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The Augustinian Imperfection: Faith, Christ, and Imputation and Its Role in the Ecumenical Discussion of Justification

Steven D. Paulson

If I were speaking today of *love*, which bears all things, I could perhaps say that the Joint Declaration (and its confusion of law and gospel) "is being economical with the truth." But since I am speaking of *faith*, and faith rejects all suitors who would wed it to their favorite virtue with a simple conjunction ("and"), here we can yield nothing. I suggest that we do not adopt the growing ecumenical practice of double entendre that reads each assertion of faith as a partial grasp of truth, as if each church had a blind hold on some part of the same elephant, or that all were looking at the same scenery, just "elocuting" differently. Down that road the church and its own authority becomes theology's preoccupation. Such a preoccupation presently indicates a problem with the most significant theological proposal concerning justification of the last generation: justification is a "meta-linguistic proposal of doctrine."¹ That is, justification would function like rules of grammar for proclamation. Unfortunately, that encouraged ecumenical dialogues to treat differences on justification as interpretations, models, or different levels of communication of what, after all, was assumed to be the same content of faith.

But justification functions as the criterion even on the ground

1. Most clearly in Eric W. Gritsch and Robert W. Jenson, *Lutheranism: The Theological Movement and Its Confessional Writings* (Minneapolis: Fortress, 1976), pp. 2-15.

level, so to speak, in a difference in the words and content, even the telling of the story, especially in what the Reformers called "particulae exclusivae" ("none," "all," "only," and "alone") that distinguish law and gospel.² It is time for ecumenists to come out of the clouds of the "meta-level," where they act as if they stood in a monarchical position from which to censor church history and confessional assertions as applying or not, and reinterpreting where necessary.³ One of the ways of refusing radical otherness in one's self, the church, and even God is to exercise a theological version of reason's will to rule. It comes out in the form of a determination to establish unity as identity that does not die. Identity identical with itself is presumed to be uninterrupted by the ravages of history, if not on the personal or local level, then on what is taken as a universal, "meta," level of church communion. So I suggest practicing a little laughter and forgetting, then publicly confessing again, the faith created in us by God's word, Jesus Christ alone. Lutherans confess that "apart from this human being there is no God"; and his cross, we might say, is an interruption in our drive for personal, ecclesial, and cosmic continuity.⁴ Even new theories of church as communing in the triune being of God will not overcome this disjunction by transcendental, romantic, or Hegelian dialectical means.⁵ So the purpose of taking up justification is to help identify the gospel amid confused religious talk in order to give that very gospel to God's active opponents.

A modern British humorist once quipped: "The marvelous thing about a joke with a double meaning is that it can mean only one thing."⁶ The ecumenical method of allowing each "agreed" statement to mean two different things that are nevertheless not "church-dividing" is already an abandonment of Scripture's clarity on the cen-

2. For example, Formula of Concord III, 7 and 36, in *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, ed. Robert Kolb and Timothy J. Wengert (Minneapolis: Fortress, 2000), pp. 563 and 568.

3. See the related argument in Inge Lonning, "Lifting the Condemnations: Does It Make Sense?" *dialog* 36 (Spring 1997): 143-47.

4. Solid Declaration VIII, *Book of Concord*, 631.81.

5. Oswald Bayer has an important essay on the philosophical and theological drive for unity in "The Being of Christ in Faith," *Lutheran Quarterly* 10, no. 2 (1996): 135-50.

6. Ronnie Barker, *Daddies Sauce*, 1977.

tral matter of justification as it occurs in preaching. Thus, we get statements that can mean only one thing. The JDDJ gives us a weak form of the old warhorse "double justification." In fact, it is more likely a simple reiteration of Trent's "one formal cause" (Decrees, chapter 7), i.e., not God's justness by which God alone is just, but that "by which he makes us just," apportioned by the Spirit "in view of each one's dispositions and co-operation."⁷ It falsely represents one of the versions of justification identified by the American Lutheran/Roman Catholic dialogue as the *one* "agreed" use. Since that double doctrine dreamed up by sixteenth-century ecumenists has been singularly unsuccessful over the years, I anticipate that it will prove no more fruitful today. True ecumenism depends on justification by faith alone apart from works of the law. It is the most ecumenical, but for all that, the least-used "doctrine" in the church. We will better serve the true church already united in Christ by expressing this chief article clearly. Let's try to actually use it! The pleas offered for the Joint Declaration's usefulness, that this is not a systematic theology but an ecclesiastical negotiation, or that it is a first step with a long journey ahead, are no excuse for bad theology, especially when Christ is being buried and the Holy Spirit nudged out in favor of the fiction of the eternal free will. I choose to spend our time considering the long-standing problem beneath such a statement and what we can do to stop it for the sake of true ecumenism.

To do that, we should not deal with a "pacified Luther without horns and teeth,"⁸ but be willing to engage in dialogue with the *heretic* Luther and the heretical Lutherans.⁹ Let the condemnations fly rather

7. *Decrees of the Ecumenical Councils*, vol. 2, ed. Norman P. Tanner (Washington, D.C.: Sheed & Ward and Georgetown University Press, 1990), p. 673: "*unicas formalis causa*" (Chapter VII of the Decrees of the Council of Trent, Session 6).

