

LAW, LIFE, AND THE LIVING GOD

LAW, LIFE, AND THE LIVING GOD

THE THIRD USE OF THE LAW IN MODERN
AMERICAN LUTHERANISM

SCOTT R. MURRAY



In memory of my father, Ray Jack Murray
μακάριοι οἱ νεκροὶ οἱ ἐν κυρίῳ ἀποθνήσκοντες ἀπ' ἄρτι
(Apocalypse 14:13)

With thanks to God for the love and patience of Maryann,
Anastasia, and Hilary

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ABBREVIATIONS

| | |
|---------|--|
| AC | Augsburg Confession |
| AELC | Association of Evangelical Lutheran Churches |
| ALC | American Lutheran Church |
| Ap | Apology of the Augsburg Confession |
| BFCT | Beiträge zur Förderung christlicher Theologie |
| BS | <i>Die Bekenntnisschriften der evangelischen-lutherischen Kirche</i> . Göttingen: Vandenhoeck & Ruprecht, 1979. |
| CJ | <i>Concordia Journal</i> |
| CR | <i>Corpus Reformatorum</i> . Vols. 1–28: <i>Philippi Melanthonis Opera Quae Supersunt Omnia</i> . Halle and Brunswick: C. S. Schwetschke, 1834–60. |
| CTM | <i>Concordia Theological Monthly</i> |
| CTQ | <i>Concordia Theological Quarterly</i> |
| CurTM | <i>Currents in Theology and Mission</i> |
| Di | <i>Dialog</i> |
| ELCA | Evangelical Lutheran Church of America |
| Ep | Epitome of the Formula of Concord |
| FC | Formula of Concord |
| JRH | <i>Journal of Religious History</i> |
| LC | Large Catechism |
| LCA | Lutheran Church in America |
| LCC | Library of Christian Classics. Philadelphia, 1953–. |
| LCMS | The Lutheran Church—Missouri Synod |
| LQ | <i>Lutheran Quarterly</i> |
| LW | Luther, Martin. <i>Luther's Works</i> . American Edition. Gen. eds. Jaroslav Pelikan and Helmut T. Lehmann. 56 vols. St. Louis: Concordia, and Philadelphia: Muhlenberg and Fortress, 1955–86. |
| ProEccI | <i>Pro Ecclesia</i> |
| RelEd | <i>Religious Education</i> |
| SA | Smalcald Articles |
| SC | Small Catechism |
| SD | Solid Declaration |
| Tr | Treatise on the Power and Primacy of the Pope |

- Trig Friedrich Bente and W. H. T. Dau, trans. and eds. *Concordia Triglotta*. St. Louis: Concordia, 1921.
- TS *Theological Studies*
- WA Luther, Martin. *D. Martin Luthers Werke: Kritische Gesamtausgabe. Schriften*. 68 vols. Weimar: Hermann Böhlhaus Nachfolger, 1883–1999.
- WABr Luther, Martin. *D. Martin Luthers Werke: Kritische Gesamtausgabe. Briefwechsel*. 18 vols. Weimar: Hermann Böhlhaus Nachfolger, 1930–85.
- WADB Luther, Martin. *D. Martin Luthers Werke: Kritische Gesamtausgabe. Die Deutsche Bibel*. 12 vols. in 15. Weimar: Hermann Böhlhaus Nachfolger, 1906–61.
- WW *Word and World*

FOREWORD

The Formula of Concord is the one confessional writing of the Lutheran church over which there has been little debate regarding its meaning and content. It carefully lays out the point of contention in each of its articles. In a fair-minded and accurate manner, it describes the position of the various parties in the debate. It then sets forth the position of the formulators along with their thorough argumentation. It draws extensively upon the Scriptures as its fountain and cites the other confessional writings as corroborating witnesses. Its authors offer counsel on the dangerous ambiguities of various slogans, catchphrases, and theological terminology, all the while urging that readers follow the pattern of sound words. As a result, there has rarely been debate over the content and meaning of the Formula of Concord on its various issues. As a rule, the question facing the readers is not, “What does this mean?” but “Do you agree or disagree with its teaching?” In other words, most people either embrace the Formula of Concord wholeheartedly or they dismiss it out of hand.

