The Lutheran Codicil

From Augustine's Grace to Luther's Gospel

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Because Luther's doctrine of justification belongs to the broad stream of the Augustinian doctrine of grace in the West, we can see what is distinctive about it by noticing how it differs from Augustine's teaching. The best way to do that, I propose, is to observe that where Luther distinguishes law and gospel, Augustine distinguishes law and grace. The difference is encapsulated in what I call "the Lutheran codicil to the Augustinian heritage," in which Augustine's insistence on fleeing for grace becomes Luther's insistence on fleeing to the gospel.

This difference depends on Luther's thinking like a medieval catholic in the sense that what Luther adds to Augustine is a conception of the gospel as efficacious in the manner of a medieval sacrament. That is, it is an external sign that gives the inner grace it signifies to those who believe. Luther heartily endorses Augustine's thinking about law and grace, but goes on to identify a specific external means of grace, the word of the gospel, where one may go to take hold of the grace of Christ and indeed of Christ himself. In this way a medieval notion of sacramental efficacy, which is foreign to Augustine, lies at the heart of Luther's theology.

Since this way of understanding Luther's doctrine of justification brings him closer in one decisive respect to medieval catholicism than to Augustine, it is likely to be controversial as well as unfamiliar. It therefore calls for support from the texts.

We can begin by examining Augustine's treatise *On the Spirit and the Letter*, which contains his most important discussion of law and grace. It is also Luther's favorite among Augustine's works, judging by how often he refers to it and makes use of its key ideas. But as we pile up themes that Augustine and Luther have in common, we shall also be in a position to notice what key Lutheran theme is missing: nothing less than what the mature Luther calls "the gospel of Jesus Christ."

AUGUSTINE'S "LUTHERAN" CONCEPT OF LAW

On the Spirit and the Letter, written in 412, is Augustine's major treatise on justification. It is one of the earliest of his writings against Pelagius and his followers, setting forth a line of argument that recurs frequently in later works. Its aim is to show the necessity of grace, arguing that we cannot become just or righteous without the inner help of the Holy Spirit, who gives us a heartfelt delight in God so that we may truly love him and thus fulfill his law.[1] Pelagius did not deny that God helps us to become righteous, but he thought the law of God, eliciting a response from our free will, was all the help we needed.

Augustine responds by presenting an account of the law, drawn mainly from Paul, that is designed to show its inability to make us righteous and arguing that its true function in justification is to terrify us so that we flee for mercy to the grace of God. Apart from grace, the law can function only as the letter that kills, not the Spirit that gives life.

In other words, Augustine formulates what in Lutheran terms is called the "second" or "evangelical" use of the law.[2] The "lawful use" of the law, as Augustine puts it in terms borrowed from 1 Timothy 1:8–9, is a form of preaching whose effect is "to terrify the unrighteous . . . so that they flee by faith to justifying grace."[3] In a typology that is used repeatedly by Luther, Augustine contrasts the grace of the Spirit manifested at Pentecost with the terror of the law revealed at Sinai.[4]

Yet for Luther as well as for Augustine the deep terror of the law is not found in the pyrotechnics of thunder and lightning on a mountain, but in what the law reveals about the human will. Since what the law demands is whole-hearted love, not merely outward obedience, it exposes the deep-seated unrighteousness in God's sight (*coram Deo*) of those who take pride in their apparent righteousness in the sight of human beings (*coram hominibus*).

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1. *On the Spirit and the Letter* 8.13. (Note: All translations from Augustine are by the author.) It is important to bear in mind that although the two words *justice* and *righteousness* have drifted rather far apart in meaning over the past centuries, they are used to translate only one word in Greek (*dikaiosune*) or Latin (*justitia*) or German (*Gerechtigkeit*). In discussing the doctrine of justification one must therefore get accustomed to hearing them (and the related adjectives, *just* and *righteous*) as if they mean exactly the same thing, because in discussions of Reformation theology and its antecedents, they always represent the same word.
2. For the classic discussion of the two uses of the law, see Luther's 1535 Galatians commentary on Galatians 3:19 (AE 26: 308–13).
3. *On the Spirit and the Letter* 10.16.
4. *On the Spirit and the Letter* 16.28–17.29. See the two public sermons God preaches at the beginning of "How Christians Should Regard Moses" (AE 35: 161) as well as Luther's frequent references to the terror of Mount Sinai in the 1535 Galatians commentary, for example, AE 26: 64, 309, 311, 313, 321.