8. Gottfried Maron: "Is not that an inadmissible blunting of Luther, a way of neutralizing him, such that essential matters go missing and we are left only with a pacified Luther without horns and teeth?" *Die Katholische Lutherbild der Gegenwart: Anmerkungen und Anfragen* (Göttingen: Vandenhoeck & Ruprecht, 1982), p. 28. Quoted and translated in Daphne Hampson, *Christian Contradictions* (Cambridge: Cambridge University Press, 2001), p. 116.

9. Speaking of the attempt of the dean of Catholic Luther interpreters, Joseph Lortz, to make Luther usable to Roman Catholics, Peter Manns states: "This means in consequence that, in dialogue with Luther, a conversation with the heretic is theologically impossible and one can, naturally, learn nothing at all from him." John

than consider it epoch-making to reach agreements that only condemn the straw man Pelagius. That means coming to grips with the Luther and Lutherans who say things like this: "It is a marvelous thing and unknown to the world to teach Christians to ignore the Law and to live before God as though there were no Law whatever." And this: "Then do we do nothing and work nothing in order to obtain this righteousness? I reply: Nothing at all." And this: "For between these two kinds of righteousness, the active righteousness of the Law and the passive righteousness of Christ there is no middle ground."¹⁰ And this: "... that Christ became a curse for us to set us free from the curse of the Law — of this the sophists deprive us when they segregate Christ from sins and from sinners and set Him forth to us only as an example to be imitated."¹¹ Or this: "Paul . . . said . . . 'I have died, etc.' Here a malicious person could easily cavil and say: 'What are you saying, Paul? Are you dead? . . . He replies: . . . Paul, living in himself, is utterly dead through the Law but living in Christ or rather with Christ living in him, he lives an alien life. . . . do not be offended but make the proper distinction."¹²

Let's take *that* Lutheranism, rather than the Annex that says, "The working of God's grace does not exclude human action. . . ." Despite the intended double meaning of such a statement, it can only mean one thing.¹³

The Problem with the Ecumenical Dialogues

In the *Apology* to the Augsburg Confession, Philipp Melanchthon identified the basic problem of ecumenical dialogues from the time of the rejection of the Augsburg Confession in 1530 up to the present:

Paul II added this suggestion on his trip to Norway as quoted in Gregory Sobolewski, *Martin Luther: Roman Catholic Prophet* (Marquette, Wisc.: Marquette University Press, 2001), p. 131: "What we need today most of all is a joint new evaluation of many questions which were raised by Luther and his preaching."

10. LW 26, 6-9.

11. LW 26, 278.

12. LW 26, 170-71.

13. *Annex to the Official Common Statement 2.C.*

All Scripture should be divided into these two main topics: the law and the promises. . . . Of these two topics, the opponents single out the law . . . and through the law they seek the forgiveness of sins and justification.¹⁴

The law, until Christ (Gal. 3:24), says Paul: “When He came, Moses and the Law stopped.” There is no middle ground here. Whether you like it or not (and those busily justifying themselves decidedly don’t like it), “Anyone in Christ is a new creation; the old has passed away, behold, the new has come. All this is from God . . .” (2 Cor. 5:17-18a).

The problem with Christ is that righteousness is only “in this one Person.” Moreover, his is a person who was killed by those making themselves righteous by the law. That spells an end to our own best things, including religion, law, and the free choices of the will before God — even, finally, an end to the church and faith. A will described as free in relation to the law, doing works of love, comes up short here. It arrives at its end as a claim before God. Only Christ stands at the last, and him crucified, with sinners given into his hand by the Father. That is why Luther insisted that we need a “third” word to hold to faith alone, and Christ alone, and that word is “imputation” — our sins are on Christ, completely and without remainder, and there they not only kill him, but he kills them.¹⁵ Then a new thing happens, a new creation, which ontological language of “participation” or “*koinonia*” always misses, bound as it is to single out the law as God’s own righteousness.

Luther’s Warning

One of Luther’s most famous writings is his autobiographical introduction to his Latin works. It has been rubbed and polished by scholars and antagonists alike until it shines like St. Peter’s bronze foot. Often

14. Apology 4, *Book of Concord*, 121:5-8.

15. “Here it is to be noted that these three things are joined together: faith, Christ, and acceptance or imputation” (LW 26, 132). Luther’s language is even stronger than the standard translation on this matter: “*Est et hic notandum, quod ista tria, Fides, Christus, Acceptio vel Reputatio, coniuncta sunt*” (WA XL, 233.16-7). Word, not ontological being, is the matter.

the little autobiography is read as revealing Luther's breakthrough, or heresy, as you like. Actually, the little piece was written at the end of his life when Luther was surrounded by "Lutherans," so-called, and schismatics of every kind already befouling the heart of the matter, i.e., "We have no other God than this man Jesus," and so justification is "by faith alone." It is a tricky business to assume that what the old man Luther recollected about his exegetical discovery properly reflected the young teacher of Scripture, but it is not such a leap to understand Luther speaking to his contemporaries, especially Philipp Melancthon, in order to give them a tune-up on the central matter of justification by faith alone through a *Rückblick* — a look back at the whole thing.

