and towards full visible unity.” Furthermore, Cassidy identified areas where consensus has not been reached which include themes such as concupiscence; original sin; simul iustus et peccator; justification by faith alone; and the centrality of justification.

Dr Ismael Noko, LWF General Secretary, responded on 25<sup>th</sup> June 1998 expressing his appreciation for the progress made thus far and made it clear that the LWF has been mandated by several LWF council decisions to endorse the Joint Declaration and that the LWF represents only those Lutheran churches affiliated to it. What is sad however, is that the OC and the ANNEX was never submitted for synodical consideration by LWF to its member churches. With the OCS, its Annex and the Joint Declaration in place, preparations commenced to sign the JDDJ – which eventually took place in Augsburg (the venue where the Augsburg Confession was signed) on Reformation Day, 31 October 1999 (the Augsburg Confession was also signed on 31 October). According to Almen (2009:1), “Dr. Ismael Noko, general secretary of LWF, signed the declaration on behalf of the Lutherans. Signing with him was the LWF vice presidents at the time, including then Presiding Bishop H. George Anderson of ELCA. Cardinal Walter Kasper, then secretary and now president of the PCPCU, signed on behalf of the Roman Catholic Church, as did Cardinal Edward Cassidy, then president of the council, both acting on behalf of Pope John Paul II.”

### **3.3 The structure of the JDDJ**

The Joint Declaration consists of five main divisions, with the fourth division broken down into seven sections. The document is subdivided into forty-four paragraphs. The paragraphs are followed by an appendix entitled: “Resources for the Joint Declaration on the Doctrine of Justification.” The appendix is followed by the OCS which consists of three paragraphs. The OCS is followed by its own Annex.

It starts with a Preamble followed by:

1. Biblical Message of Justification.
2. The Doctrine of Justification as an Ecumenical Problem.
3. The Common Understanding of Justification.

4. Explicating the common understanding of Justification.
  - 4.1. Human Powerlessness and Sin in Relation to Justification
  - 4.2. Justification as Forgiveness of Sins and Making Righteous
  - 4.3. Justification by Faith and through Grace
  - 4.4. The Justified Sinner
  - 4.5. Law and Gospel
  - 4.6. Assurance and Salvation
  - 4.7. The Good Works of the Justified

## 5. The Significance and Scope of the Consensus Reached

The 20<sup>th</sup> Anniversary Edition of the JDDJ has a Foreword, as well as confirmatory declarations of endorsement by The World Methodist Council (23 July 2006), Anglican Consultative Council (April 2016), the Association of the WORLD Communion of Reformed Churches (5 July 2017), and the Notre Dame Consultation Statement (29 March 2019).

### **3.4 The Joint Declaration**

#### **3.4.1 The Foreword**

The foreword makes the claim that “The JDDJ was a historic agreement signed by Lutherans and Catholics in 1999, effectively resolving one of the key theological conflicts of the Reformation, the understanding of salvation ... Through the JDDJ, centuries–old controversies and misunderstandings were overcome.” This is indeed a major claim and whether this has indeed been achieved will be determined by the conclusion of 3.5 of this chapter which will discuss the reception of the JDDJ.

#### **3.4.2 The Preamble**

The preamble attempts to place the conflict between the Roman Catholics and the Lutherans in its historical context without apportioning the blame for the schism to any of the protagonists. It very clearly states the “central importance” of the doctrine of justification for Lutherans whilst merely stating that Catholics “in turn asserted and defended a doctrine of

justification of a different character.” General reference is being made to the “doctrinal condemnations” in the “Lutheran Confessions and by the Catholic Church’s Council of Trent.”

The Preamble further attempts to indicate the path of the JDDJ by referring to the Lutheran-Roman Catholic dialogues and the reports generated by such dialogues which include inter alia “The Gospel and the Church” (1972), “Justification by Faith” (1983), “The Condemnations of the Reformation Era-Do They Still Divide” (1986), and “Church and Justification” (1994).

The Preamble also makes it clear that the intention of the JDDJ is “to show that on the basis of their dialogue the subscribing Lutheran Churches and the Roman Catholic Church are now able to articulate a common understanding of our justification by God’s grace through faith in Christ. It does not cover all that either church teaches about justification; it does encompass a consensus on basic truths of the doctrine of justification and shows that the remaining differences in its explication are no longer the occasion for doctrinal condemnations.”

From the stated claims it becomes evident that (i) there exists a common understanding; (ii) it does not cover everything that either church teaches about justification; (iii) it encompasses a consensus on basic truths of the doctrine of justification; (iv) the remaining differences are no longer the occasion for doctrinal condemnation. It is of paramount importance that the above is properly understood. Firstly, the JDDJ does not over promise in terms of delivery, however it does make claims which will be assessed under Section 3.5 of this thesis. Secondly, there was a consensus, which implies a compromise, and, if the Lutherans made any compromises, then it is clearly in contradiction with the prescripts of Luther in the Smalcald Articles when he says, “nothing in this article can be given up or compromised, even if heaven and earth and things temporal should be destroyed.” Thirdly, the common understanding, which is claimed to exist, is followed by explications where each party holds on to its own position, which results in the new concept “differentiated consensus.” It also begs the question, what about the infallibility of the pre-Vatican Popes and the Councils in the event of any possible compromises from the Roman Catholic side? Fourthly, does the assertion that the remaining differences are no longer an occasion for condemnation mean that this is a case of the parties agreeing to differ because these differences are tolerable? The Daily Newspaper of Vatican City State,<sup>8</sup> explains it as follows: “the Declaration seeks to show how

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<sup>8</sup> *L’Osservatore Romano*, The Daily Newspaper of Vatican City State (26/01/2000), 9.

the insistence on one aspect does not mean the denial of its contrary and thus the statements of each confession remain open to those of the other.” The issues raised above, will be further pursued in the rest of this chapter.

The Preamble concludes that the “Declaration is shaped by the conviction that in their respective histories our churches have come to new insights. Developments have taken place that not only make possible but also require the churches to examine the divisive questions and condemnations and see them in a new light.” The understanding here is that the change in attitude of the churches is being attributed to the fact that the respective churches have come to new insights and developments that have taken place. However, these new insights and developments are not being defined, which is very problematic in appreciating the conclusions of the two partners.

Footnote 9 of the Preamble states: “The word “church” is used in this Declaration to reflect the self-understanding of the participating churches, without intending to resolve all the ecclesiological issues related to this term.” This admission is quite significant. It must be remembered that it was claimed in the Foreword that the JDDJ “effectively resolved one of the key theological conflicts of the Reformation, the understanding of salvation.” The admission is significant because according to Roman Catholic doctrine “there is no salvation outside the Church” (*extra ecclesiam nulla salus*), with “Church” referring to the Roman Catholic Church.

According to Dieter,<sup>9</sup> (2010) “the two churches have so far not mutually acknowledged one another, or, more precisely, the Roman Catholic Church does not feel entitled to fully to recognize Lutheran churches as churches in the proper sense since they do not meet all their requirements for apostolicity.” In my view this still leaves a divide because whilst it is claimed that this Declaration effectively resolves the theological conflict of the understanding of salvation, the availability of salvation outside the Roman Catholic Church has not yet been resolved. Lutherans define the Church in the Augsburg Confession Article VII as the assembly of the saints in which the Gospel is taught purely and the sacraments are administered rightly and because this is clearly not the case in the Roman Catholic Church as far as Lutherans are

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<sup>9</sup> From the Joint Declaration on the Doctrine of Justification to a Common Understanding of the Apostolicity of the Church in the Lutheran/Roman Catholic Dialogue: Prof Theodor Dieter. Landeskirche in Württemberg. [www.ecumenical-instituted.org](http://www.ecumenical-instituted.org) (accessed 20.04.2018).



concern, they do not constitute a church as per the AC. For Lutherans justification informs ecclesiology. This will be revisited in the conclusion of this chapter.

### **3.4.3 Biblical message of Justification**

The parties declare in this section that they have a “common way of listening to the word of God in Scripture” which “has led to new insights.” They further declare that “together we hear the gospel.” Yet again the authors do not define their “common way of listening” nor their “new insights” or how “they hear the gospel together.” It makes it therefore extremely difficult to appreciate their conclusions. Their declaration is then followed by a host of citations about justification and salvation related concepts from both the Old and the New Testaments. These citations are standing on their own, without any context, or reason for it being cited nor any indication of their different understanding and interpretation of these citations.

They make it clear that “This good news is set forth in Holy Scripture in various ways” and that “In the New Testament diverse treatments of “righteousness” and “justification” are found in Matthew, Hebrews, and James. They further state that “In Paul’s letters also, the gift of salvation is described in various ways.” One is tempted to consider whether they might be insinuating that these “various ways” are contradicting and hence their conflicting positions which they hold over centuries. The JDDJ itself fails to interpret the concepts “justification” and “righteousness” as well as “salvation” in the original ancient biblical languages. Instead, all it states is that these concepts are subjected to “diverse treatment” and “described in various ways.”

### **3.4.4 The doctrine of justification as ecumenical problem**

It is stated that “opposing interpretations and applications of the biblical message of justification were the principal” cause for the sixteenth century schism of the Western church and led to doctrinal condemnations as well. The only solution to this schism was a common understanding of the doctrine of justification. The parties claim in §13 that, “By appropriating insights of recent studies and drawing on modern investigations of the history of dogma, the post Vatican II ecumenical dialogue has led to a notable convergence concerning justification.” The parties also declare that “the corresponding doctrinal condemnations of the sixteenth century do not apply to today’s partner.” This means that all anathemas

concerning the doctrine of justification have been revoked! This is not true in South Africa. The divide remains as wide as it has been before 1999. Roman Catholics still refuse to celebrate the Eucharist with non-Roman Catholics. I have been present at funerals in the Roman Catholic churches where the priests invited Roman Catholics only to join in celebrating the Eucharist and exclude the non-Catholic family members of the deceased. The ecumenical problem is still very much alive even after two decades since the signing the JDDJ.

### **3.4.5 The common understanding of justification**

The Joint Declaration in this section states that as a result of the fact that the parties listening together to the Good News as proclaimed in the Holy Scriptures, as well as their numerous theological dialogues, they have arrived at a shared understanding of justification. This shared understanding includes a consensus on the basic truths and in areas where the parties differ in their explications, these differing explications are compatible with the basic truths (see §14).

The parties agree in §15 that “justification is the work of the Triune God. The Father sent His Son into the world to save sinners. The foundation and presupposition of justification is the incarnation, death, and resurrection of Christ ... Justification thus means that Christ Himself is our righteousness.”

The parties agree in §15 that “By grace alone in faith in Christ’s saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works.” It may be noted that the formulation “in faith” seems to suggest a compromise position given the emphasis on “through faith” in the Augsburg Confession.

They further agree in §16 that, “Through Christ alone we are justified when we receive this salvation in faith. Faith is itself God’s gift through the Holy Spirit who works through the Word and Sacrament in the community of believers and who, at the same time, leads believers into that renewal of life which God will bring into completion in eternal life ... because we are sinners, our new life is solely due to the forgiving and renewing mercy that God imparts as a gift and we receive in faith, and never can merit in any way.” Note again the formulation “we receive salvation in faith” instead of “we receive salvation through faith.”

As far as the centrality of the doctrine of justification is concerned, the parties resolved in §18 that “the doctrine of justification ... is more than just one part of the Christian doctrine. It stands in an essential relation to all truths of faith, which are to be seen as internally related to each other. It is an indispensable criterion that constantly serves to orient all the teaching and practice of our churches to Christ.” It is important to note that the language typically used by Lutherans in describing the centrality of the doctrine of justification has been significantly diluted. Phrases such as “if this article fall the Church fall ... it is the chief article ... not to be compromised and nothing to be given up of it even if heaven and earth ... be destroyed,” have been avoided. When the doctrine of justification “is an indispensable criterion” then it is not “the indispensable criterion” anymore but one criterion amongst many.

The above agreement is followed by what was referred to earlier as differing explications: “When Lutherans emphasize the unique significance of this criterion, they do not deny the inter relation and significance of all truths of faith. When Catholics see themselves as bound by several criteria, they do not deny the special function of the message of justification. Lutherans and Catholics share the goal of confessing Christ in all things, who alone is to be trusted in all things as the one Mediator.”

This common understanding on the doctrine of justification did not address the issues which are stated in Article 4 of both the Augsburg Confession and The Apology as well as Part 2, Article 1 of the Smalcald Articles and various articles in the Formula of Concord that is written in the Book of Concord and the thirty-three Canons on Justification of the Council of Trent. There was widespread opposition to the way the difference of importance which Roman Catholics and Lutherans attach to the doctrine of justification was dealt with, however, in the face of all the opposition the wording wasn't changed.

#### **3.4.6 Explicating the common understanding of justification**

This section consists of seven subsections and each of these subsections consists of three clauses. All the first clauses of these subsections begin with “We confess together,” which implies that the parties have reached consensus on that clause. This consensus is then followed up by an explication from each party in terms of the difference in their understanding of the clause on which they claim to have agreement. For example, the parties

agree that the justified person remains always under the threat of sin and must fight constantly against those tendencies which impel towards evil (almost verbatim).

As indicated before, I regard these seven subsections as the heart of the JDDJ and therefore they will be quoted in full for the following two reasons: 1) To evaluate it against the characteristics of the doctrine of justification as espoused in chapter two; and 2) To determine whether the understanding of the doctrine of justification of Nürnberger and Maimela diverge from the doctrine of justification as espoused in the JDDJ.

*(a) Human Powerlessness and Sin in Relation to Justification*

We confess together that all persons depend completely on the saving grace of God for their salvation. The freedom they possess in relation to salvation, for as sinners they stand under God's judgment and are incapable of turning by themselves to God to seek deliverance, of meriting their justification before God, or of attaining salvation by their own abilities. Justification takes place solely by God's grace (§19-39).

The above represent very clearly the Lutheran doctrine of "justification by grace alone" (sola gratia) save for the fact that the particle "alone" is replaced with "solely," which is strange because as can be seen in chapter 2 of this study, Augustine says that we are save by grace alone. It appears as if the avoidance of the particle "alone" is deliberate since the 'historical conflict' was to a great extent due to that. This agreement confirms the Lutheran belief that we cannot save ourselves, not even by our merits or abilities.

When Catholics say that persons "cooperate" in preparing for and accepting justification by consenting to God's justifying action, they see such personal consent as itself of grace not as an action arising from innate human abilities.<sup>10</sup>

Roman Catholics assert in the above clause that "cooperation" does not constitute work by the sinner but is regarded as grace. At least in my understanding, cooperation requires human effort and therefore it constitutes work.

According to Lutheran teaching, human beings are incapable of cooperating in their salvation because as sinners they actively oppose God and his saving action. Lutherans do not deny that a person can reject the working of grace. When they emphasize that a person can only receive (mere passive) justification, they mean thereby to exclude any possibility of contributing to one's own justification, but

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<sup>10</sup> §20 of the JDDJ



do not deny that believers are fully involved personally in their faith which is effected by God's Word.<sup>11</sup>

The Lutheran position is clearly in direct opposition to that of the Catholic position when JDDJ declares that "human beings are incapable of cooperating in their salvation ... exclude any possibility of contributing to one's own justification." This represents an exclusion of human work from the economy of salvation. The Lutheran doctrine of justification is monergistic whilst the Catholic doctrine on justification is synergistic.<sup>12</sup>

*(b) Justification as Forgiveness of Sin and Making Righteous*

We confess together that God forgives sin by grace and at the same time frees human beings from sin's enslaving power and imparts the gift of new life in Christ. When persons come by faith to share in Christ, God no longer imputes to them their sin and through the Holy Spirit effects in them an active love. These two aspects of God's gracious action are not to be separated, for persons are by faith united with Christ, who in His person is our righteousness (1 Cor 1:30): both the forgiveness of sin and the saving presence of God himself.<sup>13</sup>

"Making Righteous" forms part the title of this subsection. According to Chapter 2 of this thesis, Lutheran doctrine does not subscribe to the notion of "making righteous" but instead embrace the notion of "declaring righteous." § 22 It is also noteworthy that the parties jointly confess "When persons come to faith to share in Christ, God no longer imputes to them their sin and through the Holy Spirit effects in them active love" but the document are silent about the Lutheran belief that the "righteousness of God is imputed to us when we come by faith to share in Christ."

When Lutherans emphasize that the righteousness of Christ is our righteousness, their intention is above all to insist that the sinner is granted righteousness before God in Christ through the declaration of forgiveness and that only in union with Christ is one's life renewed. When they stress that God's grace is forgiving love ("the favour of God"), they do not thereby deny the renewal of the Christian's life. They intent rather to express that justification remain free from human cooperation and is not dependent on the life-renewing effects of grace in human beings.<sup>14</sup>

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<sup>11</sup> §21 of the JDDJ

<sup>12</sup> The Leaven of Synergism. Arthur C. Custance; <https://www.monergism.com> (accessed 1<sup>st</sup> August 2019).

<sup>13</sup> §22 of the JDDJ

<sup>14</sup> §23 of the JDDJ

In the clause above the LWF confirm their historical doctrinal position that “we are declared righteous” and that “our righteousness is an alien righteousness which come from Christ: and that “regeneration is only as a result of our union with Christ.” They further make it clear that “life-renewing is not a prerequisite for justification, nor does it require any human cooperation.”

When Catholics emphasize the renewal of the interior person through the reception of grace imparted as a gift to the believer, they wish to insist that God’s forgiving grace always brings with it a gift of new life, which in the Holy Spirit becomes effective in active love. They do not thereby deny that God’s gift of grace in justification remains independent of human cooperation.<sup>15</sup>

The Roman Catholic position is that they do not deny that “justification remains independent of human cooperation,” however, in the previous subsection they argued that a “person cooperates in preparing for and accepting justification.” Historically Roman Catholics held that cooperation was essential in receiving justification. The statement “grace imparted” is different to the notion of “grace imputed” that is referred to in the Book of Concord.

*(c) Justification by Faith and through Grace*

We confess together that sinners are justified by faith in the saving action of God in Christ. By the action of the Holy Spirit in baptism, they are granted the gift of salvation, which lays the basis for the whole Christian life. They place their trust in God’s gracious promise by justifying faith, which includes hope in God and love for him. Such a faith is active in love and thus the Christian cannot and should not remain without works. But whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it.<sup>16</sup>

This is once again a confirmation of the Lutheran doctrine of justification by faith except for the fact that the particle “alone” is omitted. One would have expected that given the importance of this particle; the Lutheran delegation would have insisted on its inclusion before agreeing to a clause that excludes it. Lutherans have traditionally confessed that good works is a natural consequence of faith.

According to the Lutheran understanding, God justifies sinners in faith alone (*sola fide*). In faith they place their trust wholly in their Creator and Redeemer and thus live-in communion with him. God himself effects faith as he brings forth such trust by his creative work. Because God’s act is a new creation, it effects all dimensions of the person and leads to a life in hope and love. In the doctrine of “justification

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<sup>15</sup> §24 of the JDDJ

<sup>16</sup> §25 of the JDDJ

by faith alone” a distinction but not a separation is made between justification itself and the renewal of one’s way of the life that necessarily follows from justification and without which faith does not exist. Thereby the basis is indicated from which the renewal of life proceeds, for it comes forth from the love of God imparted to the person in justification. Justification and renewal are joined in Christ, who is present in faith.<sup>17</sup>

In this clause Lutherans makes it blatantly clear that God justifies sinners in faith alone (sola fide), which then raises the question why not the same blatancy in the joint confession clauses. However, the phrase “in faith” is again used.

The Catholics understanding also sees faith as fundamental in justification. For without faith, no justification can take place. Persons are justified through baptism as hearers of the Word and believers in it. The justification of sinners is forgiveness of sins and being made righteousness by justifying grace, which makes us children of God. In justification the righteous receive from Christ faith, hope, and love and are thereby taken into communion with him. This new personal relation to God is grounded totally on God’s graciousness and remains constantly dependent on the salvific and creative working of this gracious God, who remains true to himself, so that one can rely upon him. Thus, justifying grace never becomes a human possession to which one could appeal over against God. While Catholic teaching emphasizes the renewal of life by justifying grace, this renewal in faith, hope, and love is always dependent on God’s unfathomable grace and contributes nothing to justification about which one could boast before God.<sup>18</sup>

The Catholic position describes “faith as fundamental to justification” which is fundamentally different than “justification by faith alone.” Even though it follows this statement with “For without faith, no justification can take place”, it still leaves room for faith plus works and or merits., yet once again they state, “and contributes nothing to justification about which one could boast before God,” This is indeed a confirmation of their earlier explication in clause two, however, this makes the contradiction of explication 1 in which they argue for cooperation to receive justification, much more emphatic. It very much makes it sound as if faith is one of the contributors to justification. For Catholics, faith is a necessity but insufficient for salvation, and furthermore, the righteousness of Christ is necessary but insufficient for justification.

#### *(d) The Justified as Sinner*

We confess together that in baptism the Holy Spirit unites one with Christ, justifies, and truly renews the person. But the justified must all through life

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<sup>17</sup> §26 of the JDDJ

<sup>18</sup> §27 of the JDDJ

constantly look to God's unconditional justifying grace. They are also continuously exposed to the power of sin still pressing its attacks and are not exempt from a lifelong struggle against the contradiction to God within the selfish desires of the old Adam. The justified also must ask God daily for forgiveness as in the Lord's Prayer, are ever again called to conversion and penance and are ever again granted forgiveness.<sup>19</sup>

It is clear that the parties could not reach an agreement on the Lutheran doctrine of "simul iustus et peccator" hence no reference is made to it, even though the heading of this explication has been titled "The Justified as Sinner." The rest of the clause clearly speaks of the justified who are exposed to sin and who must "ask daily for forgiveness" and who "are ever again called to conversion and penance."

Lutherans understand this condition of the Christian as a being "at the same time righteous and sinner." Believers are totally righteous in that God forgives their sins through Word and Sacrament and grants the righteousness of Christ which they appropriate in faith. In Christ they are made just before God. Looking at themselves through the Law, however, they recognize that they remain also totally sinners. Sin still lives in them, for they repeatedly turn to false gods and do not love God with that undivided love which God require as their creator. This contradiction to God is as such truly sin. Nevertheless, the enslaving power of sin is broken on the basis of the merit of Christ. It no longer is a sin that "rules" the Christian for itself "ruled" by Christ with whom the justified are bound in faith. In this life, then, Christians can in part live a just life. Despite sin, the Christian is no longer separated from God because in the daily return to baptism the person who has been born anew by baptism and the Holy Spirit has this sin forgiven. Thus, this sin no longer brings damnation and eternal death. Thus, when Lutherans say that justified persons are also sinners and that their opposition to God is truly sin, they do not deny that, despite this sin, they are not separated from God and that this sin is a "ruled" sin. In these affirmations, they agree with the Roman Catholics, despite the difference in understanding sin in the justified.<sup>20</sup>

Whilst the Lutheran position is clear that the condition of a Christian as a being "at the same time righteous and sinner," one cannot help to wonder what the reason was for not using the term "simul iustus et peccator," especially given the fact that the sinner in that condition is described in so much detail and exactly in accordance with the Lutheran doctrine of "simul iustus et peccator."

Catholics hold that the grace of Jesus Christ imparted in baptism takes away all that is sin "in the proper sense" and that is "worthy of damnation." There does, however, remain in the person an inclination (concupiscence) that comes from sin

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<sup>19</sup> §28 of the JDDJ

<sup>20</sup> §29 of the JDDJ



and presses toward sin. Since, according to Catholic conviction human sins always involve a personal element and since this element is lacking in this inclination, Catholics do not see this inclination as sin in an authentic sense. They do not thereby deny that this inclination does not correspond to God's original design for humanity and that it is objectively in contradiction to God and remain one's enemy in lifelong struggle. Grateful for deliverance by Christ, they underscore that this inclination in contradiction to God does not merit the punishment of eternal death and does not separate the justified person from God. But when individuals voluntarily separate themselves from God, it is not enough to return to observing the commandments, for they must receive pardon and peace in the Sacrament of Reconciliation through the word of forgiveness imparted to them in virtue of God's reconciling work in Christ.<sup>21</sup>

The concept of "concupiscence" will be dealt with below again in the discussion on the Annex in §2B. Catholics do not regard concupiscence as sin but merely as an inclination which comes from sin and pressing towards sin, whilst Luther is very adamant that concupiscence is indeed sin. The Council of Trent decreed: "This concupiscence, which the Apostle sometimes calls sin, the holy council declares the Catholic Church has never understood to be called sin in the sense that it is truly and properly sin in those born again, but in the sense that it is of sin and inclines to sin."<sup>22</sup> In *The Council of Trent: Catechism for Parish Priests*,<sup>23</sup> concupiscence is defined as "the fuel of sin" and not sin itself. It is also strange that the Roman Catholics do not refer to original sin. No discussion about concupiscence can ever be complete without discussing original sin. One may speculate that due to the divergent views of original sin this topic was avoided in the JDDJ.

*(e) Law and Gospel*

We confess together that persons are justified by faith in the gospel "apart from works prescribed by the law." Christ has fulfilled the law and by his death and resurrection has overcome it as a way to salvation. We also confess that God's commandments retain their validity for the justified and that Christ has by his teaching and example expressed God's will, which is a standard for the conduct of the justified also.<sup>24</sup>

The first sentence above is a true reflection of Lutheran doctrine. Luther (1976:41) states "This righteousness, however, is not that according to which God Himself is righteous as God, but

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<sup>21</sup> §30 of the JDDJ

<sup>22</sup> See "The Council of Trent: On Original Sin." First Decree.

<sup>23</sup> The Council of Trent: Catechism for Parish Priest. Part II. On the Sacrament of Baptism' 1833:163.