Article VI of the Formula of Concord on the “Third Use of the Law” is the exception to the rule. Particularly in the 20th century, there arose a significant debate over the meaning of the so-called third use of the Law among Luther and confessional scholars. Arising out of the Luther renaissance, and perhaps motivated by thinkers such as Werner Elert, many rejected the third use of the Law and denied that Luther ever taught it. Often they would cite the Smalcald Articles as evidence that Luther only taught two uses of the Law. Interestingly, people on both sides of the issue—those who affirmed a third use of the Law and those who denied a third use of the Law—claimed that the Formula of Concord supported their respective positions! On the one hand, Article VI comes with the title “Concerning the Third Use of the Law.” On the other hand, it seems to focus much of its discussion on the application to the Christian of the first and second uses of the Law.

The debate over a third use of the Law was not merely of academic interest. In some ways, the debate over a third use of the Law was an equally important debate that contributed to the troubles within The Lutheran

Church—Missouri Synod during the late 1960s and early 1970s. To this day, the debate continues. Biblical scholars will point to the exhortations of the Pauline Epistles as evidence as to why we should instruct and inform people about God’s will for how they should live their lives. They will challenge the good tree metaphor and ask, “Why exhort a good tree to bear good fruit?” Others will cite the axiom, “The Law always accuses!” In other words, to speak of a third use of the Law is to defang the Law and relegate the Gospel to the past tense.

In this book, Scott Murray provides a most helpful service in helping American Lutheranism to see how we arrived at the point we now find ourselves. To that end, he sorts out the various tangles and weaves himself through the complex labyrinth of theological discussions on the third use of the Law that we might better understand the issues, the terminology, and, most important, what is at stake in the entire debate. As a result, it can serve as the starting point for a new consideration—and, it is hoped, a resolution—of the matter!

—Charles P. Arand
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PREFACE

This book is the rebirth of my dissertation written at New Orleans Baptist Theological Seminary for the degree of Ph.D. (1998). The topic of the book and the institution at which it was written appear not to be appropriate to each other. In large part the dissertation topic arose out of my attempt to rationalize for a primarily Southern Baptist audience the uniquely Lutheran ethic of Law and Gospel. That original attempt was printed in the pages of *Logia* (“Law and Gospel: The Lutheran Ethic,” *Logia* 4 [July 1995]: 15–24). A second reason for this dissertation topic was the loud media coverage given to the 1994 draft statement “The Church and Human Sexuality” written by the ELCA’s “Human Sexuality II” task force. The task force was to give the ELCA guidance in matters of human sexuality and Christian morals, but the draft was remarkably permissive to say the least. Upon arriving on campus for classes the day after news coverage of the statement appeared in the local paper, my Baptist colleagues wanted to know why Lutherans would write and release such an apparently antinomian statement. I wondered the same thing. So this topic arose quite naturally in that context from genuine pastoral, theological, and apologetic concerns.

Of course, the people who helped form the ideas here presented and the minds that produced them are too numerous to mention. However, I would like to express my appreciation for the kindly encouragement and dogged criticism provided to my thinking and mode of expression by Professor Paul Robertson, my dissertation advisor at New Orleans Baptist Theological Seminary. The cadre of graduate scholars at NOBTS provided an open community of thought in which lively theological discourse was possible. Earl Waggoner, a fellow graduate student, offered helpful insight into the Baptist context and encouragement at every turn.

My friend and colleague Ken Schurb served as a sounding board as the project progressed. His enthusiastic engagement with the topic and encyclopedic knowledge of the literature was a constant source of aid.