Lutherans, after all, have had the hardest time of any dealing with this live electric wire in their midst, both in the person of Luther and especially in the "chief article," justification apart from works of the law. The JDDJ appears to be of little consequence for the Roman Catholic magisterium. The agreement has already been generously ignored in subsequent statements from the Vatican, since it can be read as a valid interpretation of Trent via Augustine. But the document will be used as vindication by one group of Lutherans to silence another. Those Lutherans who have been troubled by the radical article of justification from the very beginning because of one enthusiasm or another have found a way to press their advantage by means of the canard of visible church unity.

Many times Luther himself had to observe the magnetic draw of the law alone as our righteousness. He observed the timidity of colleague after colleague on this matter, including his dear Melancthon. So Luther used the opportunity of the printing of his "greatest hits," late in his life, not just to reminisce, but to warn and *confess* once again, putting the ongoing problem of dealing with justification, in his own *bon mot*, as *Augustine's imperfection*:

And I extolled my sweetest word with a love as great as the hatred with which I had before hated the word "righteousness of God." Thus that place in Paul was for me truly the gate to paradise.

Then Luther paused for the key comment about the catholicity of this teaching, and at the same moment the false catholicity of its diminution:

Later I read Augustine's *The Spirit and the Letter*, where contrary to hope I found that he, too, interpreted God's righteousness in a similar way, as the righteousness with which God clothes us when he justifies us. *Although this was heretofore said imperfectly and he did not explain all things concerning imputation clearly, it nevertheless was pleasing that God's righteousness with which we are justified was taught.*¹⁶

Luther ended this little reminder with a prayer he wanted his colleagues to hear: "But may God confirm in us what he has accomplished and *perfect* his work which he began in us, to his glory, Amen." That perfection is decidedly not filling up a partial imputation!

What Luther saw in Augustine, *after* seeing it in Paul and the Psalms, was that *God* is right in making the *ungodly* right. The righteousness of God is not a self-possessed attribute or habit of God's *being*, but an act of God doing what God alone does: create anew merely by speaking. To that extent, Luther was pleased beyond his own hope that Augustine taught the same — that *God's* righteousness is that by which *we* are justified. God's own reason for being is for the likes of you. So righteousness is relational, not distributive. God seeks not to be God (to speak foolishly) in *himself* (even as a triune *perichoresis*) — but to be right *among us ungodly*. In his *words* no less. As Paul exclaimed: "Let God be true though every human being be false, as it is written: 'That thou mayest be justified in thy words, and prevail when thou art judged'" (Rom. 3:4). Amazing! God justifying the anti-godly makes God right in a *new* and *final* way. God in words among sinners is not slumming it for a day, or giving gifts to the deserving, but identifying and determining who God is in the midst of the rebellion. God is Spirit, as John's letter put it — "a creator of the new," not just "being there."

Now, were we fighting Pelagians, this in itself would be "pleasing" though imperfect. Rediscovering Augustine is always salutary against a series of out-and-out Pelagianisms such as "do what is within you," or even those that taught faith as a "form," needing love to make it righteous. But even during Luther's own day, while he wrote his au-

16. LW 34, 337-38. See R. Staats, "Augustins *De spiritu et lettera* in Luthers reformatischer Erkenntnis," *Zeitschrift für Kirchen Geschichte* 98, no. 1 (1987): 28-47.

tobiographical fragment, rediscovering Augustine was not salutary when it came to *imputation*. It is certainly not the case for us. Selling justification as an anti-Pelagian codicil is not only not *enough*, it is in fact more dangerous than a teaching that is open about its confusion over law and gospel.¹⁷ At this point in church history we have such a well-worn path *away* from faith alone, Christ alone, the word alone, and grace alone via one enthusiasm or another (believing in our own belief), that the convergence recorded in such a document will simply exacerbate the problem. When law and gospel are no longer distinguished in the chief article of justification, another center and heart of the Christian faith takes the place of Christ and the Holy Spirit, who kill and make alive; in our case it is the doctrine of church. When the *church* and its ordering become the doctrine by which the church stands or falls, then of course there can be no agreement on justification.¹⁸

That is why the very narrow conclusion of the *Official Common Statement*, that within the confines of the text's own interpretation condemnations don't apply, means very little indeed. Though a few of the condemnations of Trent miss the point of justification by faith alone as a resurrection from the dead, most of them continue to apply handily. At least occasionally they hit the nail on the head, as in Canon 9: "If anyone says that the sinner is justified by faith alone, meaning thereby that no other co-operation is required for him to obtain the grace of justification, and that in no sense is it necessary for him to make preparation and be disposed by a movement of his own will: let him be

17. The fifth article of the Formula of Concord identified this as a key problem for Lutherans and all Christians: "Therefore the true and proper distinction between law and gospel must be advocated and maintained most diligently, and anything that might give rise to *confusio inter legem et evangelium* (that is, through which the two teachings, law and gospel, would be confused and mixed together into one teaching) must be diligently prevented." *Book of Concord*, 586.27.