<sup>24</sup> §31 of the JDDJ

that by which we are justified by Him through faith in the Gospel.” Paul says in Galatians 2:15 “man is not justified by observing the law but by faith in Jesus Christ.” In his discussion of Galatians 2:19 “For through the law I died to the law, so that I might live for God,” Luther said “we cannot live unto God unless we be dead to the law ... the law is dead when I am dead unto it ... I am dead to the law; I have nothing more to do with it ... to live to the law, is to die to God: and to die to the law, is to live to God” (see Luther 1979: 83-85). It is clear from the above that the law has no role to play in the life of those who have been justified. The law has become defunct, redundant – it serves no further purpose. Luther (1979:79) says: “Behold how I have destroyed the law, by the preaching of the gospel, that the law should no longer reign in the conscience. For when the new guest Jesus Christ cometh into the new house, there to dwell alone, then Moses the old inhabiter, must give place to Him, and depart somewhere else.” Lastly, Luther (1979:84) adds: “But a godly man is dead unto the law, like he is dead unto sin, the devil, death and hell; which notwithstanding do still remain; and the world with all the wicked shall still abide in them.”

Lutherans state that the distinction and the right ordering of law and gospel are essential for the understanding of justification. In its theological use, the law is demand and accusation. Throughout their lives, all persons, Christians also, in that they are sinners, stands under this accusation which uncovers their sin so that, in faith in the gospel, they will turn unreservedly to the mercy of God in Christ which alone justifies them.<sup>25</sup>

Luther (1979:62), discussed the importance of the distinction between Law and Gospel. Here he referred to how Peter confounded the Law and Gospel and was reproved by Paul to establish a plain distinction “namely, the Gospel justify in heaven and the Law on earth.” Luther continues saying that “The pope hath not only mixed the law with the gospel, but also of the gospel has made mere laws, yea, and such as are ceremonial only. He has also mixed and confounded matters ecclesiastical and political together, which is a devilish and hellish confusion.” This is further emphasized by Luther “Therefore we do not mingle law and grace, faith and works together; but we separated them far asunder” (1979:80). Once again it is demonstrated that for Lutherans a distinction and right ordering of Law and Gospel is paramount.

Because the law as a way to salvation has been fulfilled and overcome through the gospel, Catholics can say that Christ is not a lawgiver in the manner of Moses.

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<sup>25</sup> §32 of the JDDJ

When Catholics emphasize that the righteous are bound to observe God's commandments, they do not thereby deny that through Jesus Christ God has mercifully promised to his children the grace of eternal life.<sup>26</sup>

Luther (1979:107) ask the following question: "Tell me, ye that would be justified by the law, received ye the Spirit of God by hearing the law, or by the gospel of faith preached?" Luther is very clear that observance of the law is not the determining factor of the promise of eternal life. Luther (1979:111) is emphatic that "those which heard the word of faith were accepted as righteous before God: for else the Holy Ghost would not have come upon them." Luther also says that you receive the promise of the Holy Spirit as soon as you heard the gospel and believe it, even before you have done any good work (see Luther 1979:110).

*(f) Assurance of Salvation*

We confess together that the faithful can rely on the mercy and promises of God. In spite of their own weakness and the manifold threats to their faith, on the strength of Christ's death and resurrection they can build on the effective promise of God's grace in Word and Sacrament and so be sure of this grace.<sup>27</sup>

The above is confirmation of the Lutheran teaching and is also what Luther is saying: "Therefore, when the law accuseth him and sin terrifieth him, he looketh up to Christ, and when he has apprehended Him by faith, he has present with him the conqueror of the law, sin, death, and the devil: and Christ reigneth and ruleth over them, so they cannot hurt the Christian" (Luther 1979:72).

This was emphasized in a particular way by the Reformers: in the midst of temptation, believers should not look to themselves but look solely to Christ and trust only him. In trust in God's promise, they are assured of their salvation, but never secure looking at themselves.<sup>28</sup>

Once again, the above is a confirmation of standing Lutheran doctrine. Luther says, "for though I do all these things which are good, yet am I not thereby justified, neither do I obtain salvation, but through faith only in Christ" (Luther 1979:80). Lutherans teach that the basis of our justification lies in the merit of Christ alone. No merit or worthiness on our part is required as a prerequisite for the imputation of justification (see Schmid 1889:425).

Catholics can share the concern of the Reformers to ground faith in the objective reality of Christ's promise, to look away from one's own experience, and to trust

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<sup>26</sup> §33 of the JDDJ

<sup>27</sup> §34 of the JDDJ

<sup>28</sup> §35 of the JDDJ

in Christ's forgiving word alone. With the Second Vatican Council, Catholics state: to have faith is to entrust one totally to God, who liberates us from the darkness of sin and death and awakens us to eternal life. In this sense one cannot believe in God and at the same time consider the divine promise untrustworthy. No one may doubt God's mercy and Christ's merit. Every person, however, may be concerned about his salvation when he looks upon his own weaknesses and shortcomings. Recognizing his own failures, however, the believer may yet be certain that God intends his salvation.<sup>29</sup>

The clause begins with an ambiguous statement that Catholic "can" share the concern of the Reformers. Do they share it or do they not? What is of concern is the lack of assurance displayed in this Catholic explication whilst the Word of God is littered with assurances that those who believe in Christ will have eternal life; those who believe in me shall live even if they have died; and again, those who believe in me will not be part of the judgement, and last, for God so love the world that he gave His only Begotten Son, that who so ever believes in Him shall not perish but has everlasting life. What more assurances does the Roman Catholics want?

*(g) The Good Works of the Justified*

We confess together that good works—a Christian life lived in faith, hope and love—follow justification and are its fruits. When the justified live in Christ and act in the grace they receive, they bring forth, in biblical terms, good fruit. Since Christians struggle against sin their entire lives, this consequence of justification is also for them an obligation they must fulfil. Thus, both Jesus and the apostolic Scriptures admonish Christians to bring forth the works of love.<sup>30</sup>

Lutherans always taught that good works are a consequence of justification and that when people are regenerated by the Holy Spirit, they must do good works. This word "obligation" also found its way into The Formula of Concord (Epitome 1V). Lutherans teach that justification is an event and sanctification is a process whilst Catholicism tends to integrate which implies that good works does not follow justification but that it leads to justification.

According to Catholic understanding, good works made possible by grace and the working of the Holy Spirit, contribute to growth in grace, so that the righteousness that comes from God is preserved and communion with Christ is deepened. When Catholics confirm the meritorious character of good works, they wish to say that, according to the biblical witness, a reward in heaven is promised to these works. Their intention is to emphasize the responsibility of persons for their actions, not

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<sup>29</sup> §36 of the JDDJ

<sup>30</sup> §37 of the JDDJ



to contest the character of those works as gifts, or far less to deny that justification always remains the unmerited gift of grace.<sup>31</sup>

In this clause, the Roman Catholic position reverts to classic formulations and to some extent negate the joint confession in §37. It is also unclear whether they are saying that reward in heaven is only after they have entered heaven or that heaven is the reward for good works. They however do say that justification always remains the unmerited gift of grace. One of the gaps in the JDDJ is its failure to unpack the concept “merit” and “meritorious.”

The concept of a preservation of grace and a growth in grace and faith is also held by Lutherans. They do emphasize that righteousness as acceptance by God and sharing in the righteousness of Christ is always complete. At the same time, they state that there can be growth in its effects in Christian living. When they view the good works of Christians as the fruits and signs of justification and not as one’s own “merits,” they also nevertheless understand eternal life in accord with the New Testament as unmerited “reward” in the sense of the fulfilment of God’s promise to the believer.<sup>32</sup>

#### *(h) The Significance and Scope of the Consensus Reached*

It is claimed here in section 5 of the JDDJ that some consensus regarding the doctrine of justification exist between the parties; that the remaining differences of language, theological elaboration, and emphasis in the understanding of justification are acceptable; that the parties in their explications of justification are in their differences open to one another and do not destroy the consensus regarding the basic truths (near verbatim).

The parties also agreed that the sixteenth century condemnations as far as they relate to the doctrine of justification as taught by the parties in this declaration, is no more applicable. Notwithstanding the above, the condemnations are still being seen in a serious light because “some of them were not simply pointless.”<sup>33</sup> The parties continue to regard them as “salutary warnings to which we must attend in our teaching and practice.”<sup>34</sup> The parties desire that the consensus in the basic truths of the doctrine of justification must influence the life and teachings of their respective churches. However, this is not very clear because on the one hand we read that “the sixteen century condemnations ... is no more applicable,” whilst on

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<sup>31</sup> §38 of the JDDJ

<sup>32</sup> §39 of the JDDJ

<sup>33</sup> *ibid*

<sup>34</sup> §42 of the JDDJ

the other hand we learn that “the condemnations are still being seen in a serious light,” which is contradictory. In L’Osservatore it was stated “This is not a repudiation of the condemnations pronounced in the past. Rather, the condemnations appear now in a new light, since new perspectives have been attained and developments have occurred which permit us to reach these conclusions.”<sup>35</sup> If the condemnations appear now in a new light but yet it has not been repudiated, then the condemnations still stand.

### **3.4.7 Official Common Statement (OCS)**

As indicated earlier, the OCS was produced as a rescue plan when the JDDJ was in jeopardy. The Official Common Statement consist of three paragraphs. Paragraph 1 is merely a repetition of §40 and §41 of the JDDJ, that deals with the “The Significance and Scope of the Consensus Reached.” No new compromises or agreements was reached in paragraph 1 and in my opinion adds no value to the debate.

Paragraph 2 refers to a resolution of the LWF on 16<sup>th</sup> June 1998 which approved the final draft of the JDDJ. Paragraph 2 also refers to the Roman Catholic response (including their objections) on 25<sup>th</sup> June 1998 to the very same draft which was endorsed by the Lutherans. In their response they made it clear that even though the Lutherans stated that the 16<sup>th</sup> century condemnations do not apply any longer to Roman Catholic teachings, they question the consensus reached as well as the strength of LWF mandate to reach such an agreement on behalf of its member churches. An Annex was attached to help shed light on matters that appeared to be unclear.

Again, in paragraph 3 of the OCS, nothing new is added or agreed to. However, the partners make the following commitments: to continue and “deepen study of the biblical foundations of the doctrine of justification; they will also seek further common understanding of the doctrine of justification.” They commit to seek further common understanding beyond what is dealt with in the JDDJ and the Annex. They further commit to dialogue on issues such as the Word of God; church doctrine; ecclesiology; ecclesial authority; church unity; ministry; the sacraments; and the relation between justification and social ethics. The above represent

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<sup>35</sup> L’Osservatore Romano: Daily Newspaper of Vatican City State (26/01/2000), 3.

merely commitments. As indicated earlier, no new agreements nor any new compromises were made.

### **3.4.8 Annex to the official common statement**

The Annex to the Official Common Statement consists of four paragraphs and paragraph 2 of the Annex have five sub-paragraphs. Paragraph 1 introduces the Annex as elucidations which “underline the consensus reached in the JDDJ regarding basic truths of justification.” Paragraph 1 also declares that the condemnations of the 16<sup>th</sup> Century “do not apply to the Catholic and Lutheran doctrines of justification as they are presented in the JDDJ.” But these condemnations still very much apply because the last sentence of para 1 of JDDJ states: “These statements are still valid and thus have a church-dividing effect.”

Paragraph 2 is introduced with a verbatim quote from JDDJ, §15 which states that the parties confess: “By grace alone, in faith in Christ’s saving work and not because of any merit on our part, we are accepted by God and received the Holy Spirit, who renews our hearts while equipping and calling us to good works.” This statement, whilst stating “by grace alone” falls short of going all the way to say: “through faith alone and Christ alone.” It can however be argued that it is implied in “not because of any merit on our parts.” Furthermore, it is important to note that Lutherans have always- according to the Formula of Concord- confessed that good works are a consequence of faith. Therefore, the latter part of the statement as it stands, does not contradict the Lutheran doctrine on justification.

In sub-paragraph A, the phrases “being made righteous” and “God imparts” are being used. According to the Book of Concord, Lutherans believed that we are “being declared righteous” and not “made righteous.” Furthermore, Lutherans believe that “God imputes” and not “imparts” (see chapter 2). This sub-paragraph concludes with the statement: “Lutherans and Catholics can together understand the Christian as “simul iustus et peccator,” despite their different approaches to this subject as expressed in JDDJ §29-30.” According to the JDDJ the Lutherans declare in JDDJ §29 that “they are in agreement with Roman Catholics, despite the difference in understanding sin in the justified.”

Sub-paragraph B attempts to clarify the difference in the Lutheran and Catholic understanding of the notion “concupiscence.” According to sub-paragraph B, the Lutherans understand “concupiscence” as the “self-seeking desire of the human being, which in the light of the Law,

spiritually understood, is regarded as sin;” and as far as the Catholics are concerned, “concupiscence” is an inclination, remaining in human beings even after baptism, which comes from sin and presses towards sin. This sub-paragraph is a reaffirmation of JDDJ §29 and 30. Clearly the above demonstrate that the old accentual differences between the Roman Catholic and Lutheran doctrine of concupiscence have become less important. The Council of Trent states that by the grace of baptism the guilt of original sin is completely remitted and does not merely cease to be imputed to us. The Council further declared that concupiscence is not sin but merely an incentive to sin (see Council of Trent, “Concerning Original Sin”), whilst Luther is adamant that it is indeed sin. It is clear that there is a convergence as far as original sin, the role of baptism and the definition of concupiscence is concerned. Both parties have always agreed about the evil desires of human being ( almost verbatim).

Sub-paragraph C starts of, by referring to JDDJ §15, 16 and 25. It must be noted that JD §15 refers to “grace alone” and JDDJ §16 refer to “Christ alone” and not to “faith alone.” What JDDJ §25 does say is that we are “justified by faith.” It must be noted that the particle “alone” has been omitted in the above-mentioned phrase. However, progress has been made because together they now say: “justified by faith;” “grace alone;” and “Christ alone.” The sub-paragraph proceeds to the role of human effort. It is argued here that “The workings of God’s grace do not exclude human action.”

The Formula of Concord (Epitome 1V) clearly states: “This is our believe, doctrine, and confession ... That good works is to be entirely excluded, not, only when justice by faith is the subject, but even when our eternal salvation is discussed (3), all men indeed, when they are regenerated and renewed by the Holy Spirit, are under obligation to do good works.” Grace cannot be grace anymore when it requires human effort! Here we are confronted with a total exclusion of human work from the economy of salvation.

Sub-paragraph D deals with the free gift of faith as well as good works as the way of practicing the faith. There was never a doubt in the mind of the Lutherans that “whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it.” Nor was there ever any doubt that “it is clear that works does not produce salvation.”

Sub-paragraph E continues to address the issue of good works which has been addressed in the preceding sub-paragraphs.



Paragraph 3 speaks to the centrality of the doctrine of justification. The Annex continues to refer to the doctrine of justification as “an indispensable criterion” instead of “the indispensable criterion.”

Paragraph 4 deals with the status of the parties, and in particular that of the LWF because of the fact that the Roman Catholics in their Official Response questioned the legitimacy of the mandate of the LWF. From a Roman Catholic perspective, it is here confirmed that the LWF is regarded as an equal partner in the dialogues irrespective of the fact that the structures of the respective churches differ fundamentally.

### **3.5 Reception of the joint declaration**

#### **3.5.1 Introduction**

Richard Nyberg (1998:1) said that “Germany’s debate over the JDDJ has been characterized by cautious elation, serious reservation, partial rejection, and a great deal of confusion about what the document will mean at a practical level.” When the JDDJ was eventually signed, it was received with total condemnation on the one hand and acclamations on the other hand, amongst Roman Catholics as well as Lutherans, whilst it has been branded “a moment of grace” by Pope John Paul II, (see Taylor 2004:106). Cardinal Cassidy was quoted as having said: “without doubt an outstanding achievement of the ecumenical movement and a milestone on the way to the restoration of full, visible unity among the disciples of our Lord and Saviour.”<sup>36</sup> McCain (2010) refers to it as “a betrayal of the gospel, ambiguous and equivocating and fundamentally dishonest”,<sup>37</sup> and Bennet (nd) refers to it as “A denial of the Gospel and the Righteousness of Christ.”<sup>38</sup> Both Roman Catholics and Lutherans have amongst them those who endorse the JDDJ and those who oppose it.

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<sup>36</sup> At a press conference in Rome on June 25, 1998, Origins id., 128

<sup>37</sup> Paul T McClain A Betrayal of the gospel: The Joint Declaration on The Doctrine of Justification 3.12.2010; [www://firstthings.com](http://www://firstthings.com) (accessed 29/11/2016).

<sup>38</sup> The Roman Catholic-Lutheran “Joint Declaration on the Doctrine of Justification”: A Denial of the Gospel and the Righteousness of Christ: <http://come.to/theboreanbeacon>

### 3.5.2 Endorsing the joint declaration

According to Taylor (2004:107), “On the Protestant side there have been many who have welcomed it with acclamation. And on the Roman Catholic side, the head of the Pontifical Council for Promoting Christian Unity has said that the document represents a great step forward for the whole ecumenical movement, and that it inaugurates a new, quantitatively different phase in the dialogue between the Roman Catholic and Lutheran churches.” Taylor (see 2004:108/9) adds that not only was consensus reached on “the centrality of justification to Christian life and doctrine but also to its nature”. He based this claim on §15 of the JDDJ “By grace alone, in faith in Christ’s saving work and not because and not because of any merit on our part, we are accepted by God and received the Holy Spirit, who renews our hearts while equipping and calling us to good works.”<sup>39</sup>

Prominent American theologians such as Robert Jenson, Bruce Marshall and David Yeago as well as Wolfhart Pannenberg have endorsed the JDDJ (see Taylor 2004:107/8).

Lane (2002:226) in his book *Justification by Faith in Catholic-Protestant Dialogue: An Evangelical Assessment* wrote:

In my view the consensus that has been achieved has come about mainly through the Roman Catholics being willing to move beyond the positions of the sixteenth century. The price paid on the Protestant side has consisted mainly in the willingness to be more tolerant of a range of views and to accept an element of ambiguity. The dialogue documents have not required Protestants to go back on any of their traditional doctrines.

According to Lane he can thank God for this decisive step forward on the way to overcoming the division of the Church. However, just like Cassidy, Lane clearly states that the JDDJ did not fully overcome the Reformation divide. In fact, he said that there is still a considerable distance that needs to be covered inter alia Mariology and the authority of the pope (see Lane 2002: 109-110).

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<sup>39</sup> Presentation to the Vatican Sala Stampa of His Eminence Edward Idris Cardinal Cassidy President of the Pontifical Council for Promoting Christian Unity, [www.vatican.va/roman\\_cura/pontifical\\_councils/christuni/documents/rc](http://www.vatican.va/roman_cura/pontifical_councils/christuni/documents/rc) (accessed 1/12/2020).

### 3.5.3 Objections to the Joint Declaration

As indicated earlier, the draft JDDJ was met with severe criticism and objection. The signed JDDJ did not have it any easier, except for the fact that it was later fully endorsed by the Roman Catholic Church after the draft has been rejected earlier.

Eberhard Jüngel was one of the Lutheran theologians who protested against the content of the JDDJ, but he declined to sign the petition even though it reflected his own views, because, according to the preface to the 3<sup>rd</sup> edition of his book *Justification*, “some of the statements appeared to me to be expressions of confessional sterility. Nor was there the mere possibility of the Vatican reacting with similar confessional sterility- if not with “great might” than at least with deep guile- for me anything like sufficient reason to strike up a chorus of “Luther, Luther uber alles.” He was also the author of “For God’s Sake-Clarity!” which is extremely critical of the JDDJ.

Jüngel is extremely critical of the JDDJ, he believes that vital reformation principles were surrendered; that the JDDJ ignored and abandoned the genuine concerns of the Protestants. According to Jüngel (1998: xxxiv),

... there were no sound theological foundations laid here “on the way to overcoming the division of the Church.” For her decisive insights of the reformation were either obscured or surrendered ... But these are pronouncements which almost without exception move in the area and on the level of the Decree Concerning Justification which the Roman Catholic Church has adopted at the Council of Trent in 1547 on the basis of, and more particularly against, the Reformers’ doctrine of justification.

He is extremely unhappy with the ambiguity that surrounds the criteriological significance of the doctrine of justification because it leaves other contentious matters vulnerable to similar ambiguous treatment. He experiences the conduct of the Roman Catholics tantamount to dialogue in bad faith, due to “a papal announcement of a Jubilee indulgence for the year 2000 and continued refusal to have fellowship at the eucharistic table” (Jüngel 1998: xxvii-xxviii).

Furthermore, Jüngel is of the view that the formula “simul iustus et peccator,” which is still unacceptable to the Roman Catholic Church, must be retained because it is a true reflection of the daily life of a Christian, and it is also articulated as such in the Holy Scripture (see Jüngel

1998:215). Luther (1533)<sup>40</sup> explains it as follows: “I am a sinner in and by myself apart from Christ. Apart from myself and in Christ I am a sinner” (see Jüngel 1998:220).

Jüngel again quotes Luther where he once again in a very simplistic manner describe “simul iustus et peccator”: “We are not now what we shall be, but we are on the way. The process is not yet finished, but it is actively going on. This is not the goal, but it is the right road. At present, everything does not gleam and sparkle, but everything is being cleansed” (Jüngel 1998:221).

Finally, Jüngel (1998) takes issue with the fact that the particle “alone” has been left out of the formula “justification by faith alone”. According to Jüngel, the defenders of the JDDJ argue that the particle does not appear in Article 4 of the Augsburg Confession, but they ignore the fact that it appears in Article 6 as well as Article 20 which states that our reconciliation with God “happens only through faith alone” (see Jüngel 1998:236).

The JDDJ received criticism for Reformed theologians such as Gerald Bray, an Anglican Professor of Divinity and Paul D. Gardner, Vicar of Hartford, Cheshire and Chairman of the Church of England Evangelical Council, who did a critical evaluation of the JDDJ (see Bray and Gardner 2001). By way of introduction they state that “It is also vital that any document seeking to express unity ... must be as unambiguous as possible and thoroughly clear on the meaning of words that are used, specially where those words have been the subject of debate and division in earlier generations. We shall see that in this area and other that the ambiguity of the document leaves us with serious questions about the type of consensus that has really been achieved” (Bray and Gardner 2001:111).

Bray and Gardiner continue to comment on each section of the JDDJ as follows: On the section, “The Biblical Message of Justification,” they are of the view that “there is a real failure to place the many quoted Scriptures in their biblical context” (Bray and Gardner 2001:114). They very critically refer to the quoted Bible verses as a stirring recital of Bible verse, but hardly a description of what justification is (Bray and Gardner 2001:115).

Bray and Gardner (2001:116) argue that there is a total disjuncture between the “catena of quotes in the first section” and third section which deals with the “Common Understanding

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<sup>40</sup> Luther (1533) Private Mass and Consecration of Priests LW 38:139-214



of Justification” and fourth section which deals with the “Explications of the Common Understanding.” The latter two sections have relatively few biblical quotes.

They were of the opinion that:

there is no sign that the dialogue partners have engaged in anyway with the debates raging among New Testament scholars even today about the meaning of terms like “justification” and “righteousness of God” as these are used by the apostle Paul, particularly in Galatians and Romans ...The lack of precise definition or even precise analysis of previous definitions of terms leads to a superficiality throughout these section” (Bray and Gardiner 2001:116).

Bray and Gardner noted that whilst both Lutherans and Roman Catholics are saying “we are justified by grace through faith” their understanding of the word “grace” differs fundamentally. Catholics does not see co-operation “as the work of man, independent of divine grace, but rather as a way in which God normally operates ...The Protestant view, on the other hand, is that grace subdues nature and replace it” (Bray and Gardiner 2001:118).

Another aspect that Bray and Gardner (2001:119) take issue with, is the “clever” use of the terms “impart” and “impute” in the JDDJ in such a way that it obscure, rather than clarify. This is how they provide clarity regarding these two concepts:

God does not impute sin to sinners, because he doesn’t have to. They are sinful! The only time that God imputes sin to anyone is to Christ on the cross. As Paul says in 2 Cor 5:21 “For our sake he made him to be sin who knew no sin” (RSV). Rather, it is righteousness, not sin, which is imputed to sinners, because otherwise we have no righteousness (2001:119).

On the other hand, to say that God “imparts” new life to believers may suggest that his righteousness is somehow infused into them, so that they become progressively less sinful. It does not have to mean this, of course, and presumably most Protestant readers will simply gloss the word “imparts” as “gives,” ignoring its technical theological meaning. But Catholics, with their understanding of grace, will read differently. They will assume that this “new life” is a renewal of our nature brought about by the saving work of God’s grace, not by a completely fresh start.

Furthermore, Bray and Gardner criticize the JDDJ of making no attempt to articulate the Lutheran view “that the formal cause of justification is the application by God of an intrinsic righteousness to an altogether sinful human being. Neither is there any attempt to articulate a clear biblical doctrine of sin” (2001:120).

Subsection four deal with “The Life of a Sinner,” or “simul iustus et peccator” in Lutheran theology, a concept which Bray and Gardner support. It is here that the Roman Catholics make

a distinction between authentic sin and inauthentic sin, a distinction that Bray and Gardner finds bizarre (see 2001:122, 123).

Subsection five seems not to be so contentious for Bray and Gardner, in fact they are more comfortable with the Catholic position and in agreement with their statement that "the righteous are bound to observe God's commandments" and they also agree that this does not mean that they deny "that through Jesus God has mercifully promised to His children the grace of eternal life" (see 2001:123).

Subsection six deals with "Assurance of Salvation." According to Bray and Gardner (2001:124), the Catholics should be applauded in their attempt to meet the Lutherans more than halfway.

The last subsection deals with "The Good Works of the Justified." Anglicans do not see good works as an obligation imposed on Christians but as the natural fruit of justification and that these works can never be meritorious (Bray and Gardner 2001:126).

In their concluding remarks, Bray and Gardner (see 2001:126) focus on the claim in §41 of the JDDJ that the condemnations of the sixteenth century no longer apply as far as the doctrine of justification is concerned. Their problem with this claim is that in the very next clause in the JDDJ as well as the preamble it is made clear that these historic differences are taken in a serious light. According to them the JDDJ is "vague and ambiguous."

