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A Review Article

Law and Gospel: Philip Melanchthon's Debate with John Agricola of Eisleben over "Poenitentia." By Timothy J. Wengert. Grand Rapids: Baker Book House; Carlisle: Paternoster Press, 1997. 232 pages. Paper.

Lowell C. Green

This volume is about law and gospel and the doctrine of justification in the teachings of Luther, Melanchthon, and their followers. More particularly, it is devoted to the first controversy over the function of the law in Lutheran theology (antinomianism). Thereby, the author presents important insights into the theology of Philip Melanchthon, Johann Agricola of Eisleben, and Caspar Aquila of Saalfeld. We will examine historical and doctrinal aspects, noting that, on the whole, the author handles the former more successfully than the latter.

Wengert explains the concept of *poenitentia* in the introduction, with special attention to Luther's usage, beginning with the ninety-five theses on indulgences. He points out that *poenitentia* has many shadings of meaning (it can be translated either as repentance, penitence, or penance) and he therefore elects to maintain the original Latin term, as in the title of the book; this term can then be interpreted within the varying context of a given writer, time, or statement.

The author shows how Melanchthon took over and adapted the medieval three-fold perception of *poenitentia* (contrition, confession, and satisfaction) and adapted it to his own theology. In Melanchthon's revised form, the law, with its threats of divine wrath, frightened the sinner and led him to "repentance," that is, the conviction that he had sinned (contrition). This, in turn, led him to acknowledge his sin before God (confession), and brought him forgiveness through the atoning work of Christ (satisfaction by Christ). The doing of penance for satisfaction by the sinner was thereby replaced by the satisfaction accomplished by Christ.

Agricola rejected the use of the law and located *poenitentia* under the gospel instead. "... *Poenitentia* is a mark of the new creature, not of the old. . . . 'an appellation for the new creature, which is being

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renewed daily' . . ." He thought that it was the gospel, not the law, that moved one to see his sin and to seek forgiveness from Christ. In his sermons on Colossians, Agricola criticized "philosophy," doubtless an oblique rebuke at Melancthon: "Philosophy says, 'When you sin, you are condemned; be afraid!' God's word says, 'When you sin, be happy. It is to have no consequence. Sin does not condemn you; good works do not save you, but rather faith in Jesus Christ alone.' For this reason, then, there is in the congregation forgiveness of sins without ceasing" (Wengert, 35).

In the first chapter, Wengert presents an admirable review of Agricola's biblical exegesis from 1525-1527. His later controversy with Melancthon lay implicit in these early works, but the debate did not occur until later. In Chapter 2, Wengert presents a masterful summary of Lutheran catechetical literature during the same period of time. This presentation is built upon the research and published texts of Ferdinand Cohrs. However, through his use of early imprints at Wolfenbüttel, Wengert adds much to previous research. He traces the development from Luther's early treatises on the Ten Commandments, the Creed, and the Lord's Prayer. These early catechisms sometimes included the ABCs, the Ave Maria, and daily prayers. Wengert seems perplexed that the line between pedagogy and devotional literature was fluid in early catechisms. However, their writers wanted to edify while teaching, and it should not be forgotten that Luther himself spoke of praying the catechism, which he regarded as devotional in character. In his present book, Wengert skirts the difficult issue of filial versus servile fear in the Decalogue without giving any real solution (Wengert, 120-121).¹

¹At least, he does not repeat his insolent mockery of Johann Michael Reu from 1995 (Timothy Wengert, "'Fear and Love' in the Ten Commandments," *Concordia Journal* 21 [January 1995]: 14-15). There, Wengert describes Reu's contention that the First Commandment calls for a filial fear rather than a servile fear as "late twentieth-century feelings about the *mysterium tremendum* that make God the perfect tourist attraction: awe-inspiring and cuddly" (15). Wengert appeals there to the authority of Charles Arand, who based his case on Johannes Meyer and Albrecht Peters, all of whom insist that the First Commandment must be interpreted on the basis of the "Conclusion": "I the Lord thy God am a jealous God, visiting the iniquities of the fathers upon the children . . ." Luther's classic explanation of the First Commandment, "We should fear, love, and trust in God above all things," is most profound and, as all other law-gospel distinctions, is very difficult to expound properly. It is tragic that the Lutheran Church—Missouri Synod