18. See Gregory Sobolewski's summary of the Pontifical Council for Promoting Christian Unity's evaluation of the study on *Condemnations*: "Thus Luther's emphasis on forensic justification through the sole efficacy of Christ provides difficulties for Catholicism that emphasizes the mediatorial role of the church, particularly through the sacraments, especially baptism. . . . Correspondingly, Luther's restrictions on human lawmaking bump frequently into the Catholic understanding of ecclesial polity with its restricted but clear appreciation of canon law and laws of the church. . . ." In *Martin Luther: Roman Catholic Prophet* (Marquette, Wisc.: Marquette University Press, 2001), p. 145.

anathema.”¹⁹ Of course I take it that they hold no water at God’s eternal throne, but they are *salutary warnings*, as the ecumenical language goes, that something is not right.

Augustine’s Imperfection

So we take up the Augustinian *imperfection*, which when repeated becomes the burial ground for Christ and the Holy Spirit under the church floor, as it were. Luther himself was pleased to see that what he heard in Scripture was already there in Augustine — *God’s own righteousness is none other than God making us righteous*. But then an equivocation entered, an imperfection, an imprecision in Augustine, who was assiduously trying to deflect two frightening conclusions that come from God making himself right among God haters.

First, that God has so identified with sinners that God’s own law counts Christ a curse (Gal. 3:13), and so it conspires with sinners to destroy this God. God has become a sinner, we must conclude, since we have no other God than this man Jesus, who dies under God’s distributive wrath. That is, after all, a great deal to swallow, especially for one who considers God “good” or “love” in the old Greek way. How do you really get God as the subject of a sentence with the verb “died,” and an attribution like “sinner”? That would be the end of the law and the pagan ontology of goodness. It would also bring to an end one of the scarlet threads of Augustine’s imperfection running through the center of Christian theology ever since, as we find it classically in Anselm’s *Cur Deus Homo*: “But a sinful man can by no means do this, for a sinner cannot justify a sinner.”²⁰ God’s righteousness means that God became a sinner, and the wages of sin is death according to the law.

The second conclusion that Augustine immediately avoided may make more sense to reason, but it is many times more uncomfortable for our own consciences. Justification for sinners means death to them, not metaphorically but literally. The ministry of Moses and the law serves up death for all, since “no human being will be justified in his

19. *Decrees of the Ecumenical Councils*, II, 679.

20. Anselm, *Cur Deus Homo* (New York: Open Court), p. 246.

sight by works of the law" (Rom. 3:20a). Moses leaves no other loophole in the law than to die to it, and that is not an appealing loophole.

Justification, it turns out, is a metaphor in Scripture with *two* roots not one, as is commonly assumed. The obvious origin for the term comes from the image of the public court, with judge, defendant, prosecutor, and witnesses. The other, hidden beneath false assumptions of imputation, is the image of the cemetery where the dead lie silent in their tombs and the living ask in fear: Is that all there is? These two together make what we call the biblical description of justification, with God's own distinction between law and gospel: the legal, *moral* one concerning God's wrath and judgment, and the *mortal* one concerning the old human question: Can these bones live?²¹ The silly notion we keep hearing about the Bible being full of metaphors and therefore we ought not confine ourselves to "justification" never realizes that the reality being grasped in such a proclamation "for you" is final, ultimate, the end of the line, where the buck stops. It is not one more piece of the big puzzle of God's mystery. It marks the point at which humans shut up as generators of words by analogy, and come to speak God's own final word in proclamation. In justification God is going public about God's real identity, and what is being done with creatures. In the same vein we have the attempt to suggest that Christianity's *rule of faith* is full of a hierarchy of doctrines that are prior to justification, like Trinity and Chalcedon's two natures and one person.²² *Only* one who already has abandoned God speaking a new gospel word can come to such a conclusion — thinking, as Melancthon put it, by singling out the law.

Augustine's equivocation, even within the great *On the Letter and*

21. Here a reading of Gerhard Forde's *Justification: A Matter of Death and Life* (Minneapolis: Fortress, 1982) is most helpful.

22. See the amazingly confused expression (especially for a Lutheran bishop): "Even if the doctrine of justification is the center of the Lutheran tradition, it does not stand alone but always in relationship to the totality of the faith. The organic relation of the doctrine of justification to the whole of the Christian faith is also clearly expressed by the Augsburg Confession. In fact, the structure of the Augustana makes it clear that the doctrine of justification belongs together with the other articles of faith. It is the fourth of the articles of the Confession. It is preceded by the doctrines of God, original sin and that of the Son of God." Eero Huovinen, "How Do We Continue?" *Pro Ecclesia* 11, no. 2 (Spring 2002): 170.

the Spirit, was understandable and lamentable at the same time. Augustine wanted to protect God from the slander of “change” (death being a big change), and preserve humans as God’s good creation by removing the will from death. So, though beginning well, he pulled back by producing a justification without the killing of the law. Once having broached justification as God’s own way of making himself right, Augustine stepped out of Scripture for a sheer theoretical abstraction in order to protect God and the free will. He proposed that God has a being that is righteous in itself (infinitely) and so is distinct from God making sinners right. God could make himself just only if he had a reservoir from which to pour and a smaller, creaturely cistern into which to pour it.²³

This notion of *God’s being* apart from justification of sinners is a pure speculation, an abstraction. It opens up a great ditch between God’s own justification and the divine justification among sinners in words. In doing so, Augustine missed the *particulae exclusivae* in which Scripture publicizes the mystery of God’s righteousness: all have sinned; the final judgment for works is already rendered; justification is faith *alone*. Actually Augustine doesn’t so much miss them as *dismiss* them in order to keep a God who doesn’t change, and a free will that *can* change as measured by God’s eternal law. Thus, the train once heading in the right direction with God made righteous in his words — among the anti-godly — gets turned around in order to keep God and those being made righteous from real sin and its sting, death.