Botman<sup>41</sup>, another Reformed theologian, cited by Conradie (2018:17-18), was just as critical. He had a problem with the perceived relationship between justification and Justice in the JDDJ. He said that "It is a scandal to people who are dying daily of poverty, violence and oppression when we postpone discussion on the relationship between justification and justice, treating the latter as merely a matter of ethical application." Botman further said that "To affirm a doctrinal statement that relinquishes the doctrinal connection between justification and justice would be a betrayal of everything that Christianity has learned about justification after Auschwitz and apartheid." Botman suggests that in the above that the weakness of the JDDJ is exposed. Conradie (2018) argues that Botman is raising something fundamental. Justification is about faith, because it questions in which God the faith is placed,

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<sup>41</sup> The late Prof R Botman has been part of the Reformed delegation during the consultation between the RCC, LWF and WCRC on their association with the JDDJ. Conradie is quoting Botman from his article "Should the Reformed join in" in *Reformed World* 55:1 (2002) 12-17.

as well as the character of this God. Conradie (2018) further states that in the Christian doctrine about the identity and character of God justification and justice is brought together. The JDDJ received criticism from amongst the Roman Catholic Church. Avery Dulles (2002:108-119) says that the positions of the Catholics and the Protestants appear to be so contradictory that unity "could be only achieved through a conversion by which one party recognized that it had been wrong and corrected its teaching" (see 2002:108). He raised several "Problematic issues" which I will focus on below.

In the first issue under the heading "The Nature of Justification," Cardinal Dulles describes both the Roman Catholic and the Lutheran understanding of justification and sanctification in this article and concludes that neither party has changed its views in the JDDJ (see 2002:110). Secondly, Dulles focuses on "The Removal of Sin," in which he points out how the Lutheran doctrine contradicts the Council of Trent (see Dulles 2002:111). As far as "Human Cooperation" is concerned, Dulles asserts that Lutherans minimize "Human Cooperation" whilst Catholics magnify it (see 2002:112).

As far as "Good Works and Merit" is concerned, Dulles states that the Catholics teaches that 'no one is in a position to merit without having first been justified' and that justified persons will be given the wages of eternal life for performing good works. Lutherans, he says, "agree that those who are justified receive the Holy Spirit and thereby become capable of good works" (Dulles 2002:112).

In his discussion on the "Sufficiency of Faith," Dulles points out that the word "alone" is not found in the Greek text and that Luther inserted it in his 1522 translation in Romans 3:28 (2002:112). He further states that for Luther, faith is the appropriation of the saving work of Christ by believers and that faith lives off its object which is Christ (2002:113).

Dulles (2002) is convinced that Lutherans and Catholics are approaching the debate from different perspectives, and that they use different concepts and mean different things when using the same words, therefore, it is a huge challenge to sort out the agreements and disagreements. According to Dulles, the Joint Declaration does not motivate "why canon 28 of Trent's Decree on Justification does not apply to Lutherans today" (2002:113).

His response to "Law and Gospel" is that Luther draws a "sharp opposition between the two," he asserts that according to Luther the Law exacts compliance and demands more than we

can give. Catholics on the other hand disagree and teaches that God never ask us to perform above our capability (Dulles 2002:113).

As far as “Assurance of Salvation” Lutherans believed that they do not have faith unless they believe beyond doubt that they will be saved, Catholics on the other hand speaks about hope of salvation with the possibility of going astray. According to Dulles, the Joint Declaration came forth with a resolution which Catholics couldn’t object to, which by implication can be interpreted that the resolution is in accordance with Catholic doctrine (see Dulles 2002:113).

Dulles feels that as far as the “Centrality of the Doctrine of Justification” is concern, that the Joint declaration builds a “shaky bridge that does not satisfy the guardians of orthodoxy on either side” (see Dulles 2002:114).

He enthusiastically embraces the basic consensus expressed in §15 and can live with what the Joint Declaration says on most disputed points. He makes it clear that he shares many of the concerns raised in the Official Catholic Response (which will be dealt with later). He, however, highlights the following three points with which he has difficulty: “(i) The Joint Declaration contrary to Trent, finds no error in the position that there can be genuine faith that falls short of justifying faith (JD26); (ii) The Joint Declaration does not treat the question of whether God commands the impossible; (iii) The Joint Declaration fails to address the vast question of satisfaction” (2002:114). According to Dulles (see 2002:114), “satisfaction” impinges on many of the 16<sup>th</sup> century disputes which includes Purgatory, Indulgences, penitential practices, and the satisfactory value of the Mass and therefore it cannot be excluded from the doctrine of justification.

Finally, Dulles is of the opinion that the Joint Declaration tried to accomplish too much. It would have done better to limit itself to the basic consensus of §15, which had been carefully worked out in several theological dialogues. It went beyond the findings of the dialogues in asserting that the “remaining differences” were “acceptable” (see 2002:115). He further suggests that the Orthodox, Anglicans, Methodists, and Reformed be brought into the dialogue with the “hope to achieve what the Joint Declaration did not achieve: an interpretation of the biblical message that Lutherans, Catholic and others can proclaim together” (see Dulles 2002:115 almost verbatim).



First one hundred and sixty and then two hundred and fifty-five German Professors in theology, and some American Lutheran theologians, as well as some other Lutheran theologians from different countries, were all being ignored and the views of seven Lutheran theologians were accepted for the final version of the JDDJ. Even worse, only two Lutheran theologians, Joachim Track, Chair of the LWF committee for Theology and Studies and Johannes Hanselmann, former Bishop of Bavaria (see Menacher 2009:29) agreed to the OCS which none of the LWF member churches had sight of, on a topic that the entire Fourth Assembly of the LWF in 1963 in Helsinki failed to reach consensus on.

The JDDJ also received opposition from the Lutheran Church-Missouri Synod (hereafter referred to as Synod), who are not a member of the LWF. Their critique is reflected in a document titled: "The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective" (1999). For the purpose of this study, I will only focus on the section titled "Summary of the Seminary Evaluations," which consists of fourteen points, and I will not be referring to all of them.

Point two of the summary states that the "JDDJ identifies three types of differences remaining: differences of language; of theological elaboration; and of emphasis in understanding." The Synod questions whether genuine consensus is at all possible given the above.

In point three they continue to question the quality of consensus, which other scholars refers to "differentiated consensuses." The Synod also feel that given the basis for consensus, the parties do not take their historical differences serious, nor do they sufficiently honour each other's integrity.

In point four the Synod state that the JDDJ did not resolve the historic dispute between the two parties. Each one still maintains their historic position. According to point five, the JDDJ fails to clearly define the word "grace" and also fails to clarify whether grace is God's undeserved favour as per the Lutheran theology or whether it is a spiritual power infused into the soul as per Catholicism.

In point six the Synod raised a problem with the use of the phrase "in faith" which at times replaces "through faith" and "by faith" in the JDDJ. They believe that the use of this phrase cause ambiguity and it is opened to accommodate Catholic theology of infused grace.

Point seven addresses the issue of original sin which according to Lutheran theology is really sin and it remains after baptism, whilst according to Catholicism, original sin is eradicated at baptism and that the desire/inclination/concupiscence that remains after baptism is not really sin. This according to the Synod is another matter left unresolved by the JDDJ.

In point eight the criticism against the JDDJ is that justification, the article that integrates all faith and theology, lost its centrality in the JDDJ. Criticism is also raised in point nine against the failure to address issues such as the meritorious value of good works, purgatory, indulgences, the papacy, the significance of the saints, and devotion to Mary. The Synod express their believe that Lutherans cannot speak of consensus whilst these matters remain unresolved. In point eleven the Synod raised the fact that none of the offensive doctrines put forth at Trent has been retracted.

The Synod concludes on a more positive note when they acknowledge that change has taken place in the Roman Catholic Church since Vatican II. They are of the opinion that further dialogues can be made only through discussions normed strictly by Holy Scripture. This to me is a clear indication that the Synod is not anti-dialogue and that they foresee more dialogues taking place in future.

### **3.6 Conclusion**

We have seen that there was significant opposition to almost every aspect of the content of the JDDJ from Protestants, Reformed theologians, as well as Roman Catholics. However, the JDDJ remained intact in its original form. It is being treated like the proverbial “holy cow.” No amendments based on the criticism were made. Instead, the OCS and the Annex was attached to the JDDJ, and when these two documents were criticized, they too remained intact without any amendments. Having said that, it is important to note that none of the critics of the JDDJ are oppose to dialogue, in fact, they appear to be encouraging it.

In the Preamble of the JDDJ the claim was made that it “effectively resolve one of the key theological conflicts of the Reformation, the understanding of salvation,” and that “Through the JDDJ, centuries–old controversies and misunderstandings were overcome.” The reception of the JDDJ however tells a different story. This is how is how Bray and Gardner (2001:127) sees it: “It must be said that much of the agreement which the JDDJ has reached is vague and ambiguous, and that disagreements which might stand in the way have either been related

to the status of secondary (and therefore tolerable) matters, or else simply ignored.” Slenczka (2009:316) says that “no matter what is confessed in the JDDJ, we must also look at what is confessed by actual church practices. Disagreements on justification that have their roots in the Reformation remain.”

Rev Paul McCain from LCMS refers to the JDDJ as “ambiguous and equivocating, fundamentally dishonest, and a fraud and a betrayal of the gospel” (see McCain 2010:1 and Dorman (2001:421). It is clear from the above and more specifically at 3.5.2 that the JDDJ has failed to achieve the claims it makes above. Furthermore, it does not call for the sixteenth century condemnations to be revoked, but merely that the condemnation should not apply.

It appears in the JDDJ that the LWF has accepted a diminished justification by accepting that justification is “an indispensable criteria” instead of it being “the indispensable criteria.” The LWF compromised the article which Luther explicitly said should not be compromised or nothing of it be given up even if heaven or earth should fall. Given its status in the JDDJ, justification cannot be the central doctrine anymore. It is now one indispensable article amongst many. The centrality of the doctrine of justification by faith alone was sacrificed on the altar of “differentiated consensus.” Jüngel said that while church leadership makes compromises, theology does not and that “building consensus does not mean the suspension of strong conviction” (see Jüngel 1998: xxxix). The indispensable centrality of justification for Luther was non-negotiable, it is not one doctrine amongst others, instead, it is the criterion against which all other doctrines are tested to establish their true value for Christianity. The centrality of the doctrine of justification by faith alone is absolute for Lutherans as per the Book of Concord.

Pope Benedict XVI, when still prefect of the Roman Congregation on Doctrine, when issuing the Declaration *Dominus Iesus*, on 6<sup>th</sup> August 2000, stressed that because of the church’s infallibility, the Canons of the Council of Trent can never be changed or omitted (see Slenczka 2009: 314). Cardinal Cassidy, President of the Pontifical Council for Promoting Christian Unity, during an interview (see *Ecumenical News*, 11/1/99, cited in McCain 2010:2) was quoted as saying that nothing in the JDDJ were contradictory to the Council of Trent otherwise they would not have done it. Furthermore, “The Prefect of the Congregation for the Faith, in an interview in an Italian newspaper, interprets the text as anti- Reformation, even anti-Pauline, and with his assertion ‘those who are not righteous are not justified’ was even expressing the

idea that the Roman Catholic Church rejects the gospel of justification of the ungodly (Jüngel 1998:xxxi). If Trent is not affected by the JDDJ, and its canons remained intact, then clearly the anathemas of the sixteenth century are still intact. Especially when the JDDJ itself states at §41 “This is not a repudiation of the condemnation pronounced in the past”, and again at § 42 “Nothing is hereby taken away from the seriousness of the condemnations related to the doctrine of justification. Some were not simply pointless. They remain for us “salutary warnings” to which we must attend in our teachings and practice.” No reference is made to indulgences which was the issue that triggered the Reformation, instead, after signing the JDDJ, there was a papal announcement of a Jubilee indulgence for the year 2000 (see Jüngel 1998: xxvii-xxviii). Hence Jüngel’s (1998) assertion that the negotiations / consultations failed to take cognitions of the real reasons for the Reformation and simply abandoned them.

As a document, dealing with matters of such magnitude, it was felt by Jüngel that “there were no sound theological foundations here ‘on the way to overcoming the divisions of the church.’ For here decisive insights of the Reformation were either obscured or surrendered ... It is far too brief for that” (Jüngel 1998: xxxviii).

Dorman (2001: 432), argues that “the foundation of any dialogue regarding the doctrine of justification lies not in the language of either the Protestant or Roman Catholic confessions, but in the language of Scripture itself. In this regard the Joint Declaration may be found lacking sufficient Biblical foundation at points.” According to Bray and Gardner (2001:116) that as far as § 19-39 is concerned, there are relatively few biblical texts, and no attempt is made to integrate the avalanche of texts of the previous section into this section. No evidence that any serious interrogation of concepts such as “justification” and the “righteousness of God” has taken place between those in dialogue. Neither are we presented with historical definitions and analysis of these terms which renders the debate superficially.

The JDDJ has left out important fundamentals in its discussions about the doctrine on justification. When Lutherans say that the doctrine of justification is the very heart of the gospel it is because of what I said earlier that it is the criteria against which all other doctrines are measured. It is the doctrine that orients all the teachings and practices to Christ. It has relevance to church life and practices and therefore one’s understanding of the doctrine of justification influences one’s views on issues such as purgatory, penance with relation to satisfaction, the church, the assistance of Mary and the saints, as well as indulgences in



relation to salvation. The doctrine of justification propagates a soteriological exclusiveness, which means that there is no room for another saviour or an assistant saviour, nor any other means that will or can contribute towards our salvation. The JDDJ also does not address the papacy at all, neither does it address the issue of grace in detail. The JDDJ itself admit at § 43 that some "questions of varying importance still need further clarification. These include, among other topics, the relationship between the Word of God and church doctrine, as well as ecclesiology, ecclesial authority, church unity, ministry, the sacraments, and the relation between justification and social ethics." Some member churches of LWF, who were in support of the JDDJ, raised difficulties with the JDDJ relating to issues such as the status of the doctrine of justification as criterion; concupiscence and sin in the justified; and the relation of good works to the preservation of grace. The more than 250 Lutheran German theologians raised the following gaps: the significance of Word and faith for justification; the certainty of salvation; the abiding sinfulness of the justified; a lack of sufficient consensus on the relation of law and gospel; and the insufficient consideration of the Old Testament. It is therefore my view, based on the above, that the consensus of the JDDJ was reached only because the still prevailing differences in Roman Catholic Church and Lutheran teaching and practice, were divorced from justification and ignored. The President of the Pontifical Council for Promoting Christian Unity, His Eminence Edward Idris Cardinal Cassidy in the Response of the Catholic Church to the Joint Declaration as well as in his address to the Vatican Sala Stampa, encouraged the parties that further studies is required to provide greater clarity on a number of issues. The German Professors in Theology also requested for more time but was ignored. Given the above, there is absolutely no way that one can speak that an agreement on the doctrine of justification has been reached, nor has the anathemas of the 16<sup>th</sup> century been revoked.

In conclusion, the LWF convened their Fourth Plenary Assembly in 1963 in Helsinki with the theme: "Christ Today." The main purpose was a thorough examination of the Reformation doctrine of justification by faith and how the doctrine is still relevant in a modern world, a task which the Assembly failed to achieve. They failed to reach an agreement on a document titled "Justification Today." According to Slenczka (2009: 294) "it is an unquestionable fact and a healthy lesson for Lutheran theologians who think an agreement with Roman Catholic

theologians could be reached on a subject upon which even Lutheran theologians could not agree.”



## Chapter Four: Klaus Nürnberger on the Doctrine of Justification and the JDDJ

### 4.1 Introduction

This chapter will focus on Nürnberger's direct and indirect responses to the JDDJ. It will also focus his views on soteriology and the doctrine on justification. This will be compared with the content of the JDDJ to determine whether his views diverge from that of the JDDJ as reflected in chapter 3.

The primary sources that will be used to do the above, will include, but is not limited to Nürnberger's *Martin Luther's Message for us today* (2005); "Can Unity be based on Consensus?" (2003); *Faith in Christ Today. Invitation to Systematic Theology. Volume 1 and 2* (2016); "Paul's Concept of Salvation-Culmination of an Evolutionary Process" (2002); "Luther as Reformer of the Church" (1983); "The Spirit of God: A Soteriological Metaphor in Biblical History and its Significance for Us" (2002); "Orthodoxy as an Impediment to the Relevance of the Gospel Today" (2004); and *Sistematische Teologie* (1975).

### 4.2 Background and Oeuvre of Nürnberger

Nürnberger (see 2016a:519-521, the son of a farmer, was born in Namibia. Because his older brother became an engineer, he was expected to take over the family farm, hence he did a BSc (Agri) degree. Upon completion of his studies, he went to work in government in rural development planning in black communities. In 1958 he switches careers and left for Germany to study theology because he felt a strong calling to become a missionary and obtained a PhD in Systematic Theology.

In 1967 Nürnberger and his wife returned to South Africa where he was ordained as a Pastor of the black component of ELCSA in which he was first appointed as parish-pastor-in-training and later as acting Dean. From 1971-1979 he taught systematic theology and theological ethics at Lutheran Theological College (LTC) in Maphumulo, Natal. In 1980 he became a professor in theological ethics at UNISA. From 1989-1998 he was Professor in systematic theology, theological ethics, and developmental studies at what is currently known as

University of Kwazulu-Natal, where he retired in 1989. Post retirement he became a founder member of the Lutheran Theological Institute (see Nürnberger 2016a:519-521).

Nürnberger has authored numerous books which include amongst others: *Power and beliefs in South Africa. Economic potency structures in South Africa and their interaction with patterns of conviction in the light of Christian ethic* (1988); *Beyond Marx and market: Outcomes of a century of economic experimentation* (1998); *Prosperity, poverty and pollution: Managing the approaching crisis* (1999); *Theology of the Biblical Witness: An evolutionary approach* (2002); *Biblical Theology in outline: The vitality of the Word of God* (2004); *The living dead and the living God: Christ and the ancestors in a changing Africa* (2007); *Richards Dawkins' God Delusion: A Repentant Refutation* (2010).

During the period from 1980 to 1998, Nürnberger publish several Unisa Study Guides on topics such as Theological Ethics, Ethics of political and economic life and health care. He also published numerous pamphlets, booklets, and a myriad essay in journals and books as well as many papers. He has done also numerous book reviews and did not hesitate to respond to criticism of his work (see Nürnberger 2016a:519-521).

#### **4.3 Nürnberger's direct/indirect Response to the Joint Declaration as an Ecumenical Document**

Biyela (2014:51) states that Nürnberger on the fourth anniversary of the JDDJ, launch his book *Martin Luther's Message for us today*, and did not even refer to the JDDJ in this book. He linked Nürnberger to the Lutheran proponents of Leuenberg, and by doing so, Biyela is implying that Nürnberger does not support the JDDJ because Leuenberg proponents do not support it. Biyela (2014) is not correct about Nürnberger not referring to the JDD in his book, because Nürnberger (2005:109) had the following to say about the JDDJ (1999): "This is most gratifying. But should not overlook the fact that, for the Catholic position, it is still ecclesial authority that forms the basis of the church, while in Protestantism the basis of the church is the gospel of grace accepted in faith. This has far-reaching consequences for the understanding of the church, church unity, the ministry, the sacraments, the Scriptures, the status of the traditions and even for the truth as well." Nürnberger (2005:170) again refers to the JDDJ (1999) when he expresses his view that one of the thorniest issues in ecumenical endeavours is "that the Roman Catholic Church is based on an absolute monarchy presiding



over a feudal hierarchy". Nürnbergger (2005:170-171) also states that: "To come to an agreement, it is not sufficient that a new spirit guides the present incumbents of a hierarchy, while the underlying assumptions and the institutional structures remain intact... authoritarian powers entrenched in a social system and underpinned by a legitimating ideology lend themselves to abuse... both motivations and institutions must be changed to overcome an unacceptable spiritual and social situation". Lastly, Nürnbergger (2016a:75) says "tradition-bound theologians from the Lutheran and Catholic churches struggled for thirty years to come up with the 'Joint Declaration on Justification' of 1999. At least they agreed that there was no need to condemn each other any longer, although consensus was not reached and although nothing changed in the relation between the two denominations in practical terms."

Nürnbergger clearly see the engagement of Roman Catholics and Lutherans as positive and it is obvious that he does not outrightly reject the JDDJ, but, like so many other theologians, he too has certain reservations and concerns of which some is listed above.

Earlier Nürnbergger (2004:210) said that "after decades of negotiations, Catholic and Lutheran theologians find a formulation of the doctrine of justification which allow the two churches to abandon their traditional condemnation of each other. What an historical breakthrough!" But according to Nürnbergger, he was soon antagonised by the negative response of more than 250 Protestant German theologians who rejected the JDDJ on the basis that the Catholics failed to endorse "God's justification of the sinner by grace accepted in faith as the very foundation of the church, which also determines the relation between the churches, not as one doctrine among others" (see Nürnbergger 2004:210-2111).

Nürnbergger found the rejection by the Protestant German theologians unacceptable, because according to him "the Lutheran doctrine of justification by grace accepted in faith implies God's unconditional, suffering, redeeming acceptance of the unacceptable. Lutherans cannot make the acceptance of the doctrine of unconditional acceptance a condition for acceptance into fellowship, without abandoning their very foundations!" (Nürnbergger 2004:211).

Even earlier, Nürnbergger (2003:15) regarded the JDDJ as a 'leap forward' and 'indeed most gratifying' because 'a considerable amount of misunderstanding concerning this doctrine has been removed and some common formulations has been drawn up'. Here too, Nürnbergger raised his reservations and cautioned people who were referring to it as an agreement. He

further questioned the lack of unity given the existence of the JDDJ and the claim by the negotiating parties that an "agreement" has been reached. According to Nürnberger, an agreement on justification should have removed all barriers between the Catholic and Lutheran churches' because the doctrine of justification is "the basic conviction from which everything else is to be derived" (see Nürnberger 2003:15).

It is evident from the above sources that Nürnberger welcomes it that the Roman Catholics and the Lutherans engage on matters that led to centuries of division. He clearly wants ecumenism to become a reality and not only between Lutherans and Roman Catholic but amongst all believers. However, according to him, the JDDJ (1999) did not bring that about, "the Declaration had little impact on actual relationships between the two churches"

(see Nürnberger 2003:16). It is ironic that the Annex to the Declaration states that "by justification we are unconditionally brought into communion with God." Nürnberger (2003:16) questions the validity of this claim that "one can be brought unconditionally into communion with God without being brought unconditionally into communion with each other." According to Nürnberger (2003:16). "The Catholic Church is still based solidly on conditional acceptance, thus on a law enforced by an institutional body. Unity requires consensus in the form of the surrendering of one's identity integrity and autonomy, the integration into a given institution and the total submission to a given authority." Nürnberger (see 2003:17) further states that both Lutheran and Roman Catholic negotiators entered the negotiations with an attitude that they are custodians of the ultimate truth with no intentions to compromise during negotiations. Their respective doctrines were cast in stone, and they merely analyse and reinterpret their respective doctrines against the criticism raised by the other party. None of the 16<sup>th</sup> century anathemas were revoked but instead confirmed. Nürnberger believes that with this the parties agreed with the infallibility of their respective doctrines. "Doctrine must be the result of fellowship, not its precondition. And it must always remain a provisional result, constantly open for correction, adaptation and development" (2003:21). Nürnberger (2003:22) says that the two parties must hold each other accountable to the agreement that we are justified by grace accepted by faith and not achievement, condition, or disposition.

As early as 1975, Nürnberger registered his commitment to ecumenism when he stated that part of his reasons for writing *Systematische Theologie* (1975) was to contribute to the

ecumenical theological discourse; he wanted to open doors which was closed because of different approaches; and he wanted to point out unexplored roads (Nürnberg 1975:18). He is very much aware that ecumenism is doomed to failure if we do not come to the realisation that we cannot effect it (see Nürnberg 1975:424). According to Nürnberg, ecumenism was born out of a desire for unity within the church as a whole, or differently put, amongst the various denominations, but at the time of authoring his book, nothing significant has happened in this regard. At that stage Nürnberg was of the opinion that it will be more fruitful if denominations just start talking to each other without any pressure for unity because he believed that when they talked to each other, their different understandings will be exposed, and it will or might lead to introspections on each side (see Nürnberg 1975: 50-51). Ecumenical services at that time consisted of jointly reading the Scriptures, praying together, sharing the preaching and even had some discussions, but never was the Eucharist part of the so-called ecumenical services. But whose Eucharist is it any way? (See Nürnberg 1975:109). Sadly, nothing has changed in the past 45 years since he authored this book. Nürnberg (2003:16) confirm this when he says, "Protestant communities are still not recognised as churches; Protestant ordination are still not recognised as legitimate; Catholics are still not allowed to participate in Protestant communion services." Having said that, Nürnberg (see 2005:7) is of the opinion that the recent intense ecumenical dialogues, which he regards as encouraging developments, between various denominations, have removed many obstacles which prevents understanding and cooperation amongst them. As far as he is concerned, Calvinism and Roman Catholicism is definitely not the same as in the time of Luther. Whilst Nürnberg (2005:183) acknowledged that ecumenical negotiations led to some shifts on both sides, he is of the opinion that terminological niceties failed to remove the deep-rooted doctrinal differences.