This is why, as Paul says, "by works of the law no flesh shall be justified in his sight" (Rom 3:20). God, who sees the heart, is not impressed when "someone who fears the law does something different from what he would prefer to do if it were allowed."[5] Here Augustine applies a kind of counterfactual test to uncover those whose obedience is merely outward, driven by fear rather than the love that the commandment requires. If, assuming they could get away with it, they would not do what is commanded, then their obedience counts only in the sight of human beings, not in the sight of God. Thus the law of God only makes them guilty, not righteous.

> Those who did what the law commanded, without help from the Spirit of grace, did it from fear of punishment and not from love of righteousness. That is why in the sight of God, there was not present in the will what appeared in the works in the sight of human beings. Instead, they were held guilty of committing what God knew they would rather have done, if it could have been done with impunity.[6]

Luther quotes this passage in his early lectures on Romans (1515–1516), where Augustine's counterfactual test plays an important role in his thinking about the intractable depths of human sin.[7] He develops the idea in later writings, as for instance in his explanation of the concept of law in his Preface to Romans (1522):

> For even though you keep the law outwardly, with works, from fear of punishment or love of reward, nevertheless you do all this unwillingly, without pleasure in and love for the law, but with reluctance and under compulsion. For if the law were not there, you would prefer to act otherwise. The conclusion is that from the bottom of your heart you hate the law. (AE 35: 367)

In the 1535 Galatians lectures he intensifies the point, concluding that the law causes people to hate God, because "they would rather that there were no Law, no punishment, no hell, and finally, no God" (AE 26: 337).

Augustine's counterfactual test is designed to convince us that telling people what to do does not really help them do it — not if heartfelt love is essential to real obedience. The point may seem counterintuitive, but Luther is clearly convinced. This goes a long way toward explaining why Luther displays so little interest in what is later called "the third use of the law," where preachers feel called upon to give people advice about what to do to live good Christian lives. Luther is convinced that telling people what to do does not help them do much besides produce outwardly good works motivated by fear and anxiety.[8]

THE LAW OF FAITH AND THE RIGHTEOUSNESS OF GOD

If what we seek is true inward righteousness in God's sight, then we must look elsewhere than the law of God telling us what to do. Augustine, picking up on Paul's language in Romans 3:27, would have us turn from "the law of works" to "the law of faith." The first tells us what to do, the second begs God for help to do it: "By the law of works what God says is, 'Do what I command.' By the law of faith what is said to God is, 'Give what you command.'"[9] This is a passage Luther quotes twice in his Romans lectures.[10] Again, the point may seem counterintuitive: we do not become righteous by doing what is righteous, but by obtaining a gift. But again, Luther is utterly convinced. The intuition that must be rejected here is strongly rooted in the Western tradition. For Luther, it is an intuition often represented by the name "Aristotle."

Aristotle is the great philosopher of virtue, characterized as an intelligent habit of the heart (in more technical language, a *habitus* informing the soul) which is rather like a skill, acquired by practice. The intuition is simple but profound: we get good at doing things by doing them. Just as a musician develops her skill by playing music or a soldier develops courage by acting courageously in battle, a morally serious person develops the virtue of righteousness or justice by doing deeds of righteousness. This is precisely to say: he becomes righteous by doing good works. Luther repeatedly contrasts Augustine with Aristotle on precisely this point, and Augustine always wins.[11]

The righteousness we need is one we cannot acquire by our deeds, for it is the righteousness of God (*justitia Dei*), which we acquire by faith. As Augustine explains, this is not the righteousness "by which God is righteous" but rather the righteousness "with which he endows a man when he justifies the ungodly."[12] It is called *God's* righteousness because "by imparting it he makes men righteous, just as 'the salvation is the