The Problem with Getting “Imputation” Wrong

The confusion of law and gospel kept justification as a moral matter alone rather than a mortal one, both for God and sinners. Augustine’s imperfection kept the law, God’s own order, as the only form of righteousness so that love became a form of distribution. Consequently, he kept free will as an active agent, however small, in being made right

23. See J. Burnaby’s description of Augustine and Bernard of God’s love poured into those being made righteous: “The cistern flows over because it is full.” *Amor Dei: A Study of the Religion of St. Augustine* (London: Hodder & Stoughton, 1938), p. 262.

by God. Thus neither free will nor God is liable to the "letter," but is included ontologically under "spirit." They do not undergo the ministry of death. But that is exactly what Luther discovered was the bondage of the will, being unable to distinguish the right given to a neighbor and that given to the sinner by God. The terror of death is too great. A series of problems emerged from this "imperfection."

Christ remained judge, not sinner — and so could not be the sin of sin. God had to be conceived as "one" before triune in order to secure a reservoir of grace. Holy Spirit became "gift" in distinction from grace as a source (the Father). Indwelling or participation protected, healed, cleansed, or enlivened the will's love, making righteousness for sinners a partial reality until the full goal was reached. Eschatology itself became a journey of perfection in the parts becoming whole. Augustine, and the church subsequently, got stuck on another question than God's own righteousness among the ungodly: How does God's act become *mine*? Mine in reality, not as a fiction or mere wish! Or put another way, God is already righteous by definition; now how do I get some of that substance as my own? Or more "relationally," how does *it* participate in *me* or *I* in *it*? With a sleight-of-hand, the question of justification became *my* righteousness or the *church's* righteousness as something that can be counted or tallied in relation to law. The result is that the church as the *somewhat righteous*, participating in God's grace, takes over the central matter of theology from God's justifying of himself by coming, eating, suffering, and dying for sinners. The doctrine of the church consequently became who is *in* and who is *out* of its righteous fellowship, rather than "the law, until Christ!"²⁴ Schism is then the only real heresy. Ecumenism on that basis is then in the business, especially for Lutherans, of deciding whether one likes more the ecclesial enthusiasm of Protestants or that of Rome. But as Luther observed:

24. Anders Nygren once identified the difference as that between a human-centered or God-centered theology, but this was slightly to the side of the mark, as history has shown. Augustine's imperfection leads to the constant refrain, "The church, the church!" while justification by faith alone leads to the declaration: "I have no God but this man Jesus Christ, the sinner, the dead, the risen." This is why, when the church takes over everything in terms of its authorization of true eucharist by the external, hierarchical communion of church order, Luther keeps appearing "individualistic" and breaking true *communio*, as, e.g., in Joseph Ratzinger, "Luther and the Unity of the Churches," *Communio* 11:220-26.

. . . [W]e have the innate fault that we show great respect for the position . . . of men and pay more attention to it than to the Word. God, however, wants us to cling and be attached only to the Word itself. He wants us to choose the kernel rather than the shell, to care for the householder more than for the house. He does not want us to admire and adore the apostolate [apostolic office] in the persons of Peter and Paul, but the Christ who speaks in them and the Word of God itself that proceeds from their mouth.²⁵

Augustine remained an ontologist instead of following the biblical eschatology. He was interested in the distinction and relation between God's substance and our own, unable to entertain "the new" for any length of time. But *we* don't need to stay locked into that box. An ontologist, a speculator concerning the nature of being and grace, gets bollixed up concerning how, in the radical act of justification, God does not change and humans do. However, when righteousness refers for its meaning to Christ and his cross, it means not *law* and God's wrath. It means the particular becoming-right that is God's *own* unthwartable destination to make the ungodly "right," apart from all works of the law, only in the Son. This comes as a final pronouncement working both the death of the old Adam/Eve and the resurrection of the new creature in faith itself. Therein lies the true distinction of letter and Holy Spirit. Augustine stopped short of the real effect of justification on sinners.²⁶ Instead of death and resurrection, i.e., law and gospel applied to sinners, Augustine used a misreading of Romans 5:5 that came to distinguish *gratia* and *donum* (*grace* and *gift*).

Augustine had explicitly taken the idea of God making or declaring the sinner righteous — "that wherewith he clothes man, when he justifies the ungodly . . ." — as clearly distinct from God's own personal being righteous. Therein he did not get "imputation" right. Augustine says that the biblical references to "righteousness of God" are "not that by which he is righteous but that by which we are made so by

25. LW 26, 94.

26. The Spirit and the Letter: "For there is no doubt that, without His assisting grace, the law is 'the letter which killeth'; but when the life-giving spirit is present, the law causes that to be loved as written within, which it once caused to be feared as written without." NPNF series 1, 5, pp. 321-22.

him."²⁷ Used badly, as it has been by Lutherans in particular, this became a distinction between forensic and essential righteousness, something declared from the outside *ad extra* (that really belongs only to God), and something that actually is or becomes right inside a person. It becomes an individualizing salvation in a most condemnable way. It also tears the Trinity apart, giving the Holy Spirit a false job description of completing or perfecting what was begun in Christ. But God does not make himself righteous by enforcing the law or enabling those under it to survive. When grace and gift are distinguished badly, as two species of righteousness under God's eternal law, controversies constantly spring up about Christ's indwelling, the inherent righteousness of the person, preservation of grace, certainty, and the current darling of this crowd: our participation or communion in God's triune being.