The problem that ecumenism is facing is that each denomination has its own set of conditions for unity. Lutherans are no different in this regard because the Augsburg Confession Article VII states: "This is the assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel. For it is sufficient for the true unity of the Christian church that the Gospel be preached in conformity with a pure understanding of it and that the sacraments be administered in accordance with the divine Word." For Nürnberg, this presents Lutherans with the problem that it is incumbent

upon them to arrive at the pure Gospel and convince the rest of the Christians thereof (see Nürnberger 1975:426). What constitutes for Lutherans the pure Gospel when they amongst themselves could not reach agreement at the LWF 4<sup>TH</sup> Assembly at Helsinki in 1963 on the doctrine of justification? Nürnberger believe that the notion "pure gospel" became a new law. The unconditional acceptance of God in Christ has now become a condition which is false. The pure gospel took on the form of an idol. The gospel has been transformed into law (see Nürnberger 1975:426). Given the fact that justification by faith alone is their core doctrine, Lutherans should be the most open and accommodating of all denominations because their "only "condition" is the proclamation of God's unconditional, redeeming acceptance of the unacceptable" (Nürnberger 2005:134). According to Nürnberger (1975:62), another obstacle in the way of ecumenism is confessional documents when it is binding on congregants because than it has a juristic character. Failing to comply can lead to excommunication. Continued membership is therefore subjected to compliance to "Law."

Nürnberger, as a true advocate of ecumenism, argues very passionately amongst God's people for a united body of Christ. He maintains that if it is true that through baptism, we are incorporated into one body and that the Holy Communion is the one table for the family of God, than we must sadly admit that we are far removed from the intentions and purpose of the sacraments (see Nürnberger 1975:109). He further argues that as Lutherans our exclusion practices are indicative of the fact that we either never accepted the Gospel of unconditional acceptance or never heard it or are just outright disobedient to it. It is his view that because Lutherans claim that they proclaim the pure Gospel and do not mix Gospel and Law, they are even more guilty. Whilst Lutherans confess that God accepts sinners "sola gratia" and "sola fide," they built a wall of conditions around the altar and in so doing deny sinners access to the Holy Communion. Lutherans speak about the unconditional grace of God, but we close the door on those who desire that unconditional grace. In so doing we are converting the Gospel into Law because it is only the Law that is based on conditional acceptance and not the Gospel (see Nürnberger 1975:110). "Believers who have been accepted by God are meant to become God's instruments of acceptance. If Christians across the board would begin to understand that the denominational barriers between them would be removed, they would suffer each other, correct each other, and transform each other" (Nürnberger 2005:123).



#### 4.4 Nürnberger's Soteriology and Doctrine of Justification

This section will focus on Nürnberger's expression of the doctrine of salvation as well as how his description of the doctrine of justification is positioned in the body of his literature. For Nürnberger "Salvation means nothing else but to be in fellowship with God, sharing God's creative power, redeeming love and comprehensive vision for "his" world. It is sin that alienates us from God; so, it is sin from which we must be redeemed. The message of the Gospel says that this happens through God's grace, accepted in faith, rather through our desperate attempts to fulfil the Law" (Nürnberger 2016a:279).

Nürnberger (2002:226) in turn describe redemption as "the very rationale of the biblical faith and, according to the biblical faith, redemption depends on the restoration of a healthy relationship between God and human beings."

According to Nürnberger (2002:236), "Salvation happens when we identify with Christ's death and resurrection through faith and undergo a provisional transformation in the power of the Spirit in anticipation of our own death." Nürnberger says that according to 1Cor 1ff, religious rites such Baptism and Holy Communion does not guarantee salvation, furthermore, transformation is an ongoing battle between flesh and Spirit which will not be concluded in this life because this side of the grave we are still in the flesh and therefore vulnerable to the powers of darkness (see Nürnberger 2002:239). Our human existence this side of the grave is referred to as being in the flesh. If we are in or walk in the flesh than we cannot fulfil the Law and is therefore condemned by the Law. On the other hand, someone who is in the Spirit fulfils the Law and is saved (see Nürnberger 2002:239).

Nürnberger (see 2002:67) further states that Paul's soteriology has a celestial dimension because he (Paul) says that Christ came in the flesh, died in the flesh, and rose into the celestial sphere.

Nürnberger (2002:237) says that "Christ, who hails from God and who was without sin, entered the sphere of the flesh for our sakes, 'became sin for us,' and died on the cross." He says that our salvation depends on His death and His resurrection (see Nürnberger (2002:71). Romans 4:5 says that Christ was handed over to die for our sins and He rose for us to be righteous. Nürnberger further says that because Jesus is without sin, His death constituted a sacrifice. He cautions however that the death of Jesus eradicates our death, nor does it

eliminate the curse under which we live (see Nürnberger 2002:238). Furthermore, “The phrase ‘for us’ therefore refers to facilitation, not substitution, or expiation as commonly believed. Therefore, it is also wrong to think that the death of Christ as such atoned for our sins, as if he were a substitute for a sacrificial animal, because that would imply the final death of Christ.”

Nürnberger believes that there is not only one repentance and the idea that backsliders will not be given another chance after having received forgiveness in the first place, is not part of Paul’s theology. Righteousness is a gift given by grace alone and therefore it can never be owned by believers. As indicated before, the battle to dump the flesh in favour of the new life in Christ is constant (see Nürnberger 2002:239,240).

Nürnberger (2002:72) states that the Gospels have a soteriology of discipleship because believers repent and follow Christ which results in righteousness that will save them on judgement day.

Nürnberger talks about comprehensive soteriology. He believes that God’s vision is the comprehensive well-being of the entire social and natural contexts, therefore, any deficiency in the comprehensive well-being becomes God’s redemptive concern. “This soteriological approach implies that the salvation of the individual must be seen in terms of his/her function for the well-being of the whole” (2004: 214). Therefore, to become like Christ, our faith must focus on the obstacles which prevents well-being. Nürnberger believes that a Christian soteriology must be based on an analysis of the human need structure (see Nürnberger 2004:214). “If the Gospel no longer responds to real needs, defined in terms of God’s comprehensive vision, it may be theoretically priceless, but in market terms priceless means that nobody wants it” (Nürnberger 2004:218). Nürnberger (2005:97) describe the comprehensive well-being as follows: A hungry man needs food, rather than nice words about God’s forgiveness. A marginalised person needs acceptance, rather than justification. An abandoned child needs a home, rather than a prayer for the Holy Spirit. A man in fear of having been bewitched needs the assurance that the power and love of God surpasses all uncanny forces and evil motives. In each of these cases the gospel of God’s redeeming grace took a different form.”

According to Nürnberger (see 2004:216), spiritualisation and individualisation of the gospel is an illusion produced by abstraction and reification. It led to an understanding that the

salvation brought by Christ is peace between a bodiless soul and a worldless God. We end up with notions such as “my sin; my salvation; my reconciliation and my eternal future,” yet sin against God is not a private matter, because it is against others, against the community, against society or against nature. Nürnberger (2004:226) says that during the time of Pietism and Enlightenment, the focus on individualism has stoop to a level of solipsism which is neither biblical nor theologically appropriate. He also pointed out that he believes that the gospel has become abstract, ostensibly timeless, universally valid and power indifferent formula. The result is that the gospel lost its explosive vitality and revolutionary relevance in real life situations. Nürnberger cited the distinction between salvation and well-being as a good example of abstraction. He states that this distinction is artificial and unbiblical (see Nürnberger 2004:227, almost verbatim).

Nürnberger (2004:221) states that “Lutheranism is the tradition that is most consistently geared to the Pauline contention that we are saved by grace accepted in faith, not by our splendid dispositions and achievements. Unfortunately, this liberating gospel is expressed in legal terminology.” He believes that the Lutheran formulation can be translated from legal into communal terms to what he terms “God’s unconditional, suffering, redeeming acceptance of the unacceptable,” which he at times shortens to “the unconditional acceptance of the unacceptable.” According to Nürnberger (2003:18), “the problem is expressed in communal terms, acceptance of the unacceptable has turned into a condition of acceptance. It would seem therefore that Lutherans have become guilty of what they consider to be the one central heresy, namely, to turn the Gospel into Law.” Transformation follows acceptance of the individual. Furthermore, transformation is a consequence and not a precondition of acceptance, which is meant by “justification by grace, acceptance in faith, leading to good fruit” (see Nürnberger 2003:20).

It is Nürnberger’s (2004:223) view that,

Lutheran soteriology is pragmatic and versatile in its response to situational needs. What matters is not what is written in the Scriptures, or what the dogma says, but the “living voice of the gospel” (*viva vox Evangelii*) which offers the promise of God’s unconditional benevolence, thus comfort, reassurance, authority, a new motivation, an open future to the guilty, the afflicted, the anxious, the intimidated ... the Lutheran concept of salvation is potentially both specific and comprehensive, both purposed and versatile, though this potential is not always realised.

Nürnberg's greatest criticism of Lutheran soteriology is against its alleged legalistic concept of the gospel. He says that the Lutheran formulation of "justified by grace, accepted in faith, not by works," does not make sense. This is his reasoning: "God the highest Judge, seems to commit a judicial error which does not transform sinners into righteous persons, but condones their sinfulness. Christ's death becomes a sacrifice on behalf of sinful humans to pacify a wrathful God, rather than the suffering of God who accepts sinners into His fellowship. Good works may follow out of gratitude, but they are not seen as part of the redemptive process" (Nürnberg 2004:223). Nürnberg says that the Roman Catholic's response to the Lutheran formulation at the Council of Trent, is logically much more plausible because in a nutshell they are saying that God's grace initiates a process of sanctification at the end of which those who have attained righteousness are declared righteous (Nürnberg 2004:223, almost verbatim).

It appears that Nürnberg (see 2004:224) believes that Paul deliberately formulated the gospel in legal terms to address the legalism of rabbinic theology at that time. In the same manner Luther responded with the gospel which was formulated in legal terms to the legalism which determined medieval Catholicism. The legal formulation of the gospel in both instances was because of a need for contextualisation. Furthermore, Nürnberg is of the view that Luther does not support the forensic nature of God's gift of righteousness in the sense that God is committing a judicial error by declaring a convicted sinner righteous. We are granted participation in the righteousness of Christ as a gift of grace which we accept and activate in faith. Through the power of the Holy Spirit, Christ is planted in us to bring forth good fruit. The righteousness of Christ in us, and our sinful nature are in a constant battle which gave rise to the phrase "simul iustus et peccator" (simultaneously righteous and sinner). Nürnberg (2004:224) says that this "does not mean that we are composed of two contradictory substances, as it were, one good and one evil. It also does not mean that, in the eyes of God we are just, while in our own eyes we are sinful. It expresses not a static paradox, but the dynamic, painful and never-ending process of renewal."

According to Nürnberg (2004:225), the legal form of the gospel does not speak to ordinary people no matter how much theologians try to explain it. The legal form of the gospel raises more questions than answers such as: "How can God declare the guilty to be guiltless, just because somebody else is guiltless? Why should a graceful God demand a bloody sacrifice



before he will forgive? Why should God offer such a sacrifice to himself? Nürnberger believes that there are no satisfactory answers to the above questions because the argument based on a wrong conceptual basis. The formula is flawed and deemed to be orthodox.”

Nürnberger says that we are being misled into a new form of legalism by this legal form of the gospel. This new form of legalism includes “the “third use of the law,” the demand for good works out of gratitude, or a kind of satisfactory which we have to achieve on the strength of our own resources. The thrust of the gospel is, precisely, that God suspends the law as condition of acceptance so that we can be transformed in his fellowship and through the power of his Spirit” (see 2004:225). He further says that “Translated from legal into communal terms, the Gospel proclaims God’s unconditional suffering, redeeming acceptance into His fellowship- which then leads to the transformation of those who have been accepted into His fellowship ... A communal formulation of the Gospel also overcomes another flaw of traditional Lutheranism, namely its individualism” (Nürnberger 2004:225/6).

Nürnberger (2004:227) is of the opinion that Luther defines the right of existence in a broader sense: “For Luther, our right of existence before God is not only questioned by moral failure, but also by frustration, inexplicable fate, social injustice, physical suffering and death. It stands to reason then, that salvation would imply a restoration of the health of the entire being in the context of his/her entire social and natural environment ... the gospel is, by definition, an eschatological promise. But it is also a promise that motivates believers to strive for the transformation of an undesirable situation here and now, as far as their sphere of influence and competence reaches, and to expect fulfilment beyond that in God’s future.”

Another one of Nürnberger’s criticisms against the Lutheran tradition is that the fruits of the gospel are themselves enactments of the gospel but is almost never seen in Lutheran theology. Furthermore, Lutheran ethics is not always informed by the content of the gospel, which is its ultimate foundation. Nürnberger is of the view that they might “be geared to the Ten Commandments, or the Kantian categorical imperative, or dominant expectations in a particular social context,” instead of being geared to justification by grace accepted in faith (see Nürnberger 2004:227).

Nürnberger (2004:228) states that “the Lutheran concept of salvation concentrates on our right of existence (justification) and neglects the system which it presupposes ... The system of meaning which we are after has to be geared to the centre of the Christian faith as such,

namely God's creative, redemptive and comprehensive intentions." He says that because of this concentration on justification, the Lutheran concept of salvation also neglects the authority to act whilst we are supposed to be involved in God's redeeming acting in this world which was made possible by God's unconditional acceptance of us. We are participants in God's work within the community of believers and beyond. Luther refers to this as our secular vocation. In this context the gospel is empowerment which overcomes fatalism, despondency, timidity, subservience, dependency, and redundancy. It also leads to a struggle for liberation from social enslavements (see Nürnberger 2004:228, almost verbatim).

## **4.5 A Comparison of the key themes in the Joint Declaration and Nürnberger's position in this regard**

### **4.5.1 Centrality of Justification**

For Protestants "justification by grace accepted in faith (*iustificatio sola gratia sola fide*) became the foundational faith assumption on which everything else was built" (Nürnberger 2005:108). Nürnberger believes that it is the case because the doctrine specifies God's self-disclosure in Christ Jesus, "which is made accessible through the proclamation of the Gospel in the power of the Spirit, and which leads to the community of believers" (Nürnberger 2003:17).

It is clear from various writings<sup>1</sup> of Nürnberger that he finds the formula "justification by grace accepted in faith" to be problematic because in his view it is legalistic, abstract, individualistic, spiritualised and does not make sense. He would rather see it being replaced by "unconditional acceptance of the unacceptable" which is comprehensive. He talks about "the unparalleled relevance and revolutionary potential of the Gospel of God's unconditional acceptance of the unacceptable in today's world." He is so critical of the Lutheran formula that he says that "The formula "justification by grace" evokes puzzlement among the uninformed and a yawn among the informed" (Nürnberger 2003:24). That Nürnberger finds "justification by grace accepted in faith" to be problematic is significant given the fact that

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<sup>11</sup> See "Can Unity be Based on Consensus" 2003:24; *Martin Luther's Message for Us Today* 2005; *Orthodoxy as an Impediment to the Relevance of the Gospel Today* 2004; *Luther as Reformer of the Church* 1983.

the doctrine "justification by grace accepted in faith" is the article on which the church stands or fall; it is the bedrock of the entire Lutheran doctrine.

According to Nürnberger (2002:229) "The synoptic Jesus filled his proclamation and enactment of the coming Kingdom of God with the content of redeeming love. Not abstract formulations, rituals, or taboos, but redemptive responses to the needs of the sick, the outcast, the guilty, the demon possessed, the hungry, the powerless, the crippled characterised his behaviour. Without doubt this include his confrontation with entrenched structures which used the law to oppress and exploit the people for their own ends and which brought him to the cross."

#### **4.5.2 The Church**

According to Nürnberger (see 2016:248/9), we as a Church, are not what is described as the marks of the Church- one, holy, catholic, and apostolic- even if we try, we will not achieve those characteristics in our own strength. Nürnberger (2016a:256) defines the Church as follows: "the Church is the creation and instrument of God's Word. It may never be abused for purposes other than God's mission or become submissive to powers other than the risen Lord. It is the Body of Christ in which the Spirit of Christ finds its concrete manifestation. The Body of Christ is the community in which the risen Christ is present and effective in the world."

According to Nürnberger (2003:12,16), "The Protestant foundation of the Church is not the authority of the office, but the proclamation of the Gospel ... The Catholic Church is based on a different foundation: not justification but authority is the article by which the Church stands or fall. In other words, social structures are the prime consideration."

God in His grace suspended the Law as a condition of acceptance into His fellowship therefore the Law can no longer divide us. The dividing wall have been demolished by Christ and Jews and Gentiles have been united into a new humanity to form the Body of Christ with the risen Christ as its head. The mandate of this body is to proclaim the intentions of God to reconcile the entire universe (see Nürnberger 2016a:48).

Nürnberger (2005:47) says: "The Church cannot impart the Spirit. It is Spirit who, by creating faith, creates the Church. Without the Spirit the preached Word and indeed the written Word, remain dead letters. So, it is the Spirit who must work through the proclaimed Word of God, otherwise we do not hear God speaking."

According to Nürnberger (see 2005:107), "the legal approach in our relationship with God" has been re-established in the medieval Church because it inherited the Roman culture with its quest for power and money. They were oppressed with doctrinal and moral precepts and intimidated to comply with a gospel of "brimstone and fire." The gospel proclaimed by Paul of justification by grace accepted in faith, rather than works has been abandoned and the demand for social, political, and economic justice has been declared as disobedience to God and the Church. "If the Church of Christ is to be what it is meant to be, the light of the world and the salt of the earth, we simply cannot afford to continue with a Gospel which seems to communicate its contrary (legalism) and which is removed from real life (abstraction)" (Nürnberger 2003:24).

According to Nürnberger (2002:255) "It has been claimed by theologians that Christianity is in fact the only religion where acceptance is unconditional, so that human obedience or righteousness is not a condition but a consequence of divine acceptance. However, the truth is that most forms of Christianity enslave rather than liberate their adherents. This is the reason why the church is splintered into irreconcilable groups, each with its own conditions of fellowship and belonging."

#### **4.5.3 Original sin and the role of Baptism**

##### *(a) Baptism*

We are incorporated into the Church of Christ through a public ritual, baptism. This institutionalises our relationship with God and with each other ... Once we are baptised, nobody can deny us acceptance and belonging in the community of believers ... In times of affliction and temptation, we fall back on the valid fact of our baptism (Nürnberger 2016a:263).

When we respond positively to God's offer, we gain a new status which is defined by our relationship with God. Through baptism this status is formalised by our incorporation into the community of believers, and it is maintained through Holy Communion (see Nürnberger 2005:52). According to Nürnberger "Baptism symbolises the integration of a believer into a new eschatological reality which finds provisional but concrete expression in the community of believers" (Nürnberger 2002:240). By identifying with the death of Jesus, we put our sinful lives to death, and we participate in His life by identifying with His redeeming love. Both of which are appropriated in faith and ritually enacted in baptism (see Nürnberger 2016a:47).



Nürnberg further said that “In baptism we explicitly and publicly identify with Christ’s death” (Nürnberg 2016a:279).

Protestants who insist that they are saved through grace accepted in faith, should have qualms of conscience with infant baptism (see Nürnberg 2016a:380). “Protestant theology has always maintained that the essence of the Christian faith is a renewed personal relationship with God. In Christ God gave “himself,” in Christ. God receives not something from us, but ourselves. It is true that the initiative is God’s: sola gratia. But it is equally true that this act of God involves our response: sola fide. So, although God is the subject of the whole process, we are not simply objects, but subjects who are involve in God’s act” (Nürnberg (2016a:381). According to Nürnberg (2016a:381), this is not possible in infant baptism because a newly born baby has no idea what is happening when it is baptised. It is not capable to accept or reject the love of God. The salvation of God reaches us through the Word of God and the sacraments which is the visible Word of God and infants have not yet acquired the ability to comprehend human words. What is strange for Nürnberg is that some Protestants withhold Holy Communion from infants and even bigger children for the very same reasons that their opponents argue against infant baptism. According to Nürnberg (2016a:402), Protestants “have compromised their insistence on salvation by God’s grace (sola gratia) accepted in faith (sola fide), by implying that the faith of the baptised is not essential for a baptism to be valid. While one can take decisions on behalf of others, one cannot believe in Christ on behalf of others.” However, he said that the Bible do not offer clear cut evidence for or against infant baptism.

*(b) Original Sin*

According to Nürnberg (see 1975:269-5), the concept of original sin is based on the belief that all human beings are descendants of the ancestors known as Adam and Eve. The concept of original sin implies that sin is a universal and transsubjective phenomenon. This transsubjective reality is something that I have been born into and is something which I cannot escape. We are born into sin. We are controlled by our sinful environment and on our own we cannot escape from it. It is in us and surrounds us. Not only do I have the nature of Adam but also had to deal with my sinful surrounding.

Nürnberg (see 1975:269) however disagrees with the above. His argument is that sin is always a decisive act against God, and it is not an ontological condition and therefore it cannot

be transferred biologically. He says that if you take original sin literally then you cannot accuse anyone of sin because you cannot blame people for the sin of someone else. Nürnberger further says that the doctrine of original sin has been used to justify infant baptism because it is argued that the infant baptism would wipe out original sin, which, according to Nürnberger is an ontological-biological blunder. In Christological debates the fatherless birth of Jesus was used to clarify why He did not have original sin. And when it was asked whether original sin could not reach Jesus via His mother Mary, the Roman Catholic Church developed the doctrine of the immaculate conception of Jesus Christ which implies that Mary was without sin. It is his view that they ignore the mythological character of the creation narrative and treat it like history hence their error.

#### **4.5.4 Human powerlessness and sin in relation to Justification**

The grace of God is the unconditional, redeeming acceptance of the unacceptable. The conditional acceptance of Deuteronomy has been abandoned (see Nürnberger 2005:106). Nürnberger (2005:103) says that according to Ephesians 2:10, God's acceptance is not based on our achievements, it is a pure gift of grace which leads us into a new life. The grace of God recreates us to do the work for which God has prepared us. God demands faith from us.

Nürnberger does not agree with the powerlessness of humans and their supposed inactivity during redemption. This is expressed when Nürnberger (see 2004:228,9) refers to another flaw in the Lutheran tradition which is the believe that in the process of redemption it is God and God alone that acts whilst the human being is passive. According to Nürnberger, this belief is contrary to the biblical witnesses and the existential experience of faith as well as theologically flawed. He says that God and humans do not act on the same level of agency, but God acts through us as much as He acts through all His other creatures.

#### **4.5.5 Justification as forgiveness of sin and making Righteous**

According to Nürnberger (2005:48), "Righteousness is willed by God and demanded by God's law. But law and its works cannot make us righteous. Righteousness is a gift, not an achievement. It is brought about in us and through us when the Spirit grants us participation in the new life of Christ through the proclamation of the gospel." We are not required to do something or rely on our own personal resources to receive this gift. It is something that flows from God through Christ to us. It is an alien righteousness (see Nürnberger 2005:49).

Nürnberg (2002:238) states that:

as Christ died to sin and lives to God, believers consider themselves dead to sin and alive to God in Christ Jesus (Rom 6:10f; 2 Cor 5:15) ... By the power of the Holy Spirit this identification with Christ and this anticipation of our own death and resurrection develops a transformative power already in this life (Rom 6:9ff). We are transformed in the image of Christ (2 C 3:18), who is the image of God (2 Cor 4:4) ... they are "righteoused" by the Spirit on account of their faith, that is, their identification with, and participation in the new life of Christ. They are no longer living according to the flesh, they are no longer in sin, they are no longer subject to the law, because in Christ the demand of the Law is fulfilled by the Spirit which has taken over from the flesh. It is in this sense that the Law has come to an end in Christ. But all this is only true as far as and as long as we are in faith.

Nürnberg (2005:124) finds the doctrine that God justifies the ungodly "peculiar." He further argues that the doctrine that the sinner is justified because of the righteousness of Christ does not make sense because God cannot be just if He justifies a sinner based on the merits of Christ. According to him it seems that God has committed a judicial error, or a miscarriage of justice, or blatant corruption. He believes that the only way to understand the legal formula "justification by grace accepted in faith" is to say that God justify us because we participate in the new life of the risen Christ through faith in the power of the Holy Spirit. It is the righteousness in us that God justifies, not based on our sinful beings (see Nürnberg 2005:124).

#### **4.5.6 Justification by Faith and through Grace**

"The Gospel says that we are saved by faith, not by our achievements. Faith means that we accept being accepted by God. Faith is the outstretched hand that receives the gift of God in humility and gratitude" (Nürnberg 2016a:72).

Nürnberg (see 2005:41) says that there is no contradiction between grace and faith. The one cannot exist without the other because it is grace that creates faith, and it is faith that accepts grace. He (see 2005:43) also makes a distinction between faith and belief. According to him belief is the assumption that something I cannot see is probably true whilst faith is trust that the promise of God is true. According to Nürnberg (2005:46), "faith comes into being when the Spirit uses the proclamation of the Word of God to transform our lives. And our faith remains healthy and strong only as long as the Word of God sustains our faith." Nürnberg says that "according to Paul and Luther, it is the Word of God that creates faith in us ... But it is also our faith that creates what we consider to be the Word of God for us. It

is, after all, we who either believe, or who do not believe” (2005:43). The faith of Christians is based on the redeeming power of God which lies in nothing else but the cross alone (see Nürnberger 2005:45).

Nürnberger (see 2005:97) says that the formula “justification by grace accepted in faith” has lost its appeal, if not its meaning, for many of our contemporaries because it is too abstract, legalistic, and only applies to the sphere of sin and forgiveness.

Nürnberger (2005:43) defines faith as follows: “Faith is not a solid foundation to stand on. Faith is a commitment to stick it out with God when life foundation becomes difficult. Faith is a constant resolution to follow Christ and carry His cross-no matter what.” He also describes it as follows: “faith is not a reflection of what is, but a protest against what is, in the name of what ought to be in the eyes of a just and living God” (Nürnberger 2005:46). He further describes faith as “participation in the new life of the risen Christ, not its possession. It remains a gift. It cannot exist without the Spirit of God. It is always based on the promise of God and the trust of the believer. It requires us to be alert. One can lose it; one can abuse it; one can forfeit it” (Nürnberger 2005:52). Nürnberger also refers to faith as our response to the Word of God and reminds us that it is a gift whilst at the same time cautioning us that faith is not supernatural knowledge, nor moral excellence, nor an ecstatic high (see Nürnberger 2005:52).