5. *On the Spirit and the Letter* 8.14.
6. *On the Spirit and the Letter* 8.13.
7. This passage is quoted in the scholium on Romans 2:12 (AE 25: 184), and paraphrased in the scholium on Romans 2:1 (AE 25: 174). Luther puts the counterfactual test to work most vigorously in the scholium on Romans 3:10 (AE 25: 220–21).
8. The Lutheran tradition later explicitly endorses the third use of the law, but directs it toward the old Adam that is still alive in all Christians, and who is the proper target of "the warning and threatening of the law" (SD VI, 9 [Tappert, 565]). It sounds, in short, very much like the second use of the law applied to believers, lest they become smug and complacent.
9. *On the Spirit and the Letter* 13.22.
10. The passage is quoted in the corollary on 3:21 (AE 25: 243) and scholium on 3:27 (AE 25: 251). In the latter passage AE misleadingly translates *lex fidei* as "principle of faith" rather than "law of faith."
11. See the Romans lectures, scholium on 1:17 (AE 25: 152) and Heidelberg Disputation, Proofs of Theses 25 and 26 (AE 31: 56). Luther, who began his academic career lecturing on Aristotle's ethics, was quite familiar with passages like *Nicomachean Ethics* 2:1,1103b1, "We become just by doing just actions." For Luther this is tantamount to saying that the fruit makes the tree good, rather than the other way round; cf. scholium on Romans 8:7 (AE 25: 354).
12. *On the Spirit and the Letter* 9.15, alluding to Romans 4:5.

Lord's' by which we are saved."[13] This is another counterintuitive insight that becomes fundamental to Luther's doctrine of justification. In a famous reminiscence written near the end of his life, Luther recalls how he used to hate the phrase "the righteousness of God" when he encountered it in Scripture, because he assumed it meant the justice by which God punishes sinners—until he realized that "the righteousness of God is that by which the righteous lives by a gift of God, namely by faith" (AE 34: 337).

This realization has come to be described as Luther's "tower experience" (*Turmerlebnis*), named so, because in one piece of table talk he describes himself coming to this conclusion while working in a room in the tower of the building where he lived.[14] Luther seems to say in his reminiscence that the realization dawned on him once the indulgence controversy was underway in 1518, *after* his lectures on Romans (AE 34: 336). That, though, seems to conflict with the fact that Augustine's insight about the righteousness of God was already quite familiar to him several years earlier. As shown in those lectures, he at length and several times quotes the relevant passages from *On the Spirit and the Letter*.[15]

THE LUTHERAN CODICIL

We need not enter here into the debate over the *Turmerlebnis*, though, because our aim is to discern how Luther's doctrine of justification *differs* from Augustine's, which is certainly not over the concept of the righteousness of God. To pinpoint the difference, we can go back to Augustine's contrast between the "law of works" and "the law of faith." He puts it in a nutshell in *On the Spirit and the Letter*: "What the law of works requires by threatening, the law of faith acquires by believing."[16] Likewise in a later treatise, also quoted by Luther in the Romans lectures, he speaks of "faith, which by praying acquires what the law requires."[17]

This introduces a fundamental feature of Augustine's doctrine of justification: we must pray for grace, because faith obtains the righteousness of God by praying for it. Augustine gives us the gist of this prayer for grace in a famous formulation that especially offended Pelagius: "Give what you command, and command what you will."[18]

To bring the difference between Luther and Augustine into focus, we can contrast this prayer with a formulation in Luther's treatise, *The Freedom of a Christian* (1520): "The promises of God give what the commandments of God demand" (AE 31: 349). This formulation, which sums up what I am calling "the Lutheran codicil" to the Augustinian heritage, both echoes Augustine's prayer for grace and replaces it with something new. Instead of human words of prayer, it draws our attention to the divine word of promise, which Luther elsewhere calls by the name "gospel."

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The distinction he draws in this treatise between commandments and promises as the two types of the word of God is clearly the same as the distinction he draws elsewhere between law and gospel. The crucial point about the gospel promise is always that it gives what it promises to those who believe it. So for Luther faith does not mean praying for grace and righteousness, but obtaining them by taking hold of Christ in the gospel. Instead of human words of supplication, we cling to a divine word of promise, on the basis of which we can be certain that we have a gracious God and his righteousness.