The Current Problem: Participation

The arrangement for using Augustine today is not a simple repetition of his ontology. It is to shift the "gift" and "grace" distinction into the relational notion of a creature "participating" in God's being. Augustine's doctrine of the Trinity has come under a withering attack for its substantialism. That certainly has been a problem, and a Roman Catholic theology that seeks to use a relational ontology shows signs of openness to the Lutheran confession but misses widely the far more important apocalyptic context of law and gospel. Karl Rahner thus identified the basic difference between Lutheran and Roman Catholic this way: "... the very thing which distinguishes the Catholic theology of grace [is] (that grace is not only pardon for the poor sinner but 'sharing in the divine nature'). . . ."²⁸ This follows a rather long line of Roman misinterpretation of Lutheranism. It suggests that Catholicism is interested in real, ontic things and Lutheranism expresses itself "existentially" in something like an individual "I-Thou" encounter.²⁹ Partic-

27. *On the Spirit and the Letter*, c. 9, LCC, vol. 8, 205.

28. Karl Rahner, *Nature and Grace and Other Essays*, trans. Dinah Wharton (London: Sheed & Ward, 1963), p. 24.

29. For a recounting of this, especially in the recent work of O. Pesch, see Daphne Hampson, *Christian Contradictions*, pp. 97-142.

ipation is thought to receive God's being by using God's gifts of love. Augustine's imperfection is thus repeated, this time writ large so that God and our selves are saved from death and for the law, which is now described as a real "sharing in the divine nature."

None of this understands imputation and how the external word creates an alien existence, being glued to or baked into one cake with Christ's very righteousness, a righteousness that never ceases to be Christ's own, and so is hidden and alien to us whenever we consider our own persons. True imputation goes so far as to assert that our sin is hidden from the Father himself! So Luther says: ". . . our sins are covered, and . . . God will not impute them unto us (Rom 4:7ff.). Not as though sin were not to be found. . . . On the contrary, sin is actually present and the pious know of it, but *God* does not know of it." Righteousness is always about God — even the God who hides sin from God for the sake of sinners, since what God does not know is simply not living. But faith, then, is not reciting an inner experience, or even participating in the being of God. Faith means death and resurrection. It means an end of the old life and the creation of a new life in such a way that as long as this old world continues our flesh clings to, but does not determine, our hope. So *simul iustus et peccator* becomes the biblical assertion, with death and resurrection the actual result, rather than the participation of the soul in God's righteous being.

Though Augustine's doctrine of the Trinity has come under a withering attack for a generation now, Augustine's doctrine of the church, as a body with a somewhat absent head, Christ, will no doubt come back with the adoption of the language of "participation" in God's being. That means that one can get a "relational" doctrine that avoids the grosser crises of substance categories, yet the participation this envisions cannot handle God's *own* being made just among the ungodly or the real death of real sinners. God's being as a thing in which participation occurs must be uninterrupted when imputation is imperfectly understood. Humans by inclusion in God's speculative being are the righteous — those becoming like God, not the ungodly. Furthermore, the two natures of Christ are constantly pulled apart in this theology, building on the aged Nestorian drift of Roman theology at least since the Tome of Leo. Jesus Christ's indwelling is understood in terms of his divine nature, as in the famous Lutheran case of Osiander. After all, how does one "participate" in the human nature,

unless this has been made properly mystical and only temporarily present by a special otherworldly power?

Shifting from substance to relational ontology is a helpful theological discussion, but Luther's concern with Augustine's imputation remains. The matter of justification in Augustine was "heretofore said imperfectly," and continues to be so. If God imputes righteousness, there must be some reservoir of righteousness in God's being (before and outside, making sinners right). Then there must be an empty or open vessel into which it is poured — something there that God created good. Even if empty, the cup is still a cup. Not everything dies, not everything falls under the curse, or we would be Manichean, no? This is imputation without distinguishing law and gospel.³⁰ The same holds for those who, "thinking relationally," would have the Spirit uphold God's being during the difficult time of Christ's death. Or that because our very being is relational to a good God, only the sinful "parts" die, leaving the necessary free will to respond to God's grace. By this means the Scripture's *particulae exclusivae*, "There is none that does good," and, "You have died" (Ps. 53 and Rom. 7), are modified. And when an exclusive particle is modified it is simply no longer exclusive. Theoretically the sting of sin is avoided, at least for a graced will. Death for sinners becomes a metaphor for humility or obedience.