Faith is the continuous struggle to identify the grace of God which is hidden under the wrath of God and to maintain the joyful assurance of salvation during frustration and destruction (see Nürnberger 1975:196).

“The grace of God cannot be achieved by fulfilling the law; it is accepted in faith as a gift” (Nürnberger 2016a:49). The grace of God refers to God’s redemption of the sinner in Christ, whilst the Law accuses and condemns the sinner (see Nürnberger 2016a:49).

The core of Protestant theology is that grace is unconditional. Not even our faith can serve as a precondition for the receiving of grace. According to Nürnberger (1975), this argument is dangerous especially because it sounds so theologically correct whilst it is in fact awfully wrong. Grace is unreal unless it generates faith in us. Faith is not a precondition to receive God’s grace. Faith is the result and manifestation of grace. Grace always generates faith because if it does not, it is not grace. The clarion call of the Reformation was not only “sola



gratia" but also "sola fide" and in both cases "sola" (alone) is applicable which is clear that the two concepts are complimentary. Nürnberger therefore says that the doctrine should read: "through grace and faith alone, and not through satisfying the demands of the Law" (see Nürnberger 1975:119).

#### **4.5.7 The Justified as Sinner**

"Justification by grace, not by works, means that God Himself, who is the highest authority, affirms our right of existence in spite of the fact that we are failures and sinners" (Nürnberger 2005:122).

This implies that we are simultaneously justified and sinners (*simul iustus et peccator*). For Nürnberger the church is a mix body (*ecclesia permixta*) because it is composing of believers and non-believers (see Nürnberger 2005:117).

It is said in the Lutheran tradition that the believer is simultaneously just and a sinner which is known in Latin as indicated above as "*simul iustus et peccator*." This is another one of the areas of doctrine where Lutherans and Roman Catholics could not reach an agreement in the JDDJ. "Salvation is indeed based on righteousness ... However, it is not our own righteousness, based on fulfilment of the law which saves, but the righteousness of Christ in which we can participate" (Nürnberger 2005:111). "The fact that the righteousness we gain in Christ is an "alien" righteousness ... means that a continuous battle rages between our old sinful lives, which are prone to sin, and the new life of Christ, which overcome sin, the struggle is expressed by the famous (or infamous) ... *simul iustus et peccator*" (Nürnberger 2005:117).

#### **4.5.8 Law and Gospel**

According to Nürnberger (see 2005:81) the Word of God consist of Law and Gospel, but they are not of equal importance and each with its own function or purpose. The law leads to repentance and keep sins in check whilst the gospel creates faith, grants forgiveness, and leads to renewal of life in Christ. He also says that "While the Law demands righteousness, the Gospel grants participation in the righteousness of Christ. Both are necessary, but the Law is superseded by the latter actually fulfilling God's will in us that the former cannot do" (Nürnberger 2005:120). For Nürnberger (1983:74), "the real difference between the Law and the Gospel lies in the fact that the Law poses conditions for acceptance by God, while the

Gospel offers unconditional acceptance in the new life of Christ ... The Law only sets up the norm or criterion for righteousness- and therefore automatically expose the lack of righteousness. We must acquire it by our own achievement. But to succeed in this we should have been sinless, which we manifestly are not. Thus, the law cannot save us. In the Gospel participation in the new life of Christ is offered. This is a pure gift of God. If we accept it, we have it – without any achievement of our own. In our participation in the new life of Christ the will of God is than wrought in and through us just as a good tree produces good fruit. It is evident that this righteousness is not our own righteousness, but of Christ. Therefore, Luther calls it *iustitia aliena*.”

The Law as we know it, has gone through an evolutionary process and produced a variety of forms, and not everything is equally wholesome and theologically acceptable. There are three distinct three major trends, “one towards stability and obedience, the second towards ritual purity and the last towards freedom and responsibility in the face of changing situations” (Nürnberg 2002:239). “The Law originally defined an attitude and behaviour which falls in line with the prerequisites of human well-being” (see Nürnberg 2002:230). Nürnberg (see 2002:244) says that he concedes that the terminology of Paul concerning the Law is confusing because it is legalistic and oppressive.

Nürnberg (see 2005:101) points out that God’s relationship with Abraham was unconditional, the liberation of Israel was without divine demands, even His election of Israel as His people was unconditional as well. The covenant with Israel (Deuteronomy 30:15) introduced a formal and reciprocal obligation. He will be their God and they will be His people. He will care for them, and they will keep his commandments. Israel’s selection by Yahweh was pure grace. In no way did they merited Yahweh’s selection. He could have chosen a much more impressive nation. According to the prophets Israel failed to comply. It must be noted that the blessings and the curses was this-worldly, it focussed on their earthly reality. The works of the Law became a condition of acceptance of belonging and the Law was codified and interpreted in much more meticulous detail which had to be slavishly followed. According to Nürnberg (see 2002:227), the originally human response to the divine covenant was merely common decency as defined by, and internalised in, a patriarchal-hierarchical order. Originally, righteousness was understood as an attitude and behaviour appropriate to a relationship of *Shalom* between the partners (see Nürnberg 2002:227, almost verbatim).

Nürnberg (2002:230) also defines Zedakah (righteousness) as “human correspondence to, or participation in, divine commitment to comprehensive well-being. Where the appropriate attitudes and behaviour are not forthcoming, righteousness is posited explicitly as an obligation. If that does not lead to a satisfactory response, the demand turns into judgement.”

The Jews and Gentiles that have been accepted into God’s fellowship are now in fellowship with each other because the law which used to be the basis for acceptance has been suspended. The wall that used to separate Jews and Gentiles has been demolished (see Nürnberg 2005:104).

The Law “has been fulfilled in Christ and it is being fulfilled in us through faith, that is, in as far as we are “in Christ,” or “in Spirit,” or “living not according to the flesh but according to the Spirit” (Nürnberg 2002:241).

The expectation of the Last Judgement dominated the scene during the time of Jesus’ ministry on earth. Salvation was not expressed as a life experience on earth but as avoiding eternal condemnation or hell. Before this, as can be seen in the Old Testament, death itself was the wages of sin. It was in fact the ultimate punishment for sin like the Last Judgement (see Nürnberg 2005:105). Nürnberg (2003:22) says that “The realisation that it is not only immoral behaviour which makes us unacceptable to God and to each other leads us to much wider objectives. A Gospel restricted to the forgiveness of transgressions would be a truncated Gospel. Luther keenly realised that our right of existence is not only questioned by our trespasses, but by inexplicable pangs of fate, social injustice, suffering and death.”

According to Nürnberg (2005:111), “The gospel of Christ creates faith; faith then creates love, love creates genuinely good works. The law cannot do that; so, it comes to an end ... The intention of the law ... is fulfilled in Christ ... The function of the law ... comes to an end in Christ because it becomes superfluous.” The gospel redeems, liberates, motivates, and empowers and the law demands, accuses, enslaves, and condemns (see Nürnberg 2005:115).

Nürnberg is extremely critical of Paul and Luther’s formulation of the gospel. According to him they used a legal framework to contextualise the Gospel in order to respond to a spiritual environment steeped in legal assumptions, which resulted in an abstract and incomprehensible formula that does not make sense to lay people. The legal framework was inappropriate because God has suspended the Law in Christ (see Nürnberg 2005:123/4).

According to Nürnberger (see 2005:126), the Lutheran formulation of the Gospel has another weakness: its underlying concept of salvation. This concept was inherited from trends in post-exilic Judaism where salvation "was understood as an escape from God's wrath in the Last Judgement." This concept of salvation implies an individualised, privatised, and spiritualised understanding of our relationship with God. The Old Testament had a different understanding of the concept salvation, it was termed "shalom," which if adequately translated means comprehensive well-being which is another word for "peace with God." Christians transformed this earthly and inclusive concept of salvation to an otherworldly and private spirituality. Through the sacrifice of the blood of Christ, it is believed, a bodiless soul is reconciled with a world less God. All problems and predicaments we encounter in connection with our bodies, the community, the society, and the natural world has nothing to do with salvation. Such a God and soul does not exist according to Nürnberger.

We note in the New Testament that some people stuck to the Law as a condition of acceptance. We read about Paul's confrontation with Peter in Gal 2:11ff as well as with others in Gal 3 and Phil 3 who wanted to impose the Jewish Law on gentile converts to Christianity. Again, we see in the Gospel of Matthew and the Epistle of James Jewish-Christian loyalty to the Law. So too do we see that even though the Epistles Timothy and Titus quote some of Paul's insights, their emphasis is on moral excellence and institutional offices as well as emphasising the keeping of the law. According to Nürnberger, the early church had a similar emphasis (see Nürnberger 2005:106).

#### **4.5.9 Assurance of Salvation**

Nürnberger (see 2005:106) says that what happens beyond death does not matter, it is what happens here and now that do matter because those who have accepted Christ have eternal life already and those who have rejected Christ Jesus, are condemned here and now.

#### **4.5.10 The good works of the Justified**

Good work is not done in gratitude. We do not pay back a debt to God. In doing good work we are not doing something for God, but God is doing something through us (see Nürnberger 2005:116).



Nürnberg (2002b) says that not only does the Gospel forgive our sins, but it also plants a tree in us that produces good fruit, and that tree is in fact the new life of Christ. However, we remain sinners but at the same time we share in the new life of Christ in us (*simul iustus et peccator*) This righteousness of Christ that is in us is not ours, it has been imputed to us. It is alien (*iustitia aliena*), yet it effectively transforms our lives into that of Christ, it is not us, but Christ who produces the good fruit in and through us.

According to Nürnberg (2002) the Bible is clear that God acts through human beings. Philippians 2:12f states that we must work out our own salvation. Again, in Phil 3:13ff Paul indicates that after he was seized by Christ, he continues his “pursuit towards the goal, the price of God’s upward calling, in Christ Jesus” drives to seized salvation. Nürnberg cites several other verses<sup>2</sup> to prove biblically his argument of the involvement of humans in the process of their own redemption. According to Nürnberg (2002a:71), “The Spirit calls for our active participation in the redemptive project of God, namely, to kill the works of the flesh, and to live in the Spirit. This is an active, motivated effort on our part, sparked off and empowered by God.” According to Nürnberg, (2002b) Paul does not oppose “works” that flow from the new motivation manifest in Christ; he in fact gets upset when the faith of the congregants is not visible in their actions. “Work out your salvation with fear and trembling because it is God who works in you both to will and to succeed” (Phil 2:12). “The good tree, which will bring good fruit, is not our own life, but the new life of Christ, which God has prepared for us to share, in spite of the fact that we are still sinners in the flesh” (Nürnberg 2002b:243).

By the imputed righteousness of Christ, God reconstitutes us into new beings and prepares us to live a new life in Christ. We become a new creation, through God’s own “workmanship,” as Nürnberg refers it. This work of God empowers us to do good works. God’s expectations of us are therefore being fulfilled as a consequence of the gift of God, and not as a condition for acceptance (see Nürnberg 2016:48).

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<sup>2</sup> Ephesians 2:8-10; John 15:5; John 5:19; Matt 28:18ff; and Act 1:8f. It is not either God or humans who act but it is God acting through humans see Nürnberg 2004:229.

## 4.6 Conclusion

Nürnberg presents himself as a champion or activist for ecumenism. So much so that he states that one of the reasons that he wrote *Systematische Theologie* (1975) was to promote and contribute to the ecumenical discourse. It is for this reason that he encourages dialogue between different denominations and that he received the dialogue between LWF and the RCC positively, be it with certain reservations.

In Nürnberg (2003:15) he regarded the JDDJ as a “leap forward” and “indeed most gratifying” because according to him “a considerable amount of misunderstanding concerning this doctrine has been removed and some common formulations has been drawn up.” He cautioned those who refer to the JDDJ as an agreement because he is of the view that an agreement on justification would have removed all the difference between the RCC and the LWF because “the doctrine of justification is the basic conviction from which everything else is derived.” According to Nürnberg (2003:16) the JDDJ had little impact on the relationship between the two churches hence he questions the validity of the statement in the Annex to the Declaration that “by justification we are unconditionally brought into communion with God” whilst without being brought unconditionally into communion with each other.

Nürnberg (2003:18) accuses the negotiators of RCC and LWF of entering the negotiations with an attitude that they are custodians of the ultimate truth with no intentions to compromise during negotiations. Their respective doctrines were cast in stone, and they merely analyse and reinterpret their respective doctrines against the criticism raised by the other party. None of the 16<sup>th</sup> century’s anathemas were revoked but instead confirmed. Nürnberg believe that with this the parties confirmed their believe of the infallibility of their respective doctrines.

In Nürnberg (2004:210) he says: “after decades of negotiations, Catholic and Lutheran theologians find a formulation of the doctrine of justification which allow the two churches to abandon their traditional condemnation of each other. What an historical breakthrough!” Nürnberg was antagonised by the negative response towards the JDDJ (1999) by more than 250 German theologians who found it unacceptable that the Catholics failed to endorse God’s justification of the sinner by grace accepted in faith as the very foundation of the Church. Nürnberg found their rejection problematic because their Lutheran doctrine of justification

by grace accepted in faith implies God's unconditional, suffering, redeeming acceptance into fellowship. Lutherans cannot make the acceptance of the doctrine of unconditional acceptance a condition for acceptance into fellowship, without abandoning their very own foundation.

In another response to the JDDJ Nürnberger (2005:109) says: "This is most gratifying. But should not overlook the fact that, for the Catholic position, it is still ecclesial authority that forms the basis of the Church, while in Protestantism the basis of the Church is the Gospel of grace accepted in faith. This has far-reaching consequences for the understanding of the Church, church unity, the ministry, the Sacraments, the Scriptures, the status of the traditions and even for the truth as well."

Nürnberger (2005:170) states that one of the thorniest issues in ecumenical endeavours is the fact that the Roman Catholic Church is based on an absolutely monarchy presiding over a feudal hierarchy. For Nürnberger "To come to an agreement, it is not sufficient that a new spirit guides the present incumbents of the hierarchy, while the underlying assumptions and the institutional structures remain intact ... both motivations and institutions must be changed to overcome an unacceptable spiritual and social situation."

In the last comment of Nürnberger from the list of sources that I consulted on the JDDJ he says: "tradition-bound theologians from the Lutheran and Catholic churches struggled for thirty years to come up with the JDDJ. At least they agreed that there was no need to condemn each other any longer, although consensus was not reached and although nothing changed in the relation between the two denominations in practical terms."

## **Chapter Five: Simon Maimela on the Doctrine of Justification and the Joint Declaration**

### **5.1 Introduction**

This chapter will follow the same approach as the previous one. Its primary focus will be on Maimela's views on justification and to determine, on that basis, his implied position on the JDDJ, whether he diverged from the JDDJ.

The sources that will be consulted shall include but are not limited to: "Man in 'white' theology" (1981); "Atonement in the Context of liberation Theology" (1982); "Luther's Doctrine of Justification by Faith Alone and its Continuing Relevance for South Africa" (1983); "Salvation in African Traditional Religions" (1985); "A Message from Harare by Black Lutherans" (1986); Proclaim freedom to my People (1987); "Theological Dilemmas and Options for the Black Church" (1988); "Faith that do Justice" (1989); We are one Voice (1989); "Christian Socialism as Precursor of Liberation Theology" (1989); "Salvation as a Socio-Historical Reality"(1990); "Traditional African Anthropology and Christian Theology" (1991); and "Religion and Culture: Blessings or Curses" (1991).

### **5.2 Background and Oeuvre of Maimela**

Simon Sekomane Maimela was born on 14<sup>th</sup> July 1944 in Mashishing in Mpumalanga. He moved to Johannesburg due to lack of opportunities and worked at SA Breweries and completed his matric in 1967 through Damelin, a correspondence college. In 1972 he obtained his BA degree through correspondence from Unisa. During the same year he got married to Mabel, a history teacher and left for the USA where he obtained his ThM from the Lutheran Seminary in St Paul, Minnesota in 1974 and his ThD from Harvard University in Cambridge, Massachusetts in 1978. Whilst in the USA, Maimela taught at Harvard Divinity School (1975-1977), Boston State College (1977-1978) and Chicago Theological Seminary (1978-1979) (see Landman 2010:3).

In 1980 he returned to South Africa where he taught at the Marang Seminary in Rustenburg. In 1981 he was appointed senior lecturer at Unisa. He and Bonganjalo Goba were the first black lecturers at the Faculty of Theology at Unisa where he stayed for 13 years in the Dept



of Systematic Theology. In 1994 he became the first black Vice-Chancellor of Unisa (see Landman 2010:3).

Maimela is an ordained Lutheran pastor of the Evangelical Lutheran Church in Southern Africa. Before his retirement from active ministry in 2009, he served as Pastor in charge of Atteridgeville parish, Pretoria circuit in the Central Diocese in Tshwane, where he was responsible for two congregations (see Farisani 2010:1).

Maimela was co-founder and chairperson (1981-1989) of the Institute for Contextual Theology (ICT) and international coordinator (1982-1996) of the Ecumenical Association for Third World Theologians (EATWOT). During the 1980's Maimela found himself regularly in the public eye and especially for his view on "white theology", for his statement in 1982 that "it is a sin against God that blacks has been sentenced to a life of poverty, underpayment, overcrowded and crime-ridden townships, humiliating life in single hostels, and other legalised dehumanisations", as well as for the conference of the South African Council of Churches (SACC), and for the document that he and Goba, together with 36 theologians signed demanding the release of political prisoners and the lifting of the state of emergency. Maimela was also co-signatory to the Kairos Document. During October 1985, the house of Maimela in Atteridgeville was petrol bomb which was clearly the work of the security police. He felt forced to leave the country for a few months as a safety precaution but returned in 1986 (see Landman 2010:4).

Apart from the books and articles listed above, Maimela authored numerous others which include but is not limited to the following: "A Call for Renewal in the Doctrine of God: A Critical Evaluation of the "Death of God" Theology" (1974); "Towards a Theology of Humanization" (1982); "Current Themes and Emphasis in the Black Theology of Liberation. Black Theology Revisited" (1983); Systematic Theology: Study Guide for STH407-X (1983); "The Task of Theology in South Africa" (1986); The Emergence of the Church's Prophetic Ministry: An Essay on Modern Trends in Theology (1986); "Liberation Theology: Comparative Perspectives" (1986); "Black Theology and the Quest for a God of Liberation" (1993); What is the Human Being? (1994); Initiation into Theology: The Rich Variety of Theology and Hermeneutics, co-edited with Adrio Konig (1998); Quality Assurance in Open and Distance Learning (2001).

Maimela is highly regarded amongst his peers, especially amongst those who embrace Black and Liberation Theology. Buffel (2010:99) describe him as "an intellectual giant whose sandals

I am not worthy to untie.” He further states that “The theological contribution that Maimela made over the years is not neutral but committed to the transformation of society. It is committed to overcome oppression.” (Van Wyngaard 2017:2) says that “as a systematic theologian Maimela reflects on two loci in particular. The one is notions of salvation and in particular how it relates to history and liberation, the other anthropology and how it relates to race and racism.” Molobi (2010:2) says that” Maimela has produced books and articles that have a lasting message for the future development of Black Theology in South Africa and worldwide.” Landman (2010:49) states that “his articles on Liberation Theology in academic and semi-academic journals and his inaugural lecture are acknowledged as the source of views that contributed to the political transition to democracy in South Africa.”

As far as I could ascertain, Maimela, unlike Nürnbergger, did not publish anything on the JDDJ, nor could I find any reference to it that was made by him. I believe Maimela regarded the JDDJ as a non-event, especially when one considers his own views on matters which are raised in the JDDJ. Therefore, the rest of this chapter will focus primarily on attempting to ascertain his implied view on the JDDJ by describing his views on doctrinal matters such as salvation, sin, redemption, justification, gospel, church, and good works, which are being raised in the JDDJ.

### **5.3 Maimela on Soteriology and the Doctrine on Justification**

#### **5.3.1 Salvation**

According to Maimela, salvation is not as simplistic as some of us might assume. In his article “Salvation as a Socio-Historical Reality” (1990), Maimela discusses the traditional view and the liberationist view of salvation. The traditional view of salvation has especially three variants, namely, first, the “classic dramatic view” which describes the conflict between God and Satan which culminated in the battle on the cross, where Jesus fought on behalf of humanity, who, through sin submitted to Satan and had to be rescued from bondage by Jesus paying the ransom to Satan; second the “Anselmian theory” which maintains that our sins, which is a transgression of God’s law, has created a barrier between us and God and the satisfaction or reparation of the breach of God’s honour could only be met by the sacrificial death of Jesus on the cross; and third the “modern” theory that the saving work of Jesus takes

place inside of us and transforms us from hatred and rebellion against God to love and obedience (see Maimela 1990: 43-45).

In his critical evaluation of the three traditional theories of salvation, Maimela concluded that collectively they present a fair biblical account of how salvation should be understood. Because of their biblical basis, these theories have been accepted by both Protestants and Roman Catholics. His criticism against these theories is their failure to reflect the comprehensive meaning of salvation as it is, according to him, portrayed in Scripture. Furthermore, he believes that these theories neglect the community and instead focus on the individual. They reduce the work of Christ on the cross to a private matter between God and the individual and ignore the concrete evil and human suffering in society. Maimela states that the reason why Abelard's theory found acceptance was because of its compatibility with the bourgeois social conditions (Maimela 1990:46). He further states that a theory of salvation which fails to expose the social evils of this world have rendered itself irrelevant to the poor and the oppressed. The poor and the oppressed are not interested in a God who is disconnected with their plight on earth but seek a God that can transform and liberate them from their earthly spiritual and social sins (1990:46/7). Anselm's theory is just as defective because of its approach to separate the spiritual life from the concrete living conditions. Salvation in this instance become a divine rescue from spiritual torments. It is all about bringing relief to the soul. In all three variants of the traditional theory of salvation, salvation is removed from the earth. It is some heavenly activity with no connection with the earthly realities of those who need redemption not only from spiritual oppression and exploitation by Satan but also from the capitalist system here on earth (see Maimela 1990:48).

On another occasion Maimela (1988:20) states: "salvation is understood largely as a matter of preparing people for life to come, by making them acknowledge and confess their private sins and seek forgiveness from God."

Maimela contrasts the traditional view of salvation with that of the liberationist view. This view hold that the traditionalist view is narrowly individualistic and abstractly non-historical, whilst salvation should be understood as comprehensive, with the objective to liberate humans from spiritual, socio-political, and cultural bondage. According to Maimela (1990: 49-50), from the Medieval church to the Reformation and even beyond, the emphasised was on nothing more than the soul and life on earth was not more than preparation for the beyond.

He says that even Luther and Calvin were guilty of this, hence Luther could out of hand rejected the demands of equality by the Peasants. He regarded their demands as matters of the flesh by revolutionaries who were mixing politics and religion. According to Maimela (1989:14), "Luther, Calvin and other reformers believed that social institutions were ordained by God, they thought that the main purpose of these institutions was to further the religious life of Christians, and not the satisfaction of people's bodily needs."

The above mindset of the Church was primarily changed by the Renaissance, the Enlightenment in the eighteenth century and the liberalism of the nineteenth century which demonstrated a Christian concern for the oppressed and exploited. This new wave was led by the demand of the quakers for social reforms; the campaign led by Wilberforce demanding the abolition of slaves; and Lord Shaftesbury demanding improved conditions of employment for factory workers. All this gave rise to modern historical consciousness, which was in fact an anti-exploitation and anti-oppression consciousness. This modern historical consciousness, resulted in people believing that the suffering and unjust social conditions that people were subjected to, was created by humans, and not willed by God, and therefore, Christians must get involve in the liberation of society from these sinful social evils.

Maimela (1985:73) says that any understanding of salvation which only focus on the salvation of the soul from hell and eternal damnation, will render itself inadequate to meet the needs of the people especially if such understanding does not promise happiness and prosperity in life this side of the grave.

According to Maimela (1990:53),

Salvation can no longer be understood as an escape from this miserable world but as a divine power and the possibility of transforming individuals and their social structures- thus liberating them from both spiritual and physical oppression. That is, salvation has everything to do with the institutions and structures that binds people of flesh and blood and can therefore become good news for the oppressed, the hungry, the alienated and divided humanity.

Maimela (see 1988:16) states that the black church should not accept western definitions of salvation even if Luther, Calvin, and Barth propose it.

According to Maimela (see 1989:11), the objective of the salvation Christ procured for us on the cross has as its primary objective the overcoming of the sin of alienation between God and human beings and amongst beings. Therefore, Christians cannot only be interested in the



assurance “of the benefits of the saving death of Christ bereft of its power to transform their lives and their social, interpersonal relationships should be reminded that justification that does not lead to sanctification, that is, human subjective response to the divine gift of freedom which in working for liberation and justice for other humans, is not genuine.”

According to Maimela (1989:157), when “white theology” refers to salvation it is referring to the restoration of the vertical relationship between God and sinners which creates the impression that true salvation is possible apart and in exclusion of the world and thereby ignoring the fact that sin against individuals is of equal importance as sinning against God. The assumption was that salvation can be genuine and real apart from socio-political transformation. Which means that the salvation of the individual is possible apart from the salvation of the world (see Maimela 1987: 19).

Maimela (see 1988:17) says that our redemption is brought about through the vicarious death of Christ on Calvary and through His resurrection, God secured the ultimate remedy for our sins and its consequences. This Christ-event constitute our atonement which heals and restore our broken relationship with God as well as with other human beings.

According to Maimela (see 1987:87), atonement is the process to reconcile God and human beings after having been separated and became enemies due to sin.

Maimela (see 1981:77) says that it was “for perverted human life and culture that Jesus Christ died to heal and renew what sin had infected with sickness and death so that He might regenerate and reinvigorate the entire human life and all human relations.”