The Lutheran codicil makes a profound difference in the texture of Christian life, because unlike a prayer for grace, the promise of God is grounds for certainty. As Luther insists over and over again, we must know for certain that God is gracious and merciful to us in Christ Jesus, for otherwise we are doubting that he is telling us the truth in his promises.[19]

Let God be true and every man a liar!—as Paul says in Romans 3:4—and "every man" here clearly includes myself and my doubting heart, against which faith must continually fight in the struggle against *Anfechtung*, the assaults of the devil trying to tear us away from trust in the promise of Christ. This *Deus verax* theme, as I call it, is so essential that you will almost never find an exposition of the doctrine of justification in Luther without it. (I challenge you—just try and look for one!) We

13. *On the Spirit and the Letter* 11.18, quoting Psalm 3:8.
14. Table Talk #3232c (AE 54: 193). Luther's reported claim has become the subject of a massive scholarly debate, because it is extremely difficult to date. For an introduction to the history of research and a selection of some of the most important contributions, see Bernhard Lohse, *Der Durchbruch der reformatorischen Erkenntnis bei Luther* (Darmstadt: Wissenschaftliche Buchhandlung, 1968); and for a briefer introduction, Bernhard Lohse, *Martin Luther's Theology* (Minneapolis: Fortress Press, 1999), chapter 9.
15. See Romans lectures, Luther's note to the gloss on 3:20 (AE 25: 30) and scholium on 1:17 (AE 25: 151–52).
16. *On the Spirit and the Letter* 13.22, quoted in the corollary on Romans 3:21 (AE 25: 243).
17. Augustine, *On Grace and Free Will* 16.32, quoted in the corollary on Romans 8:3 (AE 25: 345). In both this and the previously quoted formulation, Augustine plays with the verbs *imperare* and *impetrare,* to command and to obtain—though I have tried to retain the play on words by translating "require" and "acquire." AE here mistranslates by rendering both verbs with "demand."
18. Augustine, *Confessions* 10.29.40; for Pelagius's reaction when he read this, see *On the Gift of Perseverance* 20.53.
19. See the 1535 Galatians lectures on Galatians 4:6 (AE 26: 377–80, 385–88). For a decisive early expression of this theme, see the 1519 treatise on the sacrament of penance §§10–11 (AE 35:13–14).

are justified by faith alone, according to Luther, because faith alone takes hold of the promise of God, which gives us certainty that we are justified because God is always true to his word.

GOSPEL AS EFFICACIOUS SACRAMENTAL PROMISE

Of course the notion that God makes promises had been a part of the Christian tradition long before Luther. But in earlier theologians the promise of God is typically identified either with Old Testament prophecies of the coming of Christ or New Testament promises of eternal life to Christians, understood as those who live meritoriously by faith, hope, and charity. Thus in Augustine, faith in God's promises is entirely compatible with the teaching that we are not justified by faith alone, but by faith made meritorious by works of love.[20] What is new in Luther's understanding is encapsulated very precisely in the Lutheran codicil: the promise of God gives the righteousness that the law demands. There is such a thing as a word of God that effectually gives the gift it signifies.

That this is a sacramental notion of efficacy has been shown by the work of Oswald Bayer, who traces the development of the concept of an effectual promise of God in Luther's early writings.[21] The development takes place in the course of the indulgence controversy, which requires Luther to think more carefully than before about the sacrament of penance, which is the context in which indulgences were supposed to be effective. By 1519 he is identifying the word of absolution in the sacrament of penance as a sacramental sign that effects what it signifies, due to the promise of the keys in Matthew 16:19.[22]

In a series of treatises leading up to *The Babylonian Captivity of the Church* in 1520, Luther repeatedly interprets the efficacy of the sacraments in terms of the promise of God, who is always truthful—always *Deus verax*.[23] In a sermon on Christmas Day in 1519 he describes the gospel itself as a sacrament: "All the words and stories of the gospel are a kind of sacrament, that is, sacred signs, through which God brings about, in those who believe, whatever the story tells of."[24]

I find the story of this development very moving, because it begins with a doctrine of justification that has no gospel, no effectual promise of grace, and culminates with works like *The Freedom of a Christian* and *The Babylonian Captivity,* which changed the course of the world by showing people how to find Christ in his word. Whereas in Augustine's teaching the law terrifies us so that we might flee for grace, Luther shows us exactly where to flee, instructing us to take hold of Christ himself in the promise of the gospel, which is the word of Christ that gives what it signifies to those who believe.