There was a kinship between Agricola's view of repentance and the position of later eighteenth-century Pietism, which often insisted that one had to be sorry for one's sin in order to qualify for forgiveness. Wengert finds this kind of legalism in Agricola, who taught that being "sorry for sin" was a requirement for forgiveness (Wengert, 74). The observant reader will quickly note that thereby one's salvation depended in part upon some quality within the individual (remorse), and was thereby diverted from the divine word of gospel. This illustrates the general truth that when one thinks to remove the law, the gospel inevitably becomes a new law, and thus becomes an adulterated gospel.

In Chapter 3, Wengert points out that since law and gospel underlay Melanchthon's doctrine of justification, it was inevitable that he would be forced to counter the antinomianism of Agricola (Wengert, 77). He finds the debate foreshadowed both in their differentiated catechetical literature and in their disparate interpretations of Colossians.

Because Agricola had been strongly opposed to Melanchthon's "Articles for the Saxon Visitation," two meetings were held at Castle Torgau to discuss the Visitation Articles and to attempt to iron out their differences. The first was held on September 26, 1527; only the visitors (Schurff, Melanchthon, and Asmus von Haubitz) were present. The Visitation Articles were discussed, but Melanchthon's report to Justus Jonas shortly thereafter did not mention Agricola or Aquila (Wengert, 110). Melanchthon apparently was unaware of the tempest that was brewing with his old friend until a few weeks later, when Agricola published his attack upon an unauthorized Latin translation of the Visitation Articles. Whereas Joachim Rogge and Gustav Kawerau thought that Agricola's attack was a lost document, Wengert identifies this assault with Agricola's "130 Fragestücke" of November 1527 (Wengert, 116; one may also see 126).

Agricola gave a succinct statement of his position in the "130 Questions" as follows: "Christians do out of love and desire

seminaries do not have well-developed departments of Catechetics and that these issues have hardly been discussed in America, except for Reu's *Catechetics* and a few other books. Reu's position is entitled to a more respectful hearing and a more adequate answer than that given in the above-mentioned article.

everything God demands of them. For they are sealed with the spontaneous Spirit of Christ. Therefore no law ought to force them, for no law is given to the righteous (1 Timothy 1:9). Moreover, as soon as the gospel becomes a matter of compulsion and a rule, then it is no longer the gospel" (Wengert, 129).

In this confounding of law and gospel, one is reminded of the "gospel-reductionism" of some recent antinomians in America who insisted that not the law but only the gospel informs the Christian what he should do. When the law is thus rejected and replaced by the gospel, the resultant gospel is no longer the gospel.

A second Torgau meeting was held in late November 1527; this time, Agricola was present, as well as Melanchthon, Luther, Bugenhagen, and Caspar Güttel (Wengert, 131). Wengert dates the meeting November 26-28. He maintains that Melanchthon was defending himself from a charge by Agricola that he had wrongly based repentance upon fear of God's wrath rather than upon fear of God. Wengert counters this with Luther's criticism of Agricola's position: "How the fear of punishment and fear of God differ is said more easily with syllables and letters than is known in reality and feeling" (WA 4:272,16-17; Wengert, 117). Wengert concludes: "Of course, Luther, more quickly than either Melanchthon or Agricola, discerned the paradox of the person living under fear of punishment and fear of God at the same time" (Wengert, 120). Here is a very fine observation by Wengert; he has in mind Luther's concept of the justified believer as *simul justus ac peccator*.

The reader might be disappointed because this book does not give more generous quotations from the men meeting at Castle Torgau in November 1527. At that time there was general support for Melanchthon's position, with warnings to Agricola regarding his stand against the law. However, Agricola did not try to reconcile himself with Melanchthon, much to the latter's disappointment (Wengert, 132-133). Luther advanced a compromise formula in which he attempted to mediate between the positions of Melanchthon and Agricola (134). Wengert summarizes:

Luther's solution was a marvelous example of theological diplomacy. First, he continued to insist that the controversy was a war of words and could thus be solved with definitions. Then, he refused to accept any of Agricola's substantive argumentation and asserted that the Christian life moved from

law to gospel or, in this case, from *poenitentia* to faith. The notion of a faith prior to justification was put in terms of the creative order and law and not, as Agricola stated in his latest catechisms, in terms of the proclamation of the satisfaction and forgiveness of Christ. Finally, Luther did not paper over the differences (Wengert, 134-135).