### **5.3.2 Sin**

Maimela (1991:13; see also 1988:22) states that, according to African anthropology, sin manifests itself when one human being attempts to destroy, diminish, and threaten the life of another human being. Sin is not restricted to conflict between God and humans only and that such conflict could be resolved by reconciliation between God and the individual, whilst the one individual can continue to exploit and oppress the other. Instead, in African anthropology sin and evil was regarded as such when human being suffers injustice, oppression, and destruction at the hands of another human being. Sin and evil were regarded as a breach of love between human beings; therefore, sin and evil are a manifestation of lack of love in personal relationships. Violence and destruction against fellow human beings

constitute sin and evil more than the transgression of divine law does because God does not suffer any injustice at the hands of humans, but fellow human beings do. In African anthropology you cannot after sinning against your neighbour resolve the matter by confessing to the priest, you must do reparations to your neighbour. The victim cannot be ignored in settling the matter.

Maimela (1988:24) says that “Christians should focus on the wrongs that they do to their fellows in society instead of focussing their gaze on the clouds in the sky and wondering about their future security in heaven.”

For Maimela (1990:45), sin is more about people’s intentions, therefore, it is when people submit to these evil intentions that they sin. Sin is theologically defined as a state or condition of alienation which resulted from broken relationships between God and humanity as well as amongst human beings (see Maimela 1990:54). According to Maimela (1990:54), liberation theology holds the view that sin is not just a private matter but a social community concept which manifest itself by refusing to be in fellowship with God and fellow human beings. Maimela states that “Sin is therefore a deeply rooted reality in human existence transcending individuals because the collective will of refusal to love is embodied in social structures. Therefore, the elimination of sin requires a greater effort than the conversion of a few pious individuals. Its elimination demands a radical liberation and transformation of humanity itself as well as the transformation of society.” According to Maimela (see 1990:55), a long struggle which involve God and humans is needed to achieve the above-mentioned victory over sin and its consequences both in the personal and social sphere. Such a victory over sin and its consequences, will result in liberation, reconciliation and freedom becomes the property of all to enjoy.

Maimela states that white people defined the human problem as sin which unfortunately was accepted by the black church as well. He advises black churches not to accept the definition of sin maintained by white people because the life experiences of Black people are vastly different from that of whites who colonised the Black people (see Maimela 1988:16).

In our everyday life we find ourselves in multiple relationships with God and other individuals. Sin is the reason why these relationships are broken, resulting in estrangement and separation from God and other human beings. Oppression, exploitation, and lovelessness are

manifestations of sin which result in a broken world full of injustice, poverty, and hunger (see Maimela 1988:17).

It is the view of Maimela (1988:20) that:

Christians should focus on the wrongs that they do to their fellows in society instead of focussing their gaze on the clouds in the sky and wandering about their future security in heaven. As we focus on those sinful activities which are hurtful to our neighbours, it will become possible for us to think of the ways and means by which we could overcome our sinful relationships.

According to Maimela (1987:41), in the family of God, we are all sinners and because of that we received the same salvation without distinction. None of us is more worthy than the other. Therefore, because we are children of God by grace alone, we are our brother's keeper. Maimela (1985:73) also says that "it is a sign of ignorance to define, in advance of the actual analysis of any religious tradition under study, what sin and salvation should be in order to prove that one's own tradition is more valid or superior to the other religious traditions."

According to Maimela (1988:17/8), the mission of the church was supposed to proclaim God's victory over sin which will result in the renewing and restoring of relationships between God and human beings as well as amongst human beings. Maimela is of the view that the church has failed to proclaim the gospel of God's forgiveness and reconciliation with God and human beings. He is further of the view that the church has also failed to actively promote justice so that God's promise in the gospel of love, peace and reconciliation be made present in relationships amongst human beings. In addition, the Church also failed to make the critical connection between faith and ethics.

### **5.3.3 Gospel**

Maimela (1990:54) defines the gospel as that message that declares that "in and through the saving act of Christ, God intends to deal with what is deepest and most fundamental in human life: the healing of the most stubborn disease of the human heart, namely, hatred, distrust and lovelessness that manifest themselves in sinful unjust relationships." Maimela (see 1991:11) criticizes colonial theology because according to him it is guilty of spiritualising the gospel to the point where it emphasizes a distinction between spiritual and material needs. This gospel with its prime focus on individual souls facilitated the subjugation, plundering and violent expropriation of land of indigenous people by colonialists.

Furthermore, Maimela (see 1988:20/1), argues that a gospel that allows sinful, violent, and fallen structures to remain in place can never be the Good News from Christ Jesus for the victims of these structures who suffered numerous social ills which includes all kinds of material deprivation, racial humiliation, and socio-political domination.

#### **5.3.4 Justification**

Maimela (1989:3) is of the opinion that “Luther developed the doctrine of justification by faith alone in order to make sense of life, to discover its deeper meaning and thus answer the burning questions of life and death which his generation asked.” According to Maimela, this doctrine is revolutionary because it is a threat to the church in that it undermines those in power who wants to play God and decides on matters of life and death (see Maimela 1989:5). For Maimela (1989:5), “the central thrust of the doctrine of justification by faith alone is that resources to life do not reside in human hands. Neither does the gift of life depend on the human ability to please God, nor does it depend on our human natural worthiness or background or wealth or achievements. Rather, access to life depends on the merciful God who gives it to those who dare to believe in God.” The reason why Maimela regards this teaching of Luther to be revolutionary was because salvation was available to all and not just to the elite few who were successful in pleasing God. Life is now available to the weak, the poor, the powerless and the unsuccessful (see 1989:5).

Maimela, Echols and Pero (1986:5) state that

Justification by faith points to the intrinsic relationship that exists between faith and deeds and between who one is as a forgiven sinner and child of God and what one does in relationship to one’s neighbours in fulfilment of God’s will. Put differently, justification by faith point to the effecting of reconciliation and restoration of broken relationships between God and humans and between humans themselves who, as forgiven sinners in Christ, engage in acts of love towards one another, thereby building up God’s world/community.

Maimela (see 1989:7) describes the teachings of Luther as God’s acceptance (justification) of sinners not on account of their merits but solely out of pure mercy and grace. This constitutes the unconditional acceptance of the unacceptable sinner by God in Christ.

Maimela (see 1989:8) argues that because of Luther’s view that Christian freedom is equated with justification, it is legitimate to discuss and link the doctrine of justification and social justice. He further states that it is “a basic fact that there exists an intrinsic relationship



between God's act of justification and human struggle for justice" (Maimela 1989:12). Maimela argues that human beings under apartheid needed freedom from various forms of oppression just as Luther's generation needed freedom from what Luther referred to as the tyranny of the Pope. Luther's doctrine of justification by faith alone met that need for his generation as well as for Maimela's generation (ibid).

Maimela does not regard justification of the sinner as merely a "dead juridical matter" but that it is instead a transformative act which regenerates the sinner and creates a new person with new attitudes and new behaviours. This new creation in Christ's righteousness through God's act of justification sets the sinner free to do good works, not for the sake of salvation but to serve out of love (see Maimela 1989:9).

According to Maimela (1983:62),

justification by faith alone ... reminds South Africans that all humans are unworthy, unacceptable sinners before God, and therefore there is no race or group that is better than the other. Rather God in Christ accepts (justifies) sinful people not on account of their merits (racial worthiness) but solely out of His sheer grace and mercy.

All are children of God by grace alone and not by any human contribution or effort. All fall short of the expectations of God and their neighbours, the reason why they are still alive and have not yet been destroyed is "solely due to the fact that God suffers them, tolerates and accepts them despite their sins, despite their insufficiency, and despite their lack of perfection and good manners" (Maimela 1983:62). Therefore, no one has the right to set a higher standard for acceptability of the unacceptable and ungodly than God. What God has accepted no one can reject without putting yourself out of God's sphere of grace (Maimela 1983:63).

Whilst in some instances Maimela (see 1983 and 1989) sang the praises of Luther's doctrine of justification by faith alone and referred to it as being revolutionary, elsewhere (Maimela 1988:23), he lambasted it as follows:

Black theologians should no longer merely borrow theological formulations that are unintelligible to the African perspective on human life. Formulations such as "Justification by faith alone" propounded by Luther and others were intended to give individuals assurance both about the forgiveness of sins and life hereafter. This theological insight ... should not be accepted by the Black Church without qualifications.

According to Maimela (see 1988:24) anxiety about life hereafter is not an African problem because according to African anthropology Africans are assured of life beyond death because they are received by their ancestors and all their earthly transgressions was made right here on earth with neighbour, ancestors, and God, therefore there is no need for anxiety about heaven and hell.

### **5.3.5 Faith**

According to Maimela (1989:9), “God as the subject of justice in the Christ-event creates the just person of faith. This faith seizes us and put us outside ourselves, lest we rely on our own power, conscience, person and works, and it makes us rely upon that which is outside ourselves, namely upon God’s promise.”

Maimela (1989: 9/10) says that to be united with Christ by faith must result in participation in service to the world. He insists that Christians must come to the aid of their neighbours because it is through such actions that the Christian faith is manifested through the fruits of love, namely good works.

### **5.3.6 The Church**

According to Maimela (see 1983:59/60), the medieval church claimed that salvation is found in the church alone and the church was the only way to God. God could only be reached via the church because it has the keys to God which means the church is the gatekeeper in determining who gets eternal life and who dies. It is the sole dispenser of the means of forgiveness.

Maimela focuses primarily on the church in apartheid South Africa, however he does not neglect to address the issues of the global church. His criticism against the church is inspired by the tenets of Black- and -Liberation Theology. He says that the white people established the church in South Africa and that black independent churches borrowed theological slogans from white theology (see Maimela 1988:16).

The church “understood her mission exclusively in relation to redemption (salvation) by founding missions and sending out missionaries to conduct God’s transformative acts on human hearts and souls” (Maimela 1987:19).

The church began to glorify poverty as a virtue and that it is spiritually beneficial if you are poor and dominated. In this life, equality is only possible at a spiritual level and in the life hereafter all will be equal. Religion became opium which enabled the poor and oppressed to suffer patiently and with dignity for their “pie in the sky” (see Maimela 1988:19). The church also disconnected the link between the salvation of the individual and human relationships which resulted in Christians ignoring the injustice and oppression perpetrated by their sinful relationships (see Maimela 1988:20).

The church failed to transcend the changes of its time. The church who was supposed to be the agitator for the gospel of liberation and freedom, allowed itself to be hijacked by the apartheid racist whites. The church disarmed the oppressed working class from challenging the unjust social conditions by their interpretation of the gospel (Maimela 1987: no number).<sup>1</sup>

### **5.3.7 Good Works**

Maimela (1989:10) says that Christians must get involve in addressing the needs of fellow human beings because Christian faith is manifested through the fruits of love which are good works. Maimela sees this as a means to ensure human rights and justice for all.

Maimela et al. (1986:5) says: Lutherans would be greatly enriched if it were to embrace the Epistle of James as the epistle of holistic Christian power rather than “an epistle of straw.” For this epistle rightly asserts that faith and good deeds belong together and that faith without works is useless and inauthentic.

Maimela (1989: 10), citing a sermon of Luther “The two kinds of righteousness” (1591), describes good works as the fruit of faith, active in love. Furthermore, that we as believers are called upon to be servants of one another, seeking the good of their neighbour in accordance the example set by Christ.

According to Maimela (see 1987:20), because God involves us in the dynamics of creative and redemptive activities so that divine love may finally be realised through our responsible and creative actions, it remains always our task to bring about, construct, design, and create or will the best, just, righteous laws or structures are not idolized, deified, or always defended because none of them is identical with the best that comes with the kingdom.

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<sup>1</sup> This appears in the preface of *Proclaim Freedom to My People*.

## 5.4 Conclusion

As indicated at the beginning of this chapter, I could not find a single reference of Maimela concerning the JDDJ, instead I was met with a deafening silence in this regard. The fact that he is a Lutheran, a Pastor, a professor, and a leading authority in several theological disciplines, makes his silence even more striking. He authored numerous books and articles but unfortunately a lot of the body of his work which is relevant to this study, consist of repeating the same information under a new title or several pages are quoted verbatim. Maimela focuses primarily on Black- and Liberation Theology, but whilst doing so, he expressed interesting, but very firm and at times even radical views about matters such as sin, salvation, the gospel, redemption, justification, and the church. It is based on these expressions that I will attempt to determine his implied view of the JDDJ.

Whilst being a retired Lutheran Pastor, he does not always agree with Luther or the historic Lutheran tradition. Maimela takes issue with the traditional understanding of salvation which according to him, fails to understand salvation as being comprehensive and which focussed on the individual, and the fact that it focusses only on the salvation of the soul” from the pangs of hell and eternal damnation” and spiritual matters; and only prepares people for the life to come. For Maimela salvation is comprehensive in the sense that it is not only about eternal life but inclusive of life here and now (Maimela 1990:53). Salvation is also about our relationship with God which Maimela refers to as the vertical relationship, as well as our relationship with fellow human beings which he terms the horizontal relationship. Maimela is of the opinion that Christians are guilty of neglecting the horizontal relationship and in so doing they are failing Jesus who said when asked in Mark 12:28 which commandment are the most important: “Love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength. The second is this: Love you neighbour as you love yourself.” Neither the joint confession of both parties, nor their individual confessions, reflect Maimela’s description of salvation. Their description reflects the position which he finds problematic, which is the total spiritualization, individualization of salvation, as well as ignoring the life here and now and solely focus on heaven.

Maimela also took issue with a narrow definition of sin (Maimela (1990:54). He says that sin is only defined in terms of a transgression of the Laws of God. Sins are also committed against fellow human beings and the sins of their oppression, exploitation, and subjugation are



completely ignored. What makes it worse in the view of Maimela, is the fact that an oppressor and exploiter can be a Christian in good standing whilst sinning against his/her fellow Christians. The JDDJ completely ignores what Maimela refers to as the horizontal relationship. Their focus is only on sins committed against God and the violations of His Law and ignores the sins such as oppression and exploitation committed against fellow human beings are being ignored.

Maimela holds the view that Calvary has been privatised. What happened on Calvary is a private matter between God and the individual. Hence according to him, when an individual sins against his or her fellow s/he can go to his/her priest and confess, and reconciliation will take place. The victim is ignored in the process whilst God was not injured. God did not suffer, only the victim did. Maimela (1990:75) defines sin as a broken relationship between God and individuals as well as the breaking down of relationships amongst individuals. The JDDJ does not refer to the horizontal relationship between fellow human beings, which is of equal importance as the vertical relationship.

In summary, according to Maimela, salvation is being described in the traditional theory of salvation as liberation from spiritual oppression and exploitation by Satan only, whilst completely ignoring exploitation by capitalism and political oppression by authoritarian regimes. The JDDJ does the same by making no reference to redemption from oppression and exploitation. In the same manner, according to Maimela (1993:55), colonial theology is guilty of spiritualizing the gospel with the soul of the individual as its primary focus. He also accuses colonial theology of using the gospel to support all the atrocities that goes with the colonization of indigenous people. It encourages acceptance of oppression and exploitation and glorify poverty and suffering. Brakemeier (1993:2-3) agrees with Maimela when he says that the gospel is not neutral and that God sides with the poor. He further states that the gospel seeks justice and an end to tyranny; and that the gospel liberates the whole human being, "it sets people free not only from unjust structures but also from the power of sin, human egotism and the tyranny of death."

Maimela regards the doctrine of justification as defined by Luther as revolutionary (Maimela 1989:5), but a year earlier, he stated that black theologians should no longer borrow formulations such as "justification by faith alone" without qualification, even if it comes from Luther or Calvin (Maimela 1988:16). Furthermore, Maimela does not regard justification

merely as a “dead juridical matter” but regards it as a transformative act that regenerates the sinner (1989:9). It appears as if Maimela does not agree with the traditional Lutheran doctrine that justification is forensic. Furthermore, it also appears as if he is lumping justification and regeneration together. The traditional Lutheran doctrine regards justification as an event and regeneration/sanctification as a process. It seems that he is, as far as the concept justification is concern, leaning more towards the RC doctrine on justification.

He agrees with the Lutheran view that justification of sinners does not happen on account of their merits but solely out of mercy and grace of God. He also links the doctrine of justification with social justice, and he justifies this view with the argument that the people in the time of Luther needed liberation from the tyranny of the Pope and his generation needs liberation from apartheid, oppression, and exploitation (Maimela 1989:8).

Maimela states that the just person of faith is a creation of God through the death of Christ. He further states that faith is manifested through good works. He clearly shares here the traditional Lutheran doctrine that faith without works is dead.

Maimela has a problem with the ancient claim of the Roman Catholic Church that there is no salvation outside the church and that the church is the only dispenser of grace (Maimela 1983:6). This view of the Roman Catholic Church is confirmed in the JDDJ when it states at footnote 9 “That the word “church” in this Declaration reflect the self-understanding of the participating churches, without intending to resolve all the ecclesiological issues related to this term”. He also takes issue with the colonialist/apartheid church with its “white theology.” To him the doctrine of justification is about the unconditional acceptance of the unacceptable. His argument is that the “white church” cannot introduce a criterion which is human “merit” (race) whilst God unconditionally accepts the unacceptable (Maimela 1983:63). He further takes issue with the limited or narrow agenda of the church in that it was to set up missionaries to transform human hearts and soul, preaching “a pie in the sky” gospel, completely ignoring the current realities of the people on earth. He said that “Christians should focus on the sins they commit against their fellow human beings instead of focussing their gaze on the clouds in the sky and wondering about their future security in heaven” (1988:24),

Maimela regards good works or “fruits of love” as he refers to it, as activism amongst needy fellow human beings, a struggle for human rights and justice for all. Therefore, Christians must

be activists for human rights, but should know that they cannot earn their salvation, “pie in the sky,” through activism.

In conclusion, the above analysis might shed some light on the deafening silence of Maimela and the fact that he treats the JDDJ as a non-event. It is clear that he has little in common with the JDDJ. Perhaps he sees no or extraordinarily little difference between the JDDJ and the traditional theories of salvation, “white theology,” and colonial theology. Their definitions of sin, salvation, redemption, justification, and the gospel are far too narrow. Furthermore, their definition of salvation is not comprehensive and inclusive of heaven and earth but focus only on heaven. Given the above, I am convinced that Maimela will not be a signatory of the JDDJ in its current form if given the chance.



## Chapter Six: Comparing the Views of Nürnberger and Maimela with the Joint Declaration

### 6.1 Introduction

In this chapter I will be primarily comparing Nürnberger and Maimela's descriptions of soteriology, justification as well other doctrinal matters discussed in the JDDJ (1999) with that of the JDDJ (1999) to determine whether and to what extent they are diverging from it.

Maimela did not publish anything about the JDDJ (1999), nor did he ever even refer to it. With his comprehensive approach towards soteriology and related matters, he differs fundamentally with the JDDJ's (1999) description of salvation, sin, the gospel, justification, and the church. He even disagrees with the Lutheran position on the forensic nature of justification and makes no distinction between justification and sanctification.

Nürnberger on the other hand, authored an article, "Can Unity be Based on Consensus" (2003) in which he refers to the JDDJ (1999) and he also made several references to the JDDJ (1999) in his book, *The Message of Luther for us Today* (2005). He also authored a book *Zuspruch des Seinsrechts: Versteht die Lehre die Sache* (2003) in which he addresses the JDDJ (1999). As an advocate of ecumenism, Nürnberger welcomes the dialogue between the RCC and the LWF. However, he was sceptical and overly critical about the content and the outcomes of the dialogues. He felt that "To come to an agreement, it is not sufficient that a new spirit guides the present incumbents of a hierarchy, while the underlying assumptions and institutional structures remain intact" (Nürnberger 2005:171/3). He also felt that "the Declaration had little impact on actual relationships between the two churches" (Nürnberger 2003:16). He cautions that we "should not overlook the fact that, for the Catholic position, it is still ecclesial authority that forms the basis of the church, while in Protestantism the basis of the church is the gospel of grace accepted in faith. This has far-reaching consequences for the understanding of the church, church unity, the ministry, the sacraments, the Scriptures, the status of the traditions and even the truth as well." (Nürnberger 2005:109). He further stated that "none of the 16<sup>th</sup> centuries anathemas were revoked but instead confirmed." (Nürnberger 2003:17).



Whilst the doctrine of justification by faith alone is central to the Lutheran doctrine, and Luther referred to it as the doctrine by which the church stands or fall, Nürnberger says that the formula justification by grace accepted in faith has lost its appeal, if not its meaning, ... it is too abstract and legalistic, and only applies to the sphere of sin and forgiveness” (Nürnberger 2005:97). He even went so far as to say that “the Lutheran formulation of justified by grace, accepted in faith, not by works, does not make sense” (Nürnberger 2004:223). According to Nürnberger (2004:223), the response of the RCC at the Council of Trent is more logical than the Lutheran position.

Maimela and Nürnberger has a lot in common. They are both former Lutheran pastors, are the same age, and were colleagues as professors in theology at UNISA. They both travelled extensively and spend some time abroad as lecturers in theology. They are also both prolific writers and have published extensively. As much as they have in common, as much do they differ. Maimela is black and was raised by working class parents, whilst Nürnberger is white and from the middle class. Maimela’s life experiences under apartheid is fundamentally different than that of Nürnberger. Maimela’s worldview is informed by his life experiences hence his focus is on black- and liberation theology. Whilst the theology of Nürnberger is less radical than that of Maimela, he focussed on the relevance of the Word of God in the process of economic development, the ethics of economic life, and the scourge of unemployment in South Africa, with issues of poverty and the structural problem being the major focus.

## **6.2 Comparing the different views on Soteriology**

### **6.2.1 Nürnberger’s Soteriology**

Nürnberger talks about a soteriology that is comprehensive, and therefore upholds a vision of comprehensive well-being of the social and natural context. Any deficiency in it, is the redemptive concern of God. Nürnberger believes that soteriology must be based on the human need structure (Nürnberger 2004:214). He states that the distinction between salvation and comprehensive well-being is artificial (Nürnberger 2004:227). According to Nürnberger, Lutheran soteriology is pragmatic and versatile in its response to situational needs. He further says that it does not matter what is written in the Scriptures or what the doctrine says, what matters is the “living voice of the gospel.” He also believes that the

Lutheran concept of salvation is both specific and comprehensive as well as both purposed and versatile, but this is not always realised in real life (Nürnbergger 2004:223). Nürnbergger says that salvation implies a restoration of health of the entire being in the context of her/his entire social and natural environment (Nürnbergger 2004:227).

According to Nürnbergger, salvation happens when we identify with Christ's death and resurrection through faith and undergo a provisional transformation in the power of the Spirit in anticipation of our own death (Nürnbergger 2002:236). Our salvation depends on the death and resurrection of Jesus Christ (Nürnbergger 2002:71). Christ was handed over to die for our sins and He rose for our righteousness (Nürnbergger 2002:238).

Nürnbergger says that the Lutheran concept of salvation concentrates on our right of existence, and it neglects the system which presupposes it, furthermore, it also neglects the authority to act whilst we are supposed to be involved in God's redeeming acting in this world which was made possible by God's unconditional acceptance of us (Nürnbergger 2004:228). According to him, another flaw in the Lutheran soteriology is the belief that during the process of redemption, God alone is active, and humans are passive. According to Nürnbergger (2004:228-229), this is unbiblical and not according to the existential experience of faith, and it is theologically flawed because God and humans might not act on the same level of agency, but God acts through us.

### **6.2.2 Maimela's Soteriology**

Maimela criticises the traditional theory of salvation for its failure to capture the comprehensive meaning of salvation as it is reflected in Scripture. Furthermore, the traditional theory of salvation focusses on the individual, neglects the community, and reduces the work of Christ on the cross to a private matter between God and the individual, whilst ignoring the concrete evil and human suffering in society (Maimela 1990:46). According to Maimela, a theory of salvation which fails to expose the social evils of this world have rendered itself irrelevant to the poor and the oppressed because they would have no interest in a God that is disconnected with their plight here on earth. Maimela regards the salvation theory of Anselm just as defective because it separates the spiritual from life on earth. In such an instance, salvation has become a divine rescue from spiritual torments to bring relief to the soul only (Maimela 1990:47/8).

Maimela also states that the traditional theory of salvation is primarily understood as a matter of preparing for the life hereafter by making a person to acknowledge and confess his or her private sins and to seek forgiveness from God (Maimela 1988:20). Maimela alleged that from the Medieval Church to the Reformation and even beyond the focus was the soul. He says that even Luther and Calvin are guilty of this hence Luther rejected the demands of the peasants for equality as matter of the flesh (Maimela 1990:49/50). He further said that the black church should not accept western definitions of salvation even if it is proposed by Luther, Calvin, and Barth (Maimela 1985:16). Maimela says that a salvation theory that only focus on the salvation of the soul from hell and eternal damnation will render itself irrelevant if it does not address happiness and prosperity this side of the grave (Maimela 1987:73).

Maimela coined the term “white theology,” and he says that when white theology refers to salvation, it is referring to the restoration of the vertical relationship between God and the sinners which creates the impression that true salvation is possible apart and in exclusion of the world and thereby ignoring the fact that sin against individuals is of equal importance as sinning against God (Maimela 1987:19).

### **6.2.3 Soteriology in the JDDJ (1999)**

The Joint Declaration defines salvation in clause 4.6. The brevity of the respective positions of the RCC and LWF as well as that of the joint confession of the two parties, is not extremely helpful to understand what the position of the Joint Declaration is with regards to salvation. The primary focus of clause 4.6 of the JDDJ, is the assurance of salvation. There seems to be a deliberate attempt to avoid the use of the word “alone” and instead the word “only” is employed. The word “faith” is also being substituted with the word “trust” and what is ironic is that this is found in the confession of the LWF in §35, and what is even more ironic, is that the Catholics in their confession in §36, use the words “word alone” and “faith”. The Lutheran doctrine that salvation is by grace alone is not being stated at all.

The JDDJ states that certainty of grace is the result of building on the effective promise of God’s grace in Word and Sacrament. This is their joint confession in §35. No faith seems to be required! It must be noted that the Lutheran position in §35 makes it clear that “believers should not look to themselves but solely to Christ and trust only him ... but are never secure looking at themselves” The RCC position in §36 does not make any reference to the RCC

doctrine of faith plus works. So, it seems what we have here is a silence on the true doctrine of salvation by the respective parties. They should have at least in their own confessions, reflected their true doctrine, because there is no contradiction of their individual confessions in the compromise position in §34.