The Augustinian prayer for grace must persist in uncertainty as to whether God is gracious.

Without such a word, the Augustinian prayer for grace must persist in uncertainty as to whether God is gracious and will be merciful to me, an unworthy sinner. This uncertainty was not a problem for Augustine, who never had to spend time in a confessional with his conscience being probed by an inquisitive confessor, but it had grown into a deep torment a thousand years later, when late medieval penitential practices cultivated the exquisite anxieties of a terrified conscience. Luther intensifies these anxieties in his early works, most notably in his Romans lectures, by insisting that the life of true believers is

> nothing else but prayer, seeking and begging by the sighing of the heart, the voice of their works . . . always seeking and striving to be made righteous . . . never possessing, never in any work putting an end to the achievement of righteousness, but always awaiting it . . . as people who still live and exist in their sins. (AE 25: 252)

Having no promise of grace to put faith in, Christians must take hold of a word of accusation, confessing their sin continually (no wonder Luther was famous for wearing out his confessors!) and seeking justification by condemning and hating themselves, even to the point of sincerely wishing to be damned.[25] Such is Luther's early doctrine of justification, which is compatible with the affirmation that we are justified

20. For Augustine's explicit denial that we are justified by faith alone without works, see *On Grace and Free Will* 8.20, *Against Two Letters of the Pelagians* 3.14.5, and *On Faith and Works* 15.25.
21. Oswald Bayer, *Promissio: Geschichte der reformatorischen Wende in Luthers Theologie* (Göttingen: Vandenhoeck & Ruprecht, 1971). Bayer builds on the work of Ernst Bizer, *Fides ex Auditu: Eine Untersuchung über die Entdeckung der Gerechtigkeit Gottes durch Martin Luther,* 3rd ed. (Neukirchen: Kreis Moers, 1966), who initiated a controversial new trend in Luther scholarship by reorienting research into the "Reformation breakthrough" on the issue of gospel.
22. Bayer identifies the key discovery in a little-known (and untranslated) set of disputation theses from 1518, *Pro veritate inquirenda et timoratis conscientiis consolandis* (WA 1: 630–33). However, many of the theses are incorporated into the 1519 treatise on the sacrament of penance, which is available in AE 31: 9–22. One can see the key concept of gospel as efficacious word of grace under development in the 1518 *Explanations of the Ninety-Five Theses* by contrasting how the word of absolution is treated in the explanations of theses 7 and 38, then following up by noticing the full-blown law/gospel distinction in the explanation of thesis 62 (AE 31: 98–107, 191–96, and 230–31).
23. See the three little sacramental treatises published in 1519 (AE 35: 3–73), followed by the 1520 "Treatise on the New Testament, that is, the Holy Mass" (AE 35: 79–111), which is the immediate precursor to *The Babylonian Captivity of the Church* (AE 36: 11–126).
24. From a sermon given on Christmas Day, 1519, not available in English translation (WA 9: 440).
25. In the Romans lectures, justification by faith alone means belief not in a gracious word but in a word of accusation (corollary to Romans 3:7, AE 25: 215–18) that results in confession of sin (scholium

by faith alone (by believing the word of accusation which condemns us), by grace alone (by praying for grace rather than trusting in our works) and by the righteousness of God (which we acquire by the humble prayer of faith).[26] These key elements of Luther's theology, present already in the Romans lectures, can only add up to fear and condemnation when there is no gracious word of God to cling to, no promise with the power to give the grace and righteousness it signifies.

This kind of promise is not to be found in Augustine, for whom words can have no such power. Luther's then-colleague Andreas Karlstadt tried to point this out in his commentary on Augustines's *On the Spirit and the Letter.* Karlstadt noticed that for Augustine every external word must count as letter, not Spirit, because "external things do not save."[27] So it is not an accident that the Lutheran concept of gospel is missing in Augustine.