Agricola continued to press his case, so that, a decade later, the full-blown "Antinomian Controversy" broke out. At that time, Luther was to come out much more strongly against Agricola, who was condemned for his teaching and who consequently left Saxony and went to Brandenburg.

Unfortunately, Wengert's handling of doctrinal issues is not up to the level of his historical treatment. As Wengert makes his way through the dogmatic distinctions of forensic justification, he is not always convincing. He is caught up in the controversy over Apology 4, going back into the nineteenth century, among Eichhorn, Loofs, and Stange, in which only Carl Stange affirmed the Confessional Lutheran position. Loofs had gone out from Apology 4:78: "Therefore we are justified by faith alone, understanding justification as to effect a just man out of an unjust one or to regenerate," and had claimed that here was an *effektiv* justification, that is, a justification based upon the intrinsic righteousness within the believer. But this was a wrong interpretation. What that statement in Apology 4:78 really says is that to be justified means to be made righteous; when one is forensically declared righteous in justification, one has become that which God has declared him to be, namely, a righteous one, or one in whom the new life of regeneration has taken place. Apology 4:78 is not the rejection of forensic justification but rather the recognition that justification has actually taken place and that the sinner has really become a new being in Christ. Therefore, the findings of Holl, Loofs, Scheible, and others, that justification is "analytic," that is, an ongoing process of sanctification, are at variance with Apology 4. However, Wengert finds a change in the 1532 Commentary on Romans where justification is defined in such a way that it "explicitly eliminated any internal change in the person." He claims that "the Apology lacked this clarity" (Wengert, 179-180). This reviewer thinks that Wengert is presenting a false alternative here.

In a final chapter, Wengert makes his presentation of Melanchthon's doctrine of justification and good works after 1533. He thinks that Melanchthon's teaching about forensic justification, by which the accusations of the law are overcome for the believing sinner, leaves no place for the law and good works. He writes that, to compensate for this inferred weakness, Melanchthon insisted that good works must necessarily follow a justifying faith; this was imperative both because of the antinomianism of Agricola and also in order to accommodate moderate Roman Catholics with whom Melanchthon had been in conversation (Wengert, 201-202).

Wengert supports his claim that forensic justification led Melanchthon to teach the necessity of works by means of two proofs in which this reviewer finds some weaknesses. First, Wengert cites the controversy of Cordatus with Cruciger and Melanchthon, 1536-1537. Cruciger had actually taught that contrition was a *causa sine qua non* of justification in the sense that faith could not co-exist without sorrow for one's sin. Cordatus had stretched this to say that Cruciger claimed that "good works" were the *causa sine qua non* of justification, an unwarranted and unfair distortion of the original statement. As a matter of fact, Luther supported Cruciger's statement with the argument that contrition was not the work of man but of God.² Wengert, however, cites Cordatus's distortion of Cruciger as evidence that Melanchthon said that good works were necessary for salvation, and sees this as the forerunner of the later Majoristic and synergistic controversies. The reviewer finds this a faulty conclusion. Second, Wengert also cites from the 1535 *Loci theologici* the interpretation of Romans 8:26: "The Spirit also helpeth our infirmities," a text that Melanchthon applies to the life of regenerate Christians: "In this example we see these causes joined together: the Word, the Holy Spirit, and the will, which is, of course, not indifferent, but fights against its infirmity" (CR 21:376). Wengert misquotes this when he writes: "This middle way led in the 1535 *Loci* to insistence that the Word, the Holy Spirit, and the human will are the three causes of salvation" (Wengert, 206). This is a seriously wrong interpretation of Melanchthon's words, which dealt not with the unregenerate but with the regenerate believer.³

²One may see Köstlin and Kawerau, *Martin Luther: Sein Leben und seine Schriften* (Berlin, 1908), 2:445-448.