I would like to thank for their patience and support the congregations I served while I worked on this project: Salem Lutheran Church of Gretna,

Louisiana, and Memorial Lutheran Church of Houston, Texas, which I am presently serving. Pat Hatteberg, my executive assistant at Memorial, took care of logistical and organizational tasks with her characteristic efficiency. The Reverend J. Bart Day, associate pastor at Memorial, covered my pastoral deficiencies, a task he continues to take up daily.

Ken Wagener, the acquisitions editor of professional books at Concordia Publishing House, guided the project through CPH and was a constant advocate for the book's publication.

My wife, Maryann, had the tedious task of proofreading the text. Despite this, she appears none the worse for the experience. Perhaps she now knows more about the third use of the Law than many professionals in the theological world. As the writing project progressed, her unstinting emotional support was a work of love, patience, and sacrifice, even as she fulfilled the more basic challenge of just being married to me.

As should be expected, while acknowledging these gifts of help, the errors of fact and interpretation remain my responsibility.

—Scott R. Murray

The Presentation of the Augsburg Confession, 2001

INTRODUCTION

LAW AND GOSPEL: CENTRALITY AND TENSIONS

The proper distinction between Law and Gospel is central to Lutheran theology. The Law is God's verdict of guilt spoken against the sinner. The Gospel is God's gracious message of forgiveness for the sake of Christ to the sinner or the imputation of Christ's righteousness. This is justification *coram Deo*. While in Lutheran theology these two, the Law and the Gospel, are conceived of as absolute opposites, they still relate to each other.¹ For example, the Law, by crushing human self-righteousness, prepares the heart for the gracious message of forgiveness in Christ alone.

These two opposites are difficult to hold in tension on at least two planes. First, in pastoral practice, Christian people are often plagued by the struggle to find peace with God in forgiveness without succumbing to moral laxity on the one hand or utter despair on the other. The Gospel without the Law leads to moral laxity and the Law without the Gospel leads to despair. Knowing when the Law or the Gospel applies to our own hearts, not to mention the hearts of others, is difficult in actual practice.² Second, how do Law and Gospel relate to each other as they are applied to Lutheran doctrine? The apostle Paul taught that "Christ is the end [*telos*] of the Law so that there may be righteousness for everyone who believes."³ If Christ has made an end of the Law, it is especially difficult to decide how, if at all, the Law applies to the Christian after conversion. This problem broaches the issue of a third use of the Law, which is the use of the Law that applies to Christians after conversion.

According to the Formula of Concord, there is a separate and distinctive *tertius usus legis*. In Lutheran theology the three uses of the Law have been defined in the following way: The *first use* of the Law is the threat to punish sin with temporal and eternal penalties. The first use is for unbelievers for whom threats of punishment can coerce only into outward obedience.⁴ The *second use* of the Law is the distinctively theological use of the Law that lays bare human wickedness and makes clear the need for a

Savior.⁵ The *third use* gives direction for the impulses of the Christian to do good works.⁶ However, not all Lutherans have taught a third use, and those who have taught a third use have often disagreed about either its meaning or its purpose.

THE PROBLEM

This lack of uniformity on the third use of the Law has been pronounced among American Lutheran theologians of the 20th century. In this book I investigate approaches of American Lutheran theologians⁷ to the doctrine of the third use of the Law from 1940 to 1998. I will evaluate how and why the approaches differ. Because the third use applies to the issue of church authority in imposing doctrinal norms and standards, how the third use affects prolegomena among American Lutherans is important. The third use also impinges on the doctrines of justification and sanctification because Law and Gospel plays a canonical role in shaping Lutheran theology. American Lutheran approaches to the third use of the Law will be studied to determine how they relate to the doctrines of justification and sanctification.

Dividing the study according to historical periods will be fruitful because different approaches were taken to the third use of the Law in each of the periods of 1940 to 1960, 1961 to 1976, and 1977 to 1998.⁸ Furthermore, within each period there were three basic approaches to the third use of the Law: ELCA⁹ theologians took one approach, the Valparaiso¹⁰ theologians another, and LCMS theologians still a third. How and why these approaches differed from one another and how the different doctrines of the third use of the Law affected and were affected by prolegomena and the doctrines of justification and sanctification will be evaluated. I also will consider how and why these approaches differed from period to period.