For Augustine both words and sacraments are outward signs that, precisely because they are external, have no power to give an inner gift of grace.[28] The notion of sacramental efficacy—that God can in fact use outward signs not only to signify but to confer inner gifts—is a later medieval notion. Without this medieval notion there would have been no Protestant notion of the gospel of Christ and thus no Reformation as we know it.

CONCLUSION

Let me indicate very briefly how the account of Luther's doctrine that I have sketched here is to be located on the map of the past century of Luther scholarship and the past half-century of ecumenical theology. If what makes Luther a Reformation theologian is above all the concept of the gospel of Christ as an effectual word of grace, then scholarship that tries to date Luther's "tower experience" is barking up the wrong tree. The *Turmerlebnis* ought not to be identified, as it typically is, with the *Reformationsdurchbruch*, the "Reformation breakthrough." No doubt it was an exciting experience for Luther, but if our interest is in Luther's theology rather than his experiences, the concept to concern ourselves with is not the one he got so excited about in the tower but the one that made Reformation theology possible.

The righteousness of God only becomes the good news at the heart of the Reformation when it is given to us in a gracious, saving word of God, not sought by unending prayers of confession, self-accusation, and self-condemnation. This good news only gets into focus when Luther comes to see that the gospel of Christ is a promise that effectually gives what it signifies, just like a medieval sacrament.

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Identifying this sacramental notion at the foundation of Luther's mature doctrine of justification helps explain a number of things about the distinctive place of Lutheran theology in the Protestant landscape, significantly closer to Roman Catholicism than most other Protestant theologies are. It explains why "word and sacrament" is a beloved cliché in Lutheran theology but not in most other forms of Protestantism. It explains why Luther's answer to the question "Are you a Christian?" is not a conversion narrative but reliance on a sacrament, insisting: "I am baptized!"[29] It explains the pivotal role of Lutheran theologians in much recent ecumenical theology, acting in effect as intermediaries between Roman Catholics and Protestants in publications such as the journal *Pro Ecclesia*.

Luther's theology of the gospel has something to offer Rome that might well, after all these years, be welcomed there. But it also, in insisting so forcefully on a specific external place to turn and find Jesus Christ, offers something to Geneva and Aldersgate and Azusa Street that they may well need in order to escape the abyss of Protestant inwardness, in which the inner experience of faith means far too often putting faith in inner experience.[30] LOGIA

on Romans 3:7, AE 25: 201–6) and culminates in self-hatred and the desire to be damned (scholium on Romans 9:3, AE 25: 381–84). I present a brief analysis of this startlingly masochistic doctrine of justification in "Where to Flee for Grace: The Augustinian Context of Luther's Doctrine of the Gospel," *Lutheran Forum* 30, no. 2 (May, 1996): 17–20.

26. In addition to the righteousness of God, discussed above, the Romans lectures already contain an explicit doctrine of justification by faith alone (scholium on 1:17, AE 25: 151) and grace alone (corollary to 3:20, AE 25: 242).
27. Ernst Kähler, *Karlstadt und Augustin. Der Kommentar des Andreas Bodenstein von Karlstadt zu Augustins Schrift* De Spiritu et Littera (Halle: Max Niemeyer, 1952), 84.
28. I argue this point at length in my *Outward Signs: The Powerlessness of External Things in Augustine's Thought* (New York: Oxford University Press, 2008).
29. See Luther's Large Catechism on baptism (Tappert, 442), *The Babylonian Captivity* (AE 36: 60), the introduction to the 1535 Galatians commentary (AE 26: 11), the commentary on Psalm 51:8 (AE 12: 371), and Table Talk #2631b and 5658a (in Theodore Tappert, *Luther: Letters of Spiritual Counsel* [Louisville: Westminster, 1955], 122, 131–32).
30. For an account of how Luther offers an alternative to the Protestant turn to experience, see my "Why Luther is not Quite Protestant: The Logic of Faith in a Sacramental Promise," *Pro Ecclesia* 14 [2005]: 447–86). For a popular-level critique of the current turn to experience in American evangelical Protestantism, drawing largely on this Lutheran alternative, see my *Good News for Anxious Christians* (Grand Rapids: Brazos Press, 2010).