³One may see Lowell C. Green, "The Three Causes of Conversion in

Wengert's position may puzzle the reader. He cites Cordatus's distortion that Melancthon taught that works are necessary for salvation, but then refutes this in a clear statement: "So he [Melancthon] devised a way to speak of the necessity of works for the believer by excluding their necessity for justification" (Wengert, 188). Whence Wengert's perplexity over the place of good works under forensic justification? Actually there seems to be another cause. Wengert seems unaware that Scheible's theological acumen is not equal to his historical scholarship, and he seems overly influenced from Scheible's "analytic" view of justification (as it had been propounded by Karl Holl on the basis of lectures of the early Luther), that is, justification based upon intrinsic righteousness or the moral qualities of the believer. This position naturally led Holl to find powerful objections to forensic justification. Although Hans Emil Weber was a much deeper theologian than Holl or Scheible, he too worried that a "synthetic" form, in which justification was based upon the extrinsic or alien righteousness of Christ, would circumvent the need for good works in the life of the justified believer. Furthermore, Weber, recalling that sin for Luther consisted in idolatry, or placing false gods in the place which belonged to God (First Commandment), thought that justification had to make a change in the heart of the sinner, and warned lest the imputation of the righteousness of Christ to the believer, that is, forensic justification, might bypass the change of heart which faith implied, and reduce justification to a juridical pronouncement quite apart from the believer's faith. These are unquestionably weighty problems.⁴ Moved by such considerations, Wengert suggests that

Philipp Melancthon, Martin Chemnitz, David Chytraeus, and the 'Formula of Concord' (*Luther-Jahrbuch* 1980:89-114). This essay also shows that Melancthon and his disciples did not hold the views of conversion of later Pietism but meant by "conversion" so much as "sanctification" in the life of the regenerate. When Melancthon spoke of the "three causes," he did not mean in the conversion of the *nondum renati*, but in the life of the regenerate.

⁴On problems of forensic justification one may see Hans Emil Weber, *Reformation, Orthodoxie und Rationalismus* (Gütersloh: Gerd Mohn, 1937; reprint, Darmstadt: Wissenschaftliche Buchgesellschaft, n.d.) 1/1:110-112, especially 110, note 10. However, Weber himself wrote previously that in Melancthon faith "is also valued as the rightful honor which a person presents to God in a real fulfillment of the First Commandment" (72-73). Thus, Melancthon both taught forensic justification and safeguarded the character of faith as a genuine change within the believer.

Melanchthon shored up his system by urging the “necessity” of good works in the ongoing life of the justified believer, and, ultimately, by propounding the “third use of the law,” that is, a function of the law in the life of the believing Christian. However, such a solution was not really needed. In regard to the problem discussed by Weber and Wengert, the solution was already developed by Melanchthon in Apology 4:78, namely, that to be pronounced righteous by the lips of God means to be made righteous.

Wengert offers several interesting explanations why Melanchthon proposed the “third use of the law.” On page 205, he writes that Melanchthon was faced by two wrong solutions: the Roman Catholic way of justification, partly based on good works, and Agricola’s way of antinomianism, which downplayed good works. Wengert says that if Melanchthon wanted to counter the accusations of the Roman Catholics that he had destroyed good works, then a third way was needed. “To inform the good conscience and encourage it to obedience, a third use of the law is necessary” (Wengert, 205). However, the observant reader might object that this was not the real solution. Since both Rome and Eisleben had confounded law and gospel, the right solution would have been to have followed Luther and to have distinguished law and gospel in the way that Melanchthon failed to do at this juncture.

Some readers will be frustrated when Wengert’s book routinely refers to the edition of *Melanchthon’s Briefwechsel* or MBW, edited by Scheible and others. Published in relatively small printings, sold only in the complete set and at an extremely high price, this edition is not found in most American libraries, and is now out of print and unavailable. Wengert has wisely provided cross references in some cases to two standard editions, the old *Corpus Reformatorum* and the *Melanchthons Werke, Studienausgabe*, SA or MSA, recently edited by Robert Stupperich. It is highly imperative that there be a reissue of the MBW at a more reasonable price, but until then, it will not be possible for the average scholar to compare Wengert’s findings with the original sources. Nevertheless, MBW provides much-needed corrections and updates to the CR and, where available, it should be consulted.