WHY STUDY THE THIRD USE OF THE LAW?

The dialectical relationship between the Law and the Gospel has affected Lutheran theology since the Protestant Reformation.¹¹ The question of the relationship between Law and Gospel in the life of the Christian led to the eruption of two major antinomian controversies among Lutherans in the 16th century.¹² The authors of the Formula of Concord resolved these antinomian controversies by including Article VI, "Concerning the Third Use of the Law."¹³

The framers of the Formula of Concord sought to navigate between the Scylla of legalism¹⁴ and the Charybdis of antinomianism.¹⁵ The problem for the Lutherans was whether the Law still applied to Christians after conversion and, if so, how. Although this article resolved the problem in the 16th century, this has not been true of later centuries, especially the 19th and 20th centuries. The Formula of Concord might only begin to answer the abiding problem of the use of the Law in the Christian's life.¹⁶

The problem of the meaning of the third use of the Law in American Lutheranism is important for several reasons. First, 20th-century American Lutheran ecclesiastical conflict included battles over the applicability and meaning of the third use of the Law.¹⁷ Second, divine direction to the Christian through the Law remains a blessing from God, though the Christian's standing before God is established by the Gospel. Third, the rejection of the third use of the Law leads to antinomianism, which is detrimental to the church and her Gospel message. Fourth, overemphasis on the third use of the Law leads to legalism and, thus, obscures the Gospel. Fifth, the classical teaching of Lutheran theology on the third use of the Law needs to be researched to see how it might apply to and be valuable for 21st-century Lutheran theology. Sixth, this book will respond to a new generation of Lutheran theologians who, in the name of the pure Gospel, are jettisoning the third use of the Law.

SITUATING LAW AND GOSPEL IN LUTHERAN THEOLOGY

The Formula of Concord claims to provide the correct interpretation of Luther's doctrines on all the points at issue. Therefore, Luther sets the groundwork for the use of Law and Gospel in Lutheran theology upon which the Formula builds, primarily by definition and clarification. Reviewing the historical context in which Law and Gospel is set is necessary so its ultimate meaning and the Lutheran approach to the third use of the Law in its embryonic state might be made clear.

LUTHER AND THE LAW-GOSPEL DIALECTIC

Martin Luther's doctrine of justification by faith is inseparable from his discovery of the distinction between Law and Gospel.¹⁸ Justification implies and entails Law and Gospel.¹⁹ The Gospel brings justification. The Law threatens the sinner with divine wrath and damnation. In his 1535 commentary on Galatians, Luther made the stark distinction: "The truth

of the Gospel is this, that our righteousness comes by faith alone, without the works of the Law. The falsification or corruption of the Gospel is this, that we are justified by faith, but not without the works of the Law."²⁰ Any mingling of justification and works was for Luther a falsification of the Gospel itself. This distinction is essential to Lutheran theology. Luther had high praise for the person who divided Law and Gospel properly: "Place any person who is well versed in this art of dividing the Law from the Gospel at the head and call him a doctor of Holy Writ."²¹

Like justification,²² the Law and Gospel dialectic has a canonical or normative use in Luther's pattern of thought. "The knowledge of this topic, the distinction between the Law and the Gospel, is necessary to the highest degree; for it contains a summary of all Christian doctrine."²³ Law and Gospel summarizes the whole body of Christian doctrine, giving shape to the entire theological task. Law and Gospel is the necessary corollary to the Reformation doctrine of justification.²⁴ The distinction between Law and Gospel is not a single locus of Lutheran theology. Instead, Law and Gospel form and affect the whole of Lutheran theology from prolegomena through eschatology.²⁵ For Luther, Law and Gospel interpenetrates the doctrinal corpus. Law and Gospel is not a doctrine, but a way of looking at doctrine.²⁶

Because of Law and Gospel's thematic significance to Lutheran theology, Lutheran theologians cannot afford to take for granted either its meaning or its functions. Thus, the problems of definition and applicability arise for both the Law and the Gospel in Lutheran theology. What is the Gospel? What is the Law? How are they to be used?