When imputation goes wrong, it is as if we are trying to turn back history's clock. Our theology becomes an "as if" theology — as if the crime of the cross had not already been committed *by all* and the judgment already leveled for this crime of killing the Christ. It is as if the execution already applied to you as a sinner in baptism was only an initiation into God's church of the righteous. This is what the Reformers meant when they repeatedly observed that the opponents in this matter "buried Christ."³¹ In the imperfect imputation God gives the law, then a

30. Stephan Pfürtnner was correct in noting, "Anyone who affirms the message of justification, and hence the distinction between law and gospel, cannot make what is a matter of law a matter of gospel. . . . It is just this fundamental differentiation which Catholicism finds so difficult." In "The Paradigms of Thomas Aquinas and Martin Luther: Did Luther's Message of Justification Mean a Paradigm Change?" in H. Küng and D. Tracy, eds., *Paradigm Change in Theology: A Symposium for the Future* (Edinburgh: T. & T. Clark, 1989), p. 156.

31. For example, Melancthon in *Apology IV* of the *Book of Concord*, 123.18 and 133.81.

free will responds because of God's power of grace. The law is singled out as the form of righteousness. Christ himself then becomes extrinsic. Thus, when Lutherans are charged with extrinsicism for not granting an actual change of being for the sinner, it falls on a deaf ear since they are busy considering the prior, extraordinary, and deadly extrinsic assumption that makes Christ superfluous to justification.

God's Participation

By justifying on account of Christ, apart from the law, the Trinity is not out to preserve God's own righteous being or even to include us in them relationally who have somehow gotten outside. Everything God does with us, all of Scripture, is revealing God's coming to us in order to be righteous *in His words* — there alone, in the promises that have their "yes" in Christ, the Father seeks to be declared *right*. All that matters is not how *we* are going to participate in his being through the church, but how God has set the final divine destination and already reached it by Christ's participation among sinners. Christ ate with sinners, *sponte*, freely, willingly, precisely to signify to the world that this was no mere appearance. God became a sinner, the greatest of sinners, even sin itself, so that sin and its sting would be defeated. The end of sin and death is therefore not theoretical, or a new possibility, but has already arrived where sin really exists — that is, in those actively opposing God's way of becoming right. Participation is not what we do in God's being, but is what God has already done in his Son Jesus Christ, who is the word who came to dwell among his rebellious creatures. Christ completely undoes Plato here. He came and won't be ignored, though the creatures "knew him not" (John 1). It is Christ's very participation via the cross that self-righteous protectors of the law sought to end by giving Christ no room in this world. "Foxes have holes and birds of the air their nests, but the Son of Man has nowhere to lay his head" (Matt. 8:20). Sinners give Christ no place in God's creation organized by law. Those seeking to participate in God's being as the means of becoming right are the very ones who tried to limit and end God's participation among the ungodly, finally, as chief of sinners and sin itself. Participation without the cross makes the *church* its own chief article, removing it from true sin, and buries Christ and his Spirit.

God's is an alien participation, outside himself and among the ungodly, apart from the righteousness of the law and God's judging wrath. The rupture of Christ's cross will not be overcome in a greater unity of identities, whether cosmic, churchly, or individual.

Precisely there lies Augustine's imperfection. First, that God's *own* righteousness is not finally the same as his *declaring* sinners righteous. But the second is even more important, since Augustine misses imputation. There the missing matter is the direction and the discontinuity — it is not that God's being is where the real justification lies, and we have to get in there. God wants to be right outside, in the publicized words in Christ, and only there. So we must reject an imagined righteousness that occurs only when we make our journey back to love of God via the church. Instead, we find it in God's journey outward, to be declared right in that which is demonstrably not right in itself. God is true Holy Spirit who creates out of nothing by speaking.

God's being is "being used up," so to speak, in a senseless act of outpouring mercy in such a way as to have what is due the divine only in praise of this act. Outside of that, God simply remains the self-referential being of the right in the form of wrath at the unjust. There is nothing left of God who justifies God's self among the god-haters in giving the forgiveness of sins, in giving life and salvation. There *is* no more "being" in which to participate since he dwells among us. There just isn't anywhere else to go now that the Son of righteousness has arrived. "God died" is then the proper expression of justification as a pure negative, in a shameful crime. But apart from the law, in the vindicated Christ raised from the dead there is life and salvation, a new creation that is truly a communion.

The Function of the *Particulae Exclusivae*

Eschewing the Augustinian imperfection, Luther recalled to his colleagues and preachers what it means when Scripture distinguishes law from promises. Suddenly what sticks out as the very words of death and life are the *particulae exclusivae* from which Augustine was defending himself and the church. The Apostle Paul presupposed the Old Testament witness concerning righteousness, especially that God is faithful to promises, then sharpened his preaching according to the

extraordinary gospel he received, that is, according to the *distinction* of law and gospel. That makes God's righteousness an entirely new and surprising matter. The Reformers noted the gospel's sharpening in the *particulae exclusivae*. They are:

1. "none is righteous, all have sinned"
2. "apart from the law," χωρὶς νόμου
3. "the one man Jesus Christ" (Rom. 5:15) is righteousness
4. "through faith," διὰ πίστεως
5. And the means by which faith comes: "How are they to hear without a preacher?" (Rom. 10:14).

Put together they read this way. Under the law, *none* is righteous. Apart from the law, and so through faith alone, *only* on account of Christ, God rightly makes *us* right while in ourselves ungodly — that is, faith *alone*. And how does faith come? Only by hearing. "God and the law are mutually exclusive in the matter of righteousness."³² The righteousness of God is that righteousness created by God anew, an "authored genitive."