#### **6.2.4 The extent of Maimela and Nürnberger's divergence from the JDDJ on Salvation**

Both Nürnberger and Maimela embrace the notion of a salvation that is comprehensive, a salvation that focus not only on the life hereafter, but also life here and now. Maimela have a much greater emphasis on the socio-economic and environmental conditions since he approach soteriology more from a black- and liberation theological perspective. He says that a theory of salvation which fails to expose the social evils of this world have rendered itself irrelevant to the poor and the oppressed (Maimela 1990:45).

Nürnberger puts his position as follows: "A hungry man needs food, rather than nice words about God's forgiveness. A marginalised person needs acceptance rather than justification. An abandoned child needs a home, rather than a prayer for the Holy Spirit" (Nürnberger 2005:97).

Nürnberger (2005) would disagree with the LWF position in §34 because he said that one of the flaws in the Lutheran doctrine is the belief that in the process of redemption it is God and God alone who acts whilst human beings are passive. He believes that this doctrine is contrary to the Bible and the existential experience of faith as well as being theologically flawed.

Maimela (1986) does not say that our good works contribute towards our salvation, he however, feels extraordinarily strong about it. He says that Lutherans would be greatly enriched if it were to embrace the Epistle of James as the epistle of holistic Christian power rather than "an epistle of straw." For this epistle rightly asserts that faith and good deeds belong together and that faith without good works is useless and inauthentic (Maimela 1986:5).

It is clear from the above that as far as salvation is concern, both Nürnberger and Maimela diverge from the JDDJ. Given the above, it is my view that their divergence from the JDDJ is irreconcilable.



## **6.3 Comparing the different views on Justification**

### **6.3.1 Nürnberger's views on Justification**

According to Nürnberger (2005:122), "Justification by grace, not by works, means that God Himself, who is the highest authority, affirms our right of existence in spite of the fact that we are failures and sinners."

Nürnberger is extremely critical of the Lutheran formula "justification by grace accepted in faith." According to him it is legalistic, abstract, individualistic, spiritualised and it does not make sense. He further believes that it "evokes puzzlement among the uninformed and a yawn among the informed" (see Nürnberger 2003:24).

Nürnberger (2005) also finds the doctrine that God justifies the ungodly peculiar. His argument is that the doctrine that the sinner is justified because of the righteousness of Christ does not make sense because God cannot be just if He justifies a sinner based on the merits of Christ. According to him it seems that God has committed a judicial error, or a miscarriage of justice, or blatant corruption (see Nürnberger 2005:124). He is further of the view that Luther does not support the forensic nature of God's gift of righteousness in the sense that God is committing a judicial error by declaring a convicted sinner righteous (Nürnberger 2004:224).

### **6.3.2 Maimela's views of Justification**

According to Maimela (1988:23), "Black theologians should no longer merely borrow theological formulations that are unintelligible to the African perspective of human life. Formulations such as "Justification by faith alone" propounded by Luther and others ... should not be accepted by the Black Church without qualification." A year later Maimela (1989:5) makes a complete turnaround when he says that the doctrine of justification by faith alone is revolutionary because he believes that it is a threat to the church and undermines those who are in power and play God by deciding on matters of life and death. It is not clear what caused this turnaround. He further argues that because of Luther's view that Christian freedom is equated with justification, it is legitimate to discuss and link the doctrine of justification and social justice (see Maimela 1989:8). He also does not regard justification of the sinner merely as a dead juridical matter but that it is instead a transformative act which regenerates the

sinner and creates a new person with new attitudes and new behaviours (see Maimela 1989:9).

Maimela (1989:5) says that “the central thrust of the doctrine of justification by faith alone, is that resources to life do not reside in human hands. Neither does the gift of life depends on human natural worthiness or background or wealth or achievements. Rather, access to life depends on the merciful God who gives it to those who dare to believe in God,” He also says that “justification point to the effecting of reconciliation and restoration of broken relationships between humans themselves who, as forgiven sinners in Christ, engage in acts of love towards one another, thereby building up God’s world/community” (Maimela 1986:5).

### **6.3.3 Justification in the JDDJ**

The JDDJ in Clause 3 deals with the common understanding of justification and in §15 says that “justification is the work of the Triune God ... By grace alone, in faith in Christ’s saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works.” Its further states in §16 that “Through Christ alone are we justified, when we receive this salvation in faith.” And in §18 states that “the doctrine of justification ... stands in an essential relation to all truths of faith ... It is an indispensable criterion which constantly serves to orient all the teaching and practice of our churches to Christ.”

Clause 4 of the JDDJ deals with the explanation and elaboration of the common understanding of the doctrine of justification as well as reflecting areas of difference. In §19 it is stated that “as sinners they stand under God’s judgment and are incapable of turning by themselves to God to seek deliverance, of meriting their justification before God, or of attaining salvation by their own abilities. Justification takes place by God’s grace.”

Whilst the RCC states in §20 that “persons cooperate in preparing for and accepting justification by consenting to God’s justifying action”, the Lutherans state in §23 that “justification remains free from human cooperation.” in §21 the LWF “emphasize that a person can only receive (mere passive) Justification, they mean thereby to exclude any possibility of contributing to one’s own justification.”

In §25 it is stated that “sinners are justified by faith in the saving action of God in Christ ... whatever in the justified precedes or follows the free gift of faith is neither the basis of

justification nor merits it.” Again in §26 it is stated by the LWF that “God justifies sinners in faith alone (sola fide) ... In the doctrine of justification by “faith alone,” a distinction but not a separation is made between justification itself and the renewal of one’s way of life that necessarily follows from justification and without which faith does not exist.”

#### **6.3.4 Nürnberger and Maimela’s Divergence from the JDDJ (1999) on Justification.**

As indicated earlier, Nürnberger (2004) finds the formula “justification by faith alone,” abstract, legalistic, illogical, and too complicated for the laity to comprehend, whilst according to Maimela, the doctrine of justification must include social justice. The views of Maimela and Nürnberger differ with that of the JDDJ (1999). Both Maimela and Nürnberger do not agree with the notion that justification is received passively nor do they agree that justification remains free from human cooperation. Neither Nürnberger nor Maimela refers to the “centrality of justification” or describing it as standing in an essential relationship to all truths of faith. Just as much as Maimela encourages black churches and theologians not to embrace definitions of salvation without qualification, he raises the same cautionary note as far as justification is concerned. Both Nürnberger and Maimela do not embrace the notion of “forensic justification.” Nürnberger is extremely critical of the Lutheran formula. He finds the doctrine that God justifies sinners as peculiar. He also finds the doctrine of justification individualistic, spiritualised and states that it does not make sense. As indicated earlier, he even says that it evokes puzzlement among the uninformed and a yawn among the informed. One gets a sense that he has either abandoned the formula or have never supported it in the first place, whilst it appears that Maimela still embraces it. My conclusion is that both theologians clearly diverge from the JDDJ with Nürnberger’s position being pretty much irreconcilable with that of the JDDJ.

### **6.4 Tabulation of other doctrinal matters**

#### **6.4.1 Good works**

Maimela regards good works as a means to ensure human rights and justice for all. He believes that the good works is a manifestation of the Christian faith (1986:10). Maimela (1986:5) also says that “Lutherans would be greatly enriched if it were to embrace the Epistle of James as the epistle of holistic Christian power rather than “an epistle of straw.”

According to Nürnberger (2002), Paul does not oppose works that flow from the new motivation manifest in Christ, in fact, he gets upset when the faith of the congregants is not visible in their actions, in this regard he cites Phil 2:12. Nürnberger states that good works are not done in gratitude. We are not paying back a debt to God. When doing good work, we are not doing something for God, but God is doing something through us (Nürnberger 2005:116). He cites several biblical verses to prove that humans are involve in the process of their own redemption Nürnberger (2004:228/9).

The JDDJ states that good works follows justification and are its fruits. The Catholic position is that good works is made possible by grace and the Holy Spirit, it contributes to growth in grace to preserve righteousness and deepens communion with Christ (§38). It is further their position that according to the biblical witness, a reward in heaven is promised for good works (§38). Lutherans concur with the Catholics on the preservation of grace and a growth in grace and faith. They do not regard good works as “merits” and that righteousness as acceptance by God and sharing in that righteousness of Christ is always complete (§39).

Maimela differs with Luther on the value of the Letter of James. Whilst Maimela regards it as an epistle of holistic Christian power, Luther regards it as a letter of straw. Roman Catholics cite the Letter of James when defending their doctrine of “good works plus faith” justification. Whilst Roman Catholics believe that good works contribute to justification, Maimela regards good works as a manifestation of their faith and a contributor towards social justice (1986:5)). Nürnberger (2005) differs with the Roman Catholic position that we will be rewarded for good works, nor are we paying our debt to God. He however agrees with the Roman Catholics that humans are involve in their own redemption. Earlier Maimela also made it clear that we cannot earn our salvation with our contribution of good works to social justice. This one of the areas where Maimela and Nürnberger on the one hand diverge from the JDDJ but on the other hand partially agrees with it but leaning more towards the Roman Catholic position.

#### **6.4.2 Church**

Maimela (1983:59/60) finds the claim of the Roman Catholic Church that it holds the key to heaven, God, and eternal life highly problematic. According to him the Church glorify poverty as a virtue and that it is spiritually beneficial if you are poor and oppressed (Maimela 1988:19). He further states that the church has been hijacked by the ruling class (Maimela 1998:4).



It is Nürnberger's view that we are not what is described as the marks of the Church: one, holy, catholic, and apostolic, Church (Nürnberger 2016:248/9). He defines the church "as the creation of God's Word ... It is the Body of Christ in which the Spirit of Christ finds its concrete manifestation. The Body of Christ is the community in which the risen Christ is present and effective in the world" (Nürnberger 2016:256).

At §5 the JDDJ refers to "Church" and in footnote 9 it clarifies that the word "Church" is used to reflect the self-understanding of the LWF and the Roman Catholic Church. Roman Catholic Church doctrine teaches that there is no salvation outside the Church. The Lutheran doctrine define Church as "the congregation of saints, in which the Gospel is rightly taught, and the Sacraments are rightly administered" (Augsburg Confession).

Clearly both Nürnberger and Maimela does not agree with the Roman Catholic definition of the role of the church. Nürnberger (2003) states that nothing had changed at the level of congregations. No joint celebrations of Eucharist or pulpit exchange because Roman Catholics still do not regard Lutheran pastors as pastors nor their churches as a church. For Nürnberger, the Church is inclusive of all believers in Christ, whilst Maimela (1987) is of the view that the Church has been co-opted by the ruling class and proclaim poverty and oppression as virtues.

### **6.4.3 Sin**

According to Maimela (1991:13), sin is not restricted to conflict between God and humans only. He defines sin as a state or condition of alienation which resulted from a broken relationship between God and humanity and amongst human beings. He further states that the elimination of sin requires a greater effort than the conversion of a few individuals. Its elimination demands a radical liberation and transformation of humanity itself as well as the transformation of society (Maimela 1990:54).

Nürnberger (2005:124) argues that the doctrine that the sinner is justified because of the righteousness of Christ does not make sense because God cannot be just if He justifies a sinner based on the merits of Christ.

In §22 of the JDDJ it is stated that "God forgives sin by grace and at the same time frees human beings from sin's enslaving power and imparts the gift of new life in Christ. When persons come by faith to share in Christ, God no longer imputes to them their sin."

The JDDJ spiritualises sin as an act between a human and his deity and makes no reference to sin committed to humans by humans. It refers only to sinning against God, and all that is required is that the sinner comes to share in Christ by faith. Maimela believes that reparations must be done to the victim. God has not suffered in the process, so the matter cannot be resolved only between God and the sinner, whilst the victim is ignored. For Nürnberger the problem is not so much about the victim as it is about the way sinners are redeemed. He finds God's justification of the ungodly as peculiar and argues that God is unjust if He justifies the sinner based on the merits of Christ. Hence, he rejects the notion of forensic justification.

#### **6.4.4 Gospel**

Maimela (1990:54) defines the gospel as that message that declares that "in and through the saving act of Christ, God intends to deal with what is deepest and most fundamental in human life: the healing of the most stubborn disease of the human heart, namely, hatred, distrust and lovelessness that manifest themselves in sinful unjust relationship." He criticises colonial theology for spiritualizing the gospel to the point where it emphasises a distinction between spiritual and material needs (see Maimela 1991:11).

Nürnberger (2005:81) says the gospel creates faith, grants forgiveness, and leads to renewal of life in Christ, and that the gospel grants participation in the righteousness of Christ (2005:120), and that the new life offered in Christ is a gift without any achievement from us (Nürnberger 1983:74). He also says that the gospel redeems, liberates, motivates, and empowers (2005:115). He is extremely critical of Paul and Luther's formulation of the gospel. According to him they used a legal framework to contextualise the gospel to respond to a spiritual environment steeped in legal assumption, which resulted in an abstract and incompressible formula that does not make sense to lay people (2005:123/4)

In §32 of the JDDJ, the LWF states that persons are justified by faith in the gospel apart from works prescribed by the law. By His death and resurrection Jesus has overcome the law as a way to salvation. Again in §32 the LWF states that in faith in the gospel, people will turn unreservedly to the mercy of God in Christ, which alone justifies them, whilst the RCC states in §33 that the law as a way to salvation has been fulfilled and overcome through the gospel, they still insist that the righteous are bound to observe God's commandments.

Maimela criticizes colonial theology for spiritualising the gospel and make a distinction between the spiritual and the material. In addressing the gospel, the JDDJ does not consider the material/ socio-economic and political aspects of life. Nürnbergger is overly critical of Paul and Luther's formulation of the Gospel. LWF in the JDDJ repeat that very same formula and therefore Nürnbergger diverge from the JDDJ in this regard.

## **6.5 Comparing the Views of Maimela and Nürnbergger with the Joint Declaration**

The above discussion is an attempt to present the views of Nürnbergger and Maimela on the various doctrinal matters which are reflected in the JDDJ, but at the same time, I have also given a summary of the very same doctrinal matters in the JDDJ.

As I have indicated earlier, both Maimela and Nürnbergger are retired Lutheran Pastors and Professors in theology, however, they differ significantly in their descriptions of the various doctrinal matters as well as differing with the content of the JDDJ. We need to remind ourselves that one party to the JDDJ is the LWF who are represented by Lutheran theologians, with whom Maimela and Nürnbergger are differing in this context.

It is also important that we take note that Nürnbergger and Maimela have different conversation partners. Maimela is constantly in conversation with Black- and -Liberation Theology or the proponents thereof, therefore, one can expect that his views on these doctrinal matters will have a Black- and – Liberation Theology slant. His primary focus will therefore be on social justice and how theology could contribute towards it. Nürnbergger has totally different conversation partners. According to Biyela (2014:51), "Nürnbergger ... is influenced by the Leuenberg Agreement (16 March 1973), where Lutherans and Reformed theologians in Germany reached an agreement on mutual recognition". The Leuenberg Agreement is not a priority for Maimela, he is more interested in mutual recognition of people of different races. But make no mistake, in my view Nürnbergger is not part of the conversation of conservative theology. In fact, I believe that he is part of the so-called theological left who embrace liberation theology.

At the time of the RCC and LWF negotiating the JDDJ, Black people were fighting a titanic battle against the racist apartheid regime for their liberation, hence the JDDJ was treated as

a non-event by Maimela, whilst Nürnberger, the advocate of ecumenism, was overjoyed about the fact that an attempt was made to put to bed the conflict which originated in the 16<sup>th</sup> century. But I must hasten to add, as indicated earlier, that he was disappointed with the outcome. It is my view that Nürnberger in comparison with Maimela, takes a centrist approach towards the JDDJ, whilst Maimela adopts an ultra-leftist approach towards the JDDJ.

The intention of the JDDJ according to §5 is to demonstrate and promote a spirit of unity and conciliation and a common understanding on doctrinal matters. The views of the JDDJ on matters such as justification, salvation, and sin as well as other matters are treated on a spiritual level only and do not address the social aspects of life at all. Given the academic calibre of Maimela and his exposure as a public figure, one can assume that he must have been exposed to the JDDJ but do not see it worthy of his comment because it focusses only on a “pie in the sky.” It only focusses on the vertical relationship between God and human beings and ignores the horizontal relationship between human beings, which means for example that sins committed against fellow human beings are being ignored and priests grants absolution to perpetrators of oppression and exploitation without any reparation to the victims.

Nürnberger (2004) describes salvation as comprehensive which include social and environmental justice. He believes that our right of existence before God is not only determined by our moral failure, but also by frustration, inexplicable fate, social injustice, and physical suffering. His view on other doctrinal matters differs theologically with that of the RCC as well as with positions of the of the LWF in the JDDJ. He believes that the Lutheran notion of “pure gospel” is problematic because it constitutes a new law. The unconditional acceptance of God in Christ has now become a condition which is not in accordance with the Gospel of unconditional acceptance. He also says that the spiritualization and individualisation is an illusion as well as the distinction between salvation and well-being. According to Nürnberger (2004), this distinction is artificial and unbiblical. Furthermore, according to Nürnberger (2005), the formula “justification by grace accepted in faith” is abstract, legalistic and its scope is very narrow because it only applies to sins and forgiveness. He even went as far as to say that it does not make sense and that the RCC position on this formula is more logical. He also says that Baptism and Holy Communion does not guarantee



salvation. He is of the view that Luther does not support the notion “forensic justification” and neither does he.

## 6.6 Conclusion

Whilst the LWF signed the JDDJ, Nürnberger and Maimela, two Lutherans who are professors in theology, clearly diverge from the content of the JDDJ. As indicated earlier they are both retired ELCSA pastors and yet ELCSA has signed it without any reservation. Maimela’s divergence from the JDDJ is implied. This conclusion is based on his soteriological position as expressed above, as well as his deafening silence about the JDDJ and treating it like a non-event. Nürnberger’s divergence is both implied and explicit. This conclusion is based on his direct pronouncements on the JDDJ as well as his soteriological position expressed above.



## 7. Epilogue

### 7.1 Introduction

The study focused on the soteriology of Nürnberger and Maimela to establish whether and to what extent they diverge doctrinally from the JDDJ. It also focused on the reception of the JDDJ by South African Lutherans in particular, and Lutherans in the rest of the world in general. This includes Lutheran churches who form part of the LWF as well as non-members. The study revealed extremely little interest in the JDDJ by South Africans during its drafting and even after the signing thereof.

This study is of great significance given the centrality of the doctrine of justification within Lutheran soteriology. Luther said about the doctrine of justification “if the article stands; the church stands; if this article collapses; the church collapse” (Busenitz 2017:21). In the Schmalkald Articles it is stated that it is the first and chief article and in the Triglot Concordia (1530) it is stated: “of this article nothing can be yielded or surrendered (nor can anything be granted or permitted contrary to the same), even though heaven and earth, and whatever will not abide, should sink to ruin.” It also states that it is the “ruler and judge over all other Christian doctrine.” One would therefore expect, that given the above statements, that there will be a high level of interest by Lutherans all over the globe in any discussion on the doctrine of justification by faith, especially if there is a chance that compromises might be made. However, this study revealed that such interest amongst South African Lutherans is basically non-existent. I therefore focused on two eminent South African Lutheran theologians, Klaus Nürnberger and Simon Maimela to determine whether they subscribe to or diverge from the JDDJ.

I have considered possible reasons for the lack of interest in the JDDJ by South African Lutherans and conclude that it is most probably because at the time that the protagonists were negotiating the JDDJ, we as black South Africans were engage in titanic battles against the oppressive, apartheid regime. Just prior to the signing of the JDDJ, I arrived in South Africa from the Czech Republic via Lusaka as part of my personal involvement in the liberation movement. By then I have never heard about the JDDJ. Liberation from the apartheid regime was taking centre stage above anything else for oppressed South Africans. The liberation

struggle was at its pinnacle at that time, so much so that less than three months after the signing of the JDDJ, the apartheid regime announced the unbanning of all the political organs of the oppressed masses and the release of Nelson Mandela and the rest of the Rivonia trialists, which opened the way for negotiations of cessation of hostilities and the transition to a democratic country. I am convinced that if I were invited at that time to a workshop on strategy and tactics on how to get rid of the apartheid regime, I would have much rather attended that than spend time discussing the JDDJ.

The study further revealed that both Nürnberger and Maimela diverge from the JDDJ in their soteriology. Whilst Maimela's divergence is implied, Nürnberger's divergence is both implied and explicit. Their divergence is not only restricted to the JDDJ but includes divergence from certain aspects of the Lutheran doctrine as well. Both embrace the notion of comprehensive salvation which is not restricted to the spirituality of the human being but is inclusive of the socio-political and economic well-being of human beings. They also take issue with the spiritualization and individualization of the gospel. Maimela criticise a definition of sin which focuses only on the vertical relationship whilst completely ignoring the horizontal relationship. Nürnberger found the Lutheran doctrine by faith alone too legalistic and abstract, to the point where he believes that it does not make sense.

I believe that further research ought to be conducted amongst Lutherans in post-apartheid South Africa to determine the level of support for the JDDJ even though the horse has bolted. It is clear that dialogue has become the new normal and South African Lutherans, and ELCSA in particular have been left behind, even though not by design.

Quite a few developments, which includes break-aways, took place amongst Lutherans in South Africa. It is also my view that Lutherans, possibly due to the liberation struggle, neglected international ecumenical discourse. Even though ELCSA is a signatory to the JDDJ, extraordinarily little conversation, if anything at all took place amongst its members. We definitely have to raise the level of awareness amongst Lutherans in South Africa about the JDDJ as well as the current ecumenical dialogue to ensure that we are not once again left behind in the ecumenical dialogues. Furthermore, research is also needed to determine whether the LWF diverged from Luther with the signing of the JDDJ by making any compromises because Luther explicitly said, "of this article nothing can be yielded or surrendered (nor can anything be granted or permitted contrary to same), even though

heaven and earth, and whatever will not abide, should sink to ruin.” The JDDJ places the two protagonists in a very peculiar position: Either the RCC capitulated and in so doing undermined its doctrine of the infallibility of the pope and councils, or the LWF has compromised Luther’s position on the doctrine of justification.

## **7.2 Reception of JDDJ by the RCC and Lutheran churches worldwide**

The JDDJ has the following to say about its own achievements when in §5 it claims that: “the subscribing Lutheran churches and the Roman Catholic Church are now able to articulate a common understanding of our justification by God’s grace through faith in Christ. It does not cover all that either church teaches about justification; it does encompass a consensus on basic truths of the doctrine of justification and shows that the remaining differences in its explication are no longer the occasion for doctrinal condemnations.” The document ends with a further claim by referring to it in §44 as a “decisive step forward on the way to overcoming the division of the church.” As can be seen below, the jury is still very much out on whether the JDDJ has achieved these claims. This study has attempted to contribute to this debate.

The JDDJ was not unanimously adopted by LWC affiliated churches. Of its 124 member churches at that time, only 89 responded of which 80 voted “yes” and 5 voted “no” and one was not clear whether it was a “yes” or a “no”. More than a third of the member churches did not vote in favour of the JDDJ. Which in my view was more than enough reason to engage those member churches and try to obtain a greater buy in. Even the quality of the yes votes is suspect if one considers the ELCSA yes vote.

Dorman (2001:421) describes the arrival of the JDDJ as follows: “News headlines regarding the signing of JDDJ ran the gamut from celebratory to cautious to critical.” That, according to me, is the correct description of the reception of the JDDJ by those who have an interest in it. Cassidy (1999:2), Cardinal of the RCC, said that “One of the most important acquisitions of the modern ecumenical movement has been without any doubt the reception by the Lutheran World Federation and the Roman Catholic Church of the consensus document the Joint Declaration on the Doctrine of Justification.” The RCC in its official response said that “The Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine on Justification represents a significant progress in mutual understanding and in the coming together in dialogue of the parties concern.” Pope John Paul II referred to it as “a



moment of grace.” The pope further describes it as “a milestone on the not always easy road towards the restoration of full unity among Christians” (Dederen 2000:1). The LWF referred to it in its official response as “a document declaring that a consensus on fundamental truths regarding the doctrine of justification has been reached.”

Whilst the euphoria about the JDDJ continues, mutiny about it has erupted within the LWF and the RCC, as well as outright rejection amongst Lutheran formations outside the LWF. Inside of the LWF, more than 250 German professors in theology as well as some American and Scandinavian professors, some of which are world renowned, opposed the JDDJ. According to Nyberg (1998:2), “Germany’s debate over the JDDJ has been characterized by cautious elation, serious reservations, partial rejection, and a great deal of confusion about what the document will mean at the practical level.” Outside the LWF the most vociferous opposition came from the Missouri Synod and the International Lutheran Council as well as the Confessional Evangelical Conference, with the Missouri Synod as the most adamant of the three. McCain (2010:1) from the Missouri Synod used the words “a fraud and a betrayal of the Gospel” to describe the JDDJ. The Missouri Synod in an article entitled “Confessional Lutheran Perspective” (1999:8) states that the “JDDJ does not settle the major disagreements between Lutheran theology and Roman Catholic theology on justification ... fails to clearly define the word grace ... and whether such grace is God’s undeserved favour ... the centrality is lost in justification.”

The Lutheran community is highly fragmented with the LWF representing by far most of the Lutherans. The fact that the LWF failed to reach an agreement on the doctrine of justification, which is the heart of Lutheranism, at the fourth Plenary Assembly in Helsinki in 1963, is indicative of the extent of divisions amongst Lutherans. I suggest that Lutherans seriously pursue unity amongst themselves, especially given the various engagements with other denominations.