LUTHER AND ANTINOMIANISM

Luther faced the problem of properly defining and using the Law in his career as a reformer of the church. What beset him is now called the first antinomian controversy.²⁷ The teaching of the erstwhile and sometime friend of Luther, John Agricola (b. 1492), precipitated this controversy. Agricola studied at Wittenberg in 1515-16 where he became an adherent of Luther's theology. A man of exceptional talents, Agricola moved to Eisleben to teach in a Latin school there. He became a preacher of renown during his time in Eisleben and was engaged to preach on momentous occasions by the Elector of Saxony. In 1525 a new theological professorship was created at the University of Wittenberg, for which appointment Agricola thought he had the inside track. When Philip Melancthon was appointed instead, Agricola was deeply disappointed. He felt slighted

because he was passed over in favor of Melanchthon.²⁸ At this time Agricola commenced his attacks on Melanchthon, who insisted that the Law still applied to Christians after conversion.²⁹ Melanchthon, following the wishes of Elector John Frederick of Saxony, drew up the Saxon Visitation Articles,³⁰ which were to serve as the basis for a pastoral visitation to the parishes of Electoral Saxony. Melanchthon urged pastors to preach the Law in all its severity to bring the people to repentance. Repentance prepared for faith. The people would not trust Christ unless they despaired of their own righteousness. The visitation articles included this instruction:

Pastors must follow the example of Christ. Since He taught repentance and remission of sins, pastors also must teach these to their churches. At present it is common to vociferate concerning faith, and yet one cannot understand what faith is, unless repentance is preached. Plainly they pour new wine into old bottles who preach faith without repentance, without the doctrine of the fear of God, without the doctrine of the Law, and accustom the people to a certain carnal security, which is worse than all former errors under the Pope have been.³¹

Melanchthon perceived that conditions in the Saxon churches had changed from the days under the papacy when an unrelenting preaching of the Law had terrorized the people so they despaired of their salvation. The evangelical insight of justification apart from the works of the Law dictated that the Gospel be applied in liberal measure to rescue the people from bondage and damnation. Now, however, without the Law, people would slide into a carnal security that discounted the importance of the Law and repentance. Under such changed circumstances the Law was to be urged for the sake of the Gospel.

Agricola thought that Melanchthon's approach was an absolute abandonment of the evangelical doctrine of the Gospel, which brought salvation apart from the Law. Agricola concluded that the Law could no longer be preached among Christians.³² Agricola or his followers stated—allegedly—that the Law belonged only to the *Rattbaus*.³³ The only place for the Law was civil government. In this way the “antinomians,” as Luther called Agricola and his followers, denied not only a third use of the Law, but also the first use as well as the theological, or second, use.

Agricola still admitted the importance of repentance to the Christian life. He asserted, however, that the Law, which has no place in the church, does not work repentance. Only the Gospel produces repentance in the

church. This stunning denial of the validity of the Law and the proposal that the Gospel works repentance goaded Luther into action to defend his friend Melanchthon. Luther attempted a reconciliation between Agricola and Melanchthon, an effort that had the appearance of being achieved. The visitation articles they agreed to, together with some necessary clarifications, were published and employed. Luther thought the reconciliation was genuine.³⁴ In time Luther was proved to be gravely mistaken.

In 1536 Agricola returned to Wittenberg from Eisleben because of a cryptic invitation to consult with Luther about the upcoming meeting of the Smalcald League. The eager Agricola took this to mean that Luther had a post for him and forthwith resigned his post in Eisleben, burning his bridges behind him by sending a letter full of previously pent-up complaints about his situation to his temporal overlord and employer, Albrecht of Mansfeld. When Agricola arrived in Wittenberg with his family in tow and without arrangements for housing, Luther lodged him and his family. The two old friends got along famously until Luther got wind of some of the aberrant notions about the Law that Agricola expressed in sermons while Luther was preparing for the meeting of the Smalcald League in 1537.