What is this righteousness of God, then? God, who is right in wrath at our sin before the law, makes the divine destination something other than wrath and judgment: righteous mercy to the actual ungodly. This distinction between wrath and mercy is given to us by two revelations or works of God: law and gospel. Paul's surprise was that God's own righteousness is revealed *only in the gospel*; the law brings only *wrath* (Rom. 4:15). This was "new." A surprise. A shock. As Luther once put it: "The law of God, the most salutary doctrine of life, cannot advance humans on their way to righteousness, but rather hinders them."³³ Apart from Christ, who could know?

32. Though the argument is my own, here I follow in part the summary of Eberhard Jüngel, *Justification: The Heart of the Christian Faith* (Edinburgh: T&T Clark, 2001), pp. 62ff.

33. It is no coincidence that Luther, in this first of the Heidelberg Disputation theses, exactly takes up Augustine's *On the Spirit and the Letter* concerning the fearless conclusion that this means the whole law, including the Decalogue — and that not reduced to ceremonial law alone. But the terror of the law and its real death remained imperfect for Augustine because of the problem with imputation. LW 31, 42-43.

By normal human reason, God's wrath alone would be the exercising of God's own righteousness. That righteousness according to the law is active and distributive, and so concerns merit and debt. But we hear from Paul's preaching of Christ crucified that God's wrath, using the law, is the opposite of God's righteousness. God's righteousness then is also the direct opposite of "my own righteousness" (what I produce or what is my essence), as in Romans 10:3. So, there is therefore no boasting in my own righteousness, based on works of the law (Rom. 3:27). Wrath itself needs to be revealed, as sinners do not fathom its extent. *None* is righteous; *all* have sinned and fallen short of the glory of God. Wrath truly does show the cosmic extent of God's care (as Heidegger might put it). But what wrath is, is God pushing forth the wills freely choosing their own righteousness over God's — singling out the law as God's game. In that sense, God hardened Pharaoh's heart, imprisoning him in his own will, thereby showing that the end of the notion of *merit* is a complete disaster for self and world — a catastrophe, we could call it, of biblical proportions. This is a willing "bondage," being bound and determined to avoid sin and its sting, death. When God unleashes wrath, it is the final judgment on human righteousness. But *wrath is not God's own righteousness*. The Father has more than wrath and law, for Christ and you.

Our righteousness under the law is announced as destruction. This is not a Manichaean speculation about the *source* of evil, but is God's own judgment about the *end* or *telos* of the free will. That which God intended for good, humans used for evil. One doesn't exempt parts of oneself, especially a mythical "free will" dreamed up by the frightened in order to escape God's right judgment. But though this wrath at sin is real, and active, it is not God's *own proper* righteousness. It is not the very heart of God. This must also be preached to those living a theological lie. Surprisingly, for anyone schooled in something like Aristotle's notion of distributive justice, God's way of being right is simply not according to the law. Paul announced this with his "but now." The revelation of God's righteousness *presupposes* the working of God's wrath, but is also its limit. Wrath is not infinite for those given into Christ's hand. The place where God's own self is given, God's heart, is "the gospel" (Rom. 1:16-17) — preaching! In word and sacrament! An external, public, humanly mediated declaration of the forgiveness of sins to actual sinners — i.e., to those who ac-

tually committed the crime of killing God's Son, the man Jesus Christ. Astonishing!

God's righteousness is given *only* in the gospel, apart from the law; and this decides, trumps, and determines any other meaning of the "righteousness of God" — only through faith for faith (Rom. 1:17). There is the *particula exclusiva* of the gospel — *only* or *alone*. Grace alone, Christ alone, word alone, faith alone. The exclusive particles are meant to keep the Augustinian imperfection from reworking gospel into a form of law — all in order to keep death from God and God's somewhat "righteous" sinners.

In particular in our present context this must be stressed in regard to "faith." Modern Americans get "imputation" very wrong. Where does faith come from? Not from a divine emanation found in the remaining righteousness of the person's free will. Not in participation in God's being through the church. Not in freedom as access to the public square. Those are legal versions of faith. Faith comes from the preaching of the gospel (Rom. 10:17), i.e., precisely not faith's legal meaning. But this utterly changes the notion of authority, ministry, sacrament, and church, which are always the visible fighting ground between Lutherans and Roman Catholics. The word makes a new priesthood of believers who see to it that a recognized, public call goes forth so that God's office of preaching word and sacraments remains to the end of the world. Such a public promise is the only and certain means of God justifying the ungodly. A great disjunction exists right in the middle of the sinner's existence where the law ends — a death and resurrection. It also exists in the church and cosmos. Christ alone, that particular person beside whom we have no other God, rules by way of promise. His kingdom is made up of those raised from the dead. What kind of God would do that and actually be right, unflinching, determined, and unthwartable in his will to love the unlovely? At the risk of breaking into a hymn: "O the depth of the riches and wisdom and knowledge of God! How unsearchable are his judgments and how inscrutable his ways! For who has been his counselor? Or who has given a gift to him that he might be repaid? For from him and through him and to him are all things. To him be the glory for ever. Amen" (Rom. 11:33-36). So, no other God for us than this very one, Jesus Christ given by the Father, and their Spirit who creates from nothing by speaking promise.