The RCC was not spared in this regard. From inside the RCC the voice of dissent came from the Vatican’s Congregation for the Doctrine of the Faith and the Council of Christian Unity, who ironically voiced the same reasons as the Lutheran professors as the basis for their objection/reservations about the JDDJ. Dulles (2002:110-114), the Cardinal of the RCC raises nine issues which he refers to as “The problematic issues” which include: the nature of justification; the removal of sin; human cooperation; good works and merit; sufficiency of

faith; law and gospel; assurance of salvation; and the centrality of the doctrine of justification. In the article he presents the beliefs/views of both parties with regard to the above-mentioned issues and argues that these issues have not been fully resolved.

### **7.3 Reception of the JDDJ by Lutheran Churches in Southern Africa**

Lutheranism in South Africa is highly fragmented. The following are LWF aligned churches: Evangelical Lutheran Church in Southern Africa (ELCSA); Evangelical Lutheran Church in Southern Africa (Cape); North-eastern Evangelical Lutheran Church in Southern Africa (NELCSA); and Moravian Church in Southern Africa. There are also Unions of Lutheran Churches associated with LWF which include the Lutheran Community in Southern Africa, as well as the United Evangelical Lutheran Church in Southern Africa. There are also churches associated with the International Lutheran Council (ILC), which include: Free Evangelical Lutheran Synod in South Africa (FELSISA) and Lutheran Church in South Africa (LUCiSA). In addition, there is also The Lutheran Church-Missouri Synod and the North-eastern Evangelical Church in South Africa. Last but not least, there are the two recently established ELCSA break-away churches, Independent Lutheran Church of South Africa (ILCSA), and the Liberating Evangelical Lutheran Church in South Africa (LELCSA). Their association is not yet clear to me. FELSISA and LUCiSA are members of ILC which rejected the JDDJ. However, talks between the ILC and the LWF started on 24-25<sup>th</sup> February 2016 to discuss "From Conflict to Communion". The ILC was invited to consider association with the JDDJ, and they committed themselves to consider it positively and even accepted an invitation to attend the "Joint Ecumenical Commemoration of the Reformation which took place on 31<sup>st</sup> October 2016.

The South African Lutheran churches associated with the LWF, such as ELCSA, has signed the JDDJ even though I could not find any evidence of workshops or seminars being conducted to discuss it. ELCSA endorsed the declaration without qualification or comment. NELCSA, formerly known as ELCSA Natal-Transvaal endorsed the JDDJ but did so with a qualifying comment. ELCSA (Cape) has also signed the JDDJ with qualifying comments. ILCSA and LELCSA were part of ELCSA, which is a signatory to the JDDJ. They broke away a number of years after the signing of the JDDJ. I therefore assume that they are still embracing it. Then, of course there is the Missouri Synod in South Africa which rejects the JDDJ in its current form. They

believe that much more debate is needed to resolve fundamental problems that they have identified.

As far as the JDDJ is concerned, I am of the opinion that in South Africa, Lutheran churches are not that far apart. In fact, it seems that ultimately the Missouri Synod might be the only faction which finds itself outside the fold of endorsing the JDDJ.

The LWF would do well by attempting to address the high level of fragmentation amongst believers who claim that their faith is based on the Book of Concord and who regard Martin Luther as the person who gave rise to what is today known as the Lutheran Church.

#### **7.4 Reception of the JDDJ in other confessional traditions**

The RCC and the LWF reached out to several other denominations and on 23<sup>rd</sup> July 2006 at a conference in Seoul, South Korea, the World Methodist Council joined the JDDJ and adopted a statement which adds related aspects of the theology of sanctification. They signed a Statement of Association as well as an Official Statement.

Unlike the World Methodist Council, the Anglican Consultative Council in April 2016 simply resolve that they welcome and affirm the subsistence of the Joint Declaration. They did not raise any objection to doctrinal matters in the JDDJ nor did they state their own beliefs as far as the doctrinal matters that are covered in the JDDJ are concerned. This is surprising given an article entitled “The Joint Declaration on the Doctrine of Justification” in *Churchman*, an Anglican journal, in which two Anglican theologians, Gerald Bray and Paul Gardner raised reservations and criticisms against the JDDJ.

On 5<sup>th</sup> July 2017, the World Communion of Reformed Churches confirmed their association with the JDDJ. They did so in the same manner in which the Methodists has done it by adding a document that clarifies their position, as well as an “Official Common Confirmation.” They clearly indicated their areas of agreement as well as areas of emphasis and new insights that they contributed to the JDDJ. I was surprised to learn about the endorsement of the JDDJ given the pronouncement made by Botman with regard to the relationship between justification and justice in the JDDJ. Further, Reformed theologians such as Conradie (2018:14) embrace similar soteriological views as Nürnberger and Maimela when he says that justification is not only about the forgiveness of sins, but about the restoring of relationships

destroyed by sin. He also states that even though sanctification is about personal piety, it is comprehensive and includes all aspects of society, which once again is the same manner in which they describe salvation and the gospel. Conradie, in his reference to the Belhar confession, describe the church in the same manner as Maimela (see 2018:14-15). Lastly, Conradie (2018:124-125) speak about the horizontal relationship (between human beings) that is of equal importance to the vertical relationship (between human beings and God).

The above means that five so-called “mainline” churches have endorsed the JDDJ. The JDDJ is being promoted as an option to Lutherans outside the fold of the LWF as well as to other denominations. The JDDJ in its current form is being treated like the proverbial holy cow. It is cast in stone. No amendments were made to it when recommendations were made by dissidents within the RCC and the LWF. Instead, the parties added an Official Common Statement as well as an Annex to the Official Common Statement, nor was it amended when three other major denominations endorsed it.

## **7.5 Wider Ecumenical Discourse**

The ecumenical wind of change is blowing across the spiritual landscape as a result of the Second Vatican Council’s Decree on Ecumenism (*Unitatis Redintegratio*). The introduction to the *Unitatis Redintegratio* states: “The restoration of unity among all Christians is one of the principle concerns of the Second Vatican Council. This movement towards unity is called ecumenical.” It must be noted that ecumenism is not a 20<sup>th</sup> century phenomenon. The first such council is referred to in Acts 15. Many similar councils followed which was recognised by many Christians as ecumenical. This include but is not limited to Nicaea, Constantinople, and Chalcedon. At the council of Nicaea (787), a criterion for an ecumenical council was established. That criteria are being challenged to this day (see Conradie 2013:21).

Generally speaking, the term “ecumenism” refers to efforts of different Christian Churches to develop closer relationships and a better understanding of their shared Christian faith. In “Notions and Forms of Ecumenicity” (2013), Conradie gives a detailed description of what is known as the ecumenical landscape, especially how ecumenical structures related to politics pre- and post-1994. Conradie (2013:18) says that there is no single authoritative definition for “ecumenism” and instead offers 23 connotations which in his view may assist us to understand the term “ecumenism” in its different historical contexts. Conradie (2013:22)



states that “It should be noted that any church gathering cannot claim in advance to be ecumenical. Ecumenicity can only be recognised retrospectively, typically only centuries later and amidst much contestation. Accordingly, the word “ecumenical” becomes rather elusive, like an eschatological mirage.” In practice, ecumenism mostly takes the form of bilateral dialogues. According to Conradie (2013:46), the term “dialogue” was used for the first time in 1961 at a WCC assembly “as a way to speak of Christian relationships with people of other living faiths,” The need for dialogue to discuss doctrinal matters has been recognised already at the time of the Council of Jerusalem in Acts 15. Since that time, the church convened numerous councils, Nicaea (325) being the first (see Conradie 2013:21). According to Conradie (2013:22), “for some “ecumenicity” essentially means the search for structural unity amongst divided denominations through a complex “conciliar” process involving endless gatherings of church leaders.” Conradie (2013:31-32) points out several challenges with such an approach which includes but is not limited to, “the tendency to equate the ecumenical movement with leaders, offices, meetings and resolutions”; ecumenism becomes bureaucratised. Furthermore, it appears as if the church have hires officials to be ecumenical on her behalf. The laity cannot leave ecumenism to the clergy, specialists, and theological experts. Conradie (2013:32) points out that the above approach leads to challenges as far as reception of ecumenical documents and resolutions are concern. The reception or lack thereof is a case in point in this regard. Probably the biggest challenge facing ecumenism is how to accommodate the Pentecostal churches who break away from mainline churches (see Conradie 2013:65).

According to Conradie (2013:33-34), structural ecumenism is in a state of crisis. This view is supported by de Gruchy who said “a growing lack of ecumenical enthusiasm these past few years and a growing spirit of denominationalism;” also, by Smit “The earlier enthusiasm is gone. The vision is lost. Some talk about “crisis”, “stagnation” and “standstill” as well as Tsele who describe it as “sorry state of atrophy” and a “winter of despair.” Naude argues that the ecumenical movement have failed to define the nature of unity that is required. He further argue that we need an ecumenical attitude instead of ecumenical structures (see Conradie 2013:35).

Upon the conclusion of the Second Vatican Council, the RCC immediately embarked upon the implementation of ecumenism as per the Vatican’s decree. It had dialogues with Anglicans,

Pentecostals, Baptists, Lutherans, Methodists, Reformed Churches and Seventh Day Adventists.

At the Second Vatican Council, the RCC adopted a Decree on Eastern Catholic Churches which decreed that the sacraments of Penance, Eucharist, and anointment of the sick may be conferred on eastern Christians. In January 1964 Pope Paul VI and Patriarch Athenagoras of Constantinople met in Jerusalem. On 7<sup>th</sup> December 1965 they released a statement in which the mutual excommunications was revoked. The RCC and the Greek Orthodox Church established a joint commission that met five times over an eight-year period during which they produced three documents. Dialogue between the parties was disrupted at the time of the collapse of the communist regimes in eastern Europe. The collapse of the communist regimes gave rise to the re-emergence of the Eastern Catholic Churches, who demanded their property that was confiscated and given to the Orthodox (see Robertson no date: 1,2) .

To resolve the above, the partners met in June 1993 in Balamond, Lebanon and produced a document entitled: "Uniatism, Method of Union in the Past, and the Present Search for Full Communion". Just like the JDDJ, the Balamond document was met with mixed reactions. The Balamond document "hinges on two central affirmations: on the one hand, the method which has been called Uniatism, is rejected because it is opposed to the common tradition of our churches. And on the other hand, it unequivocally affirms that the Eastern Churches have full right to exist and to act in response to the spiritual needs of their faithful." It call upon Eastern Catholics to participate in dialogues at all levels. The document also rules out proselytism between Catholics and Orthodox, affirming that salvation is available in either Church (see Robertson nd:3). Due to lack of consensus, the Orthodox insisted that that the same topic must be the subject of discussion, but it must be a more in-depth discussion. On 12 October 2002 Pope John Paul II and Patriarch Theodist of Romania called for the resumption of the dialogue. The pope also expressed his esteem for the Orthodox; he returned the Kazan icon of the Mother of God; as well as the relics of Saints John Chrysostom and Gregory Nazianisn; and a church in Rome was return to a local Greek community; he also visited Athens in May 2001 and asked for forgiveness for all the injustices of the past. I believe that these act paved the way for greater trust towards the RCC, hench the could conclude the document entitled: "The Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church: Conciliarity and Authority in the church" (see Robertson no date:4).

If one compares the process and content of the JDDJ with that of the Balamond document, one can come to no other conclusion that the LWF sold itself short. To add insult to injury, the Orthodox did not even endorse the Balamond document, even though the RCC made substantial compromises such as, salvation is available in both churches. The RCC was even prepared to amend the ultimate document twice, whilst the LWF had to accept an unaltered JDDJ which was found unacceptable to many.

Furthermore, a Decree on Non-Christian Religions was also adopted which makes special reference to Jews, Muslims, Hinduism, and Buddhism as partners for dialogue. During the mid-1990s, Pope John Paul II went on a campaign to apologise for the sins of the Catholics committed during the crusades and against indigenous peoples, women, suspected heretics, non-Catholic Christians, Muslims, and Jews. He also invited the leaders of other faiths for a prayer service to Assisi in Italy to pray for world peace. In 1986 he became the first pope to enter a synagogue and the Great Mosque of Damascus in 2001. In 1990 he declared anti-Semitism a sin against humanity and God. I believe that this act is indeed a demonstration of reconciliation and contributed to open the way for further dialogues.

Apart from its dialogues with the RCC, the LWF also had and are still in dialogue with Anglicans, Methodists, Reformed Churches, Baptists, and Mennonites. The Evangelical Lutheran Church in America (ELCA) is also involved with bilateral dialogues with African Methodist Episcopal (AME), African Methodist Episcopal Zion (AMEZ), Jews, Muslims, and the Orthodox Church. It must be noted that all these bilateral dialogue partners of the RCC and the LWF, are busy with their own bilateral talks with other dialogue partners. The ecumenical wind of change is blowing strong indeed.

Upon the conclusion of the JDDJ, the RCC and the LWF took their dialogue to the next level. In 2015 they produced a document entitled "Declaration on the Way: Church, Ministry and Eucharist." The preface to the document states that "This document ... is a declaration of consensus achieved by Lutherans and Catholics on the topics of Church, Ministry and Eucharist as the result of ecumenical dialogue between the two communions since 1965." In 2017 the parties produced another document entitled "From Conflict to Communion." In the introduction it states that "They have come to acknowledge that more unites than divides them: above all, common faith in the Triune God and the revelation in Jesus Christ, as well as recognition of the basic truths of the doctrine of justification."

This is a road that has been travelled by the RCC and the LWF since August 1965 when the “Joint Working Group” met for the first time in Strasbourg. They have been in dialogue for more than five decades and even agree to celebrate the 500<sup>th</sup> anniversary of the beginning of the Reformation in 2017. Several national and regional studies took place in America, Germany, and Sweden.

When the RCC and the LWF concluded “From Conflict to Communion,” they agreed on the following “Five Ecumenical Imperatives” which states that Catholics and Lutherans:

- 1) should always begin from the perspective of unity and not from the point of view of division in order to strengthen what is held in common even though the difference is more easily seen and experienced.
- 2) must let themselves continuously be transformed by the encounter with the other and by the mutual witness of faith
- 3) should again commit themselves to seek visible unity, to elaborate together what this means in concrete steps, and to strive repeatedly toward this goal.
- 4) should jointly rediscover the power of the gospel of Jesus Christ for our time.
- 5) should witness together to the mercy of God in proclamation and service to the world (quoted verbatim).

The above-mentioned ecumenical imperatives provide a clear indication that the LWF and the RCC intend to continue on the road of ecumenism. In September 2001 we witnessed the establishment of Christian Churches Together in Baltimore, which consisted of Protestant, Catholic, African American, Orthodox and Evangelical/Pentecostals. This ecumenical structure is regarded as an appropriate model for the promotion of ecumenism at local and national level. Whilst it is regarded as an appropriate structure, we must bear in mind the discussions and pronouncements by Conradie (2018) the inadequacy of ecumenical structures.

Rinderknecht (2015:70) is of the view that “differentiated consensus has proved to be an ecumenical viable method. It represents the widespread experience that communality can be recognised in difference once a relationship of mutual listening has been established.” The JDDJ does not use the word “differentiated consensus.” Rinderknecht (2015:76) states that “a somewhat different understanding of consensus has arisen out of the experience of the



dialogues termed “differentiated consensus” by Harding Meyer and further developed by Mina Hietamaki.” According to Rinderknecht (2015:12), differentiated consensus

attempts to convey the insight of recognising in the other church’s position a different, but nonetheless recognisable Christian confession. If unity in difference is not accepted as a possibility, no dialogue’s proposed consensus can be received. Theologians will continue to merely repeat the same confessional lines that have characterised polemical theology since the sixteenth century. On the other hand, should the possibility be entertained that two different confessions might share the Gospel of Jesus Christ, expressed in different systems of thought, using different terminology, making different assumptions, and emphasizing different commitments, the ecumenical goal of reconciliation is possible.

He further states that it “seeks to describe the theological insight that the supposedly contradictory statements may not in fact be contradictory” (2015:34).

## **7.6 Personal Reflections as Lutheran Pastor**

I am a Lutheran pastor, ordained in 2001, two and a half years after the signing of the JDDJ. Prior to my ordination, I served for more than a decade in ELCSA as an elder. In all these years I have never been invited to a workshop or a discussion about the JDDJ arranged by ELCSA. In my research about the JDDJ, I could not find any official ELCSA document, or an article or book written by an ELCSA scholar on the topic, except for the one, Klaus Nürnberger, discussed in the chapter above. Biyela (2014) only refers to it when he referred to Nürnberger in the context of the JDDJ. However, ELCSA (N-T) in its synod report, endorsed the JDDJ. I also came across the Synodical Report to 58<sup>th</sup> Regular Synodical Convention of FELSISA in which its Bishop, Dieter Reinstorf presented a paper entitled “Justification and the crossing of boundaries” (2012) without referring to the JDDJ at all. Given the above, I was incredibly surprised to read in a LWF report on the responses of member churches to the JDDJ, that ELCSA, ELCSA N-T, and ELCSA Cape voted in favour of the adoption of the JDDJ. I was confronted by the burning question: How could Lutherans in South Africa neglect a doctrinal matter of such importance, but I concluded that it is most probably because of the fact that South Africans was engage in a battle against the apartheid regime. In many instances the church was at the forefront of this battle.

As a Lutheran Pastor in ELCSA, I can unequivocally say that nothing has changed between the ELCSA and the RCC at the local level in the South African context. I am still not allowed to celebrate the Holy Eucharist with my family at the funeral of a family member who happens

to be Catholic. I am not even welcomed as a Pastor even though I was requested to introduce myself upon entry in my clerical shirt and black cassock. This is more than 20 years after signing the JDDJ and nothing much has changed!

I therefore concur with Nürnberger (2003:16) when he says that “the Declaration had little impact on the two churches.” Nürnberger (2003:16) also challenge the statement that justification unconditionally brings us into communion with God, because it fails to bring us unconditionally into communion with each other.

Furthermore, as a Lutheran, I have been taught about “justification by faith alone.” The particle “alone” has a dominant influence on Lutheran doctrine. Indicative thereof is the fact that Lutherans talk about the “five sola’s” of their doctrine. The fact that the JDDJ is about the doctrine of justification makes one sceptical and suspicious because the conflict of the 16<sup>th</sup> century was not about “justification” but about “justification by faith alone” because Catholicism confesses “justification by faith and works/merits”.

I had great difficulty to find areas of agreement in the JDDJ which were in contention since the 16<sup>th</sup> century. The section entitled “Explicating the Common Understanding of Justification” consists of areas where the parties “confess together” and I am of the opinion that none of these areas were in dispute prior to the dawn of the JDDJ. I believe that the only area where there was real progress, was in §15 which states “By grace alone, in faith in Christ’s saving work and not because of merit on our part, we are accepted by God and received the Holy Spirit, who renews our hearts while equipping and calling us to good works.”

As an advocate of ecumenism, I welcome the ecumenical wind of change that is currently blowing across the globe. However, apart from the fact that the LWF and the RCC are in dialogue, I am of the view that not much was achieved. One expected much more significant agreements after fifty years of dialogue.

Other areas that I find disturbing is the fact that the centrality of justification is denied and reduced to one amongst “several criteria.” The RCC continue to reject the Lutheran axiom of “simul iustus et peccator.” In footnote 9 of the JDDJ it is stated that “the word church is used in this Declaration to reflect the self-understanding of the participating churches”. This implies that the Catholic doctrine of “Extra Ecclesiam nulla salus” which means “outside the church there is no salvation,” still applies and church refers to the RCC only. Which means

that the Lutheran church is not regarded as a church but merely as a religious community and neither are their clerics being recognised.

In the Annex to the Official Common Statement of the JDDJ in Sub-paragraph A, the following terms are written: “being made righteous” and “God imparts,” whilst Lutheran doctrine maintain that we “are declared righteous” and that “God imputes.” Even the accentual differences between LWF and the RCC as far as concupiscence is concerned has been watered down in Sub-paragraph B. Lutherans understand concupiscence as sin whilst Roman Catholics regard it as an inclination.

Another key criticism is that the JDDJ does not address critical doctrinal matters such as ministry, sacraments, papacy, purgatory, indulgences, devotion to Mary and meritorious value of good works. The JDDJ acknowledges that not everything that the parties confess has been addressed. I believe it was a brave step to venture into the arena of dialogue about matters that caused conflict since the 16<sup>th</sup> century, however, in the same breath I must say that the outcome is disappointing so much so that a new word such as “differentiated consensus” had to be created to try and make the JDDJ more acceptable.

Rinderknecht (2015:70) admits that differentiated consensus has failed to convince those who were not part of the conversation during dialogues. Rinderknecht (2015:314) further argues that the weakness of differentiated consensus is the fact that ecumenical consensus is always done on behalf of the wider church. Therefore, those who were not party to the dialogue is than challenged to compare the results of a dialogue with their own denominational tradition and confessions. Hence, we find so many people who oppose the JDDJ because they have not been part of the process reaching a differentiated consensus.

I agree with Rinderknecht (2015:33) when he states that the underlying assumption of the critique of those who oppose the JDDJ, have expected it to settle the conflict with declaring a winner and to demonstrate that Trent or Lutheranism erred. That, in my view, is a natural expectation and those who oppose the JDDJ should not be blamed for that. Instead, the focus ought to have been on the achievement of the differentiated consensus. If any, all that it has achieved is that the protagonists are now civil towards each other. Otherwise, everything else have remained the same. It is like a situation where the parties have agreed to disagree. There is still no communion between the parties. Differentiated consensus failed to take us forward.

## 7.7 The Achievements of the JDDJ

The JDDJ is not the first ecumenical agreement concluded by Lutherans. The Barmen Declaration was concluded in May 1934 by Lutheran, Reformed, and United churches with one accord in a confession of the one Lord of one, holy, apostolic church. In 1973 the Leuenberg Agreement was ratified by Lutheran, Reformed, and United churches as well some pre-Reformation churches such as the Waldensian Church or the Czech Brethren from several European countries. The Meissen Agreement between the Evangelical Churches in the German Democratic Republic, the Evangelical Church in Germany and the Church of England was signed in March 1988. Then in 2007, post JDDJ, we witnessed the inter-church agreement between the Evangelical Lutheran Church in Germany and the Evangelical Lutheran Church in America. What is fundamentally different between the above agreements and the JDDJ is the level of clarity in them which is absent in the JDDJ. Last but not least, there is also the Canberra Statement adopted by the World Council of Churches in February 1991. This statement is an agreement on visible unity which is clearly defined in the statement. The LWF had clear examples in these agreements in terms of formulating the specifics required for visible unity, and yet they failed and instead produced a vague agreement when it comes to the issue of visible unity in the JDDJ. The agreement between the Evangelical Church in Germany and the Evangelical Church in America presents a sample agreement for the highly fragmented Lutheran churches in Southern Africa.

The LWF and the RCC has been in dialogue since 1965 but it was rather low keyed and not widely publicised. The JDDJ has put ecumenical dialogue squarely in the public domain. It definitely attracted the attention of significant role players hence we saw the Methodists, Anglicans and Reformed Churches endorsing it. It has also taken the sting out of 16<sup>th</sup> century conflict in that the interaction between the parties are cordial and civilised. However, it has also exacerbated the conflict within the RCC which was triggered by Vatican II.

I believe, if nothing else, the JDDJ has laid the foundation and paved the way for future dialogues. Here I want to cite as an example the conclusion of "From Conflict to Communion" and "Declaration on the Way, Church, and Eucharist" between the RCC and the LWF. The current dialogue is not restricted to the RCC and the LWF and the doctrine of justification. Briggs (2005:1) wrote in an article titled that "One by one, the battle cries of the Reformation that have divided Christians are losing their emotional power." He bases this statement on



the dialogue between U.S Lutheran and Roman Catholic theologians who concluded an agreement on Sola Scriptura reflected in a statement “The Word of God: Scriptura and Traditions.”

It is interesting to note the different dialogues and dialogue partners which those Lutheran churches, who are not associated with the LWF, are involve with. The International Lutheran Council (ILC), for example, had several dialogues with the Pontifical Council for Promoting Christian Unity (PCPCU). The LWF, ILC, and PCPCU also had a multilateral dialogue. Even the Lutheran Church-Missouri Synod (LCMS) is engaged in talks with the North American Lutheran Church (NALC) and the Anglican Church in North America (ACNA).

The ecumenical winds of change continue to blow. Different denominations which once were hostile towards each other are now talking.

## **7.8 Conclusion.**

In his article “The Reception Process: The Challenge at the Threshold of a New Phase of the Ecumenical Movement” Pottmeyer (1996) discusses the concepts “koinonia/communion” which, according to him, describe the form of Christian unity and “dialogue and reception” which describe the way to unity. He is of the opinion that dialogue in truth with one another to achieve a more complete reception is the way to full communion (see Pottmeyer 1996:1).

According to Cardinal Cassidy, reception is one of the biggest challenges facing us today (Pottmeyer 1996:2). Konrad Raiser, cited by Pottmeyer, offers the following as a reason why reception of results of dialogue is difficult: “The path thus far travelled in the ecumenical movement have taken the separated churches as their starting point and sought to overcome the division by convergence and formal agreement.” Pottmeyer states that during the process of dialogue, the parties realise that the reasons for their separation was caused by misunderstandings or historical conditioning and therefore no reason for their separation (see Pottmeyer 1996:2).

Pottmeyer (1996:2) states that according to Raiser <sup>1</sup> the process of reception will never advance as long as individual churches evaluate declarations of convergence in light of their

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<sup>1</sup> Raiser made these statements in Una Sancta for 1996

official teaching. They continue to protect their own identity which distinguishes them from other churches. Raiser is of the opinion that churches need a “conversion,” a change of attitude.

I clearly hear the voice of Rinderknecht (2015:12) when he says that if unity in difference is not possible and theologians continue to repeat their traditional confession during dialogue, there will never be consensus. However, Nürnberger asks the question: Can unity be based on consensus? Firstly, we will not always agree, so total consensus is unattainable. Secondly, it should be about unity and not about consensus. That unity which Jesus prayed for in John 17:22-23. But that unity is only possible when we emulate Jesus by the unconditional acceptance of the unacceptable.



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