By the summer of 1537, a set of theses circulated in Wittenberg not only disparaging the role of the Law in the life of the Christian, but also including quotations from the works of Melanchthon and Luther as evidence of their errors in this matter. Predictably, Luther was enraged and preached pointed sermons decrying the moral laxity of the antinomian position. Luther, Melanchthon, and Agricola attempted to come to an acceptable accommodation several times, each time to be thwarted by Agricola's stubborn tenacity in holding to his own position. Each of these attempts occurred in four theological disputations.³⁵ The final breach between Luther and Agricola was signaled by Luther's "Against the Antinomians" published in 1540.³⁶ In it Luther expressed his amazement that anyone would conclude that he did not emphasize the Law or the Ten Commandments. He had produced several expositions of the Ten Commandments,³⁷ he had written a catechism hymn based on the Commandments, and he frequently preached on the Ten Commandments. Luther's catechisms were especially clear treatments of the Law, emphasizing its importance for the Christian.³⁸

John Agricola had appropriated only part of Luther's evangelical thought. Certainly he grasped the centrality of justification by faith without works of the Law. If taken out of context, Luther's writings could be

understood as recommending that the Christian *not* do good works at all. In his commentary on Galatians, for example, Luther suggested that the Christian ignore the Law.³⁹ Agricola had interpreted Luther's doctrine as a hard either/or: Either the church preaches the Gospel or the church preaches the Law; there cannot be both. Agricola was blind to Luther's solidly practical sense by which he perceived the Christian to be *simul justus et peccator*. Until the Christian draws her dying breath, she remains in need of both the Law and the Gospel. The Christian remains a sinner and, therefore, needs the Law *qua* sinner. The best that can be said about Agricola's distortion of Luther's doctrine is that Luther's accent changed over the years as he became aware that people were using the Gospel as an excuse for moral license, and Agricola was somehow unaware of that change in accent.⁴⁰ However, we might well share Luther's own incredulity on the point.

FORMULA OF CONCORD

Luther's death in February 1546 opened the floodgates to much theological wrangling. Previously, Luther's towering personal authority either squelched the arguments or silenced his opponents.⁴¹ Luther himself was concerned that after he was gone others would twist his words so his own words would be used against the Gospel for which he had labored his whole life.⁴² After Luther's death his prediction was fulfilled in the confused political and theological context of the twenty years before the Formula of Concord.

A resurgence of imperial military might tested German Lutheranism. The situation was so grave by 1557 that the Jesuit participants in the colloquy at Worms stated that the dissension among the Lutherans proved they had departed from their chief statement of faith, the Augsburg Confession.⁴³ Finally, a different process presented itself when Jacob Andreae approached the controverted issues with a clear-cut thesis and antithesis method as suggested by Martin Chemnitz and David Chytraeus.⁴⁴

Previously, Andreae had attempted compromise and mediation, earning him abiding mistrust among the Gnesio-Lutherans.⁴⁵ He now saw that attempts to include those who held contradictory theological positions simply would not work. Thus, in 1573 Andreae published "Six Christian Sermons," which dealt with justification, good works, original sin, free will, adiaphora, Law and Gospel, and the person of Christ in relation to the Lord's Supper.⁴⁶ Chemnitz and Chytraeus prevailed upon Andreae to

abandon the sermonic style and rework the material into the thesis-antithesis structure, which was to become characteristic of the future Formula of Concord. Andreae hurriedly produced what was called the Swabian Concord (1574), to which the faculty at Tuebingen and the pastors of the Stuttgart consistory affixed their signatures.⁴⁷

The Swabian Concord was forwarded to Chemnitz through Duke Julius of Brunswick, Chemnitz's temporal overlord. Duke Julius commanded Chemnitz to round up support for the concord. David Chytraeus completely rewrote the second article, "On Free Will," and the seventh, "On the Lord's Supper," much to the chagrin of Andreae. Chemnitz edited the whole document.⁴⁸ The project received unexpected support from Elector August of Saxony, who discovered that he had been cozened by the crypto-Calvinists in Wittenberg when some incriminating correspondence was intercepted between two of the crypto-Calvinist conspirators.⁴⁹ August, enraged by the duplicity of his theologians, imprisoned four of them. One, Christian Schuetze, was released only after spending fifteen years in prison.⁵⁰ The stage was set for a concord among the Lutherans.

In May and June of 1576, theologians, including Andreae, Selnecker, Chytraeus, Chemnitz, and Andrew Musculus, met at Torgau where the Swabian Concord was edited to take on the twelve-article shape of the later Formula.⁵¹ This edition of the Swabian Concord was now called the Torgau Book.

When Andreae tried to drum up support for this book, he faced stiff opposition. Some objected to its length. Others, such as the Hessians, objected in principle to the addition of a confessional statement beyond the previously accepted statements of Lutheran doctrine. Therefore, Elector August of Saxony invited Chemnitz, Selnecker, and Andreae⁵² to edit the document once again at Bergen Abbey. They significantly shortened this edition and added stronger terms against those who had strayed from the Augsburg Confession. Andreae also added the Epitome, which summarized the document and preceded it in the manuscript. A second meeting at Bergen Abbey was arranged. More theologians were present at this meeting so their support could be counted on when subscriptions were called for. Very little was changed at this meeting, and the Bergic Book, or the Formula of Concord, was subscribed by Andreae, Chemnitz, Selnecker, Chytraeus, Musculus, and Christopher Koerner on May 29, 1577.

The Formula of Concord was circulated in German Lutheran territories for subscription by pastors and teachers. For the 16th century the

requirement for subscription was gently put. Subscriptions were not said to be coerced. Those who did not subscribe were not immediately suspended from office and were given time to deliberate. However, some university professors who refused to sign were dismissed from office.⁵³ Nevertheless, the confession was a resounding success. Some eight thousand Lutheran pastors and teachers signed the Formula of Concord. Harmony was returned to the Lutheran church after more than thirty years of internecine warfare. It was hoped that the Formula would be the antidote to the *rabies theologorum*.

HOW THE THIRD USE OF THE LAW BECAME AN ISSUE

The history of the Formula of Concord sets the framework for Article VI, "Concerning the Third Use of the Law." Gnesio-Lutheran theologians were deeply disturbed by Melanchthon's tacit endorsement of the doctrine of justification by works evidenced by his eventual acceptance of the Leipzig Interim. Melanchthon and other members of the Wittenberg faculty defended their support of the Interim by agreeing: "For this proposition is certainly true, that no one can be saved without love and good works. Yet we are not justified by love and good works, but by grace for Christ's sake."⁵⁴ This statement touched off what came to be called the Majoristic Controversy, after George Major, the principle protagonist.⁵⁵

THE MAJORISTIC CONTROVERSY

Already in the 1535 edition of the *Loci Communes*, Melanchthon had said that good works are the *causa sine qua non* and are necessary to salvation. At first blush this statement was nothing other than crass Romanism. However, Melanchthon's definition of *causa sine qua non* provided a feeble opportunity for an orthodox understanding of the statement: "A *causa sine qua non* works nothing, nor is it a constituent part, but is only something without which there would not be an effect, or by which, if it were not present, the agent would be impeded because this cause was not added."⁵⁶ According to this viewpoint, good works are a cause of justification, just not a meritorious cause.⁵⁷ Nonetheless, they are necessary for eternal life. Melanchthon's 1543 *Loci* put it this way: "Nevertheless good works are necessary to eternal life in such a way that they must necessarily follow reconciliation."⁵⁸ These formulations received forceful criticism in Wittenberg. Nicholas von Amsdorf, who was to play a role in the antinomian controversy, alerted Luther to the misleading formulations of his humanist friend.⁵⁹ Luther attempted to rein in Melanchthon by both pri-