

The Report of the Constitutional Committee of the Finnish Lutheran Church on the Joint Declaration An Attempt to Crumble the Doctrinal Foundation of the Lutheran Church

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and

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In May 1998, the Church Council of the Evangelical Lutheran Church of Finland decided to accept the Joint Declaration based on a report filed by their General Synod's Constitutional Committee. In this article the arguments of the Committee report will be examined especially on those parts where they touch the doctrinal foundation of the Evangelical Lutheran Church of Finland. It will be shown that the Committee interprets the Lutheran Confessions quite arbitrarily by quoting random passages in a goal-oriented way without much concern for context. Additionally, no care is given to solve ecumenical problems by working objectively and applicably; instead numerous artificial explanations are used to avoid answering truly pressing issues. This methodology is irresponsible as such, but particularly so when discussing the most fundamental doctrine on which the church stands or falls.

Keywords: ecumenism, justification, the Joint Declaration, Finland, Luther, the Lutheran Confession, the Formula of Concord, faith, good works, merit, sin, inability of man, righteousness, sanctification and regeneration

Preface

Based on a report from the Evangelical Lutheran Church of Finland's (= ELCF) Bishops' Conference, broad discussion on the approval of the Joint Declaration (= JD) took place in the Church Council during the autumn term

in November 1997. In May 1998, the ELCF decided to accept the JD based on a report filed by their General Synod's Constitutional Committee,¹ which reached the same decision as the Bishop's Conference in recommending the approval of the document. The justification for the

decision repeatedly references the Lutheran Confessions, especially the Formula of Concord (= FC).²

However, in their report, the Constitutional Committee does not repeat the opinion of the Bishop's Conference, according to which at least the latest of our Lutheran Confessions, the Formula of Concord, renders the doctrine of justification differently than the Reformer himself.³ So there is no enormous gap between Luther and Lutheranism after all.⁴ This is important to note, since it will influence the course of future discussions. Here the Committee has also indirectly and very discretely presented quite a serious critique of the unanimous motion of the Bishop's Conference.

In our previous article we have dealt with the essential, critical questions that were left open by both the Bishops' Conference statement and the preliminary debate of the Church Council.⁵ In this article we will focus on examining the arguments of the Committee report, especially those parts which touch the doctrinal foundation of our Church.⁶ The wide international discussion on the JD must in large part be set aside since it falls outside of the scope of a single article.⁷ Nevertheless, the close reading of the Committee report in the light of the FC shows by what means the JD has been brought in harmony with the Lutheran Confession. The results are truly impactful for the assessment of the cogency and consistency of the ecumenical negotiations in a more comprehensive context.

The Relevance of Good Works in Justification (Committee Report pp. 23-24)

The Committee holds as "essentially important" to the Lutheran confession that good works and new life "under no circumstances be understood as man's own works or a basis or presupposition of jus-

tification" (p. 24). The expression "own works" leads us to understand that these works are performed by man in his *own power*. Yet to this category would not belong the works that man performs as having been moved and inspired thereto by grace, i.e. the works that are fruits of justification by faith. Accordingly, a seeming match is achieved with the Catholic doctrine of justification. However, by this the Committee broadens the scope of the doctrine of justification to include also the consequences of justifying faith. As a result, even sanctification is made part of the scope of justification which brings about a transition into justification by works.

The Committee (pp. 23-24) claims that their doctrine of justification as it is described above, "is in substance harmonious with e.g. the section 'through faith alone' in the Formula of Concord (SD III, 36-39)." This is incorrect. SD only speaks of good works as an inevitable consequence but not as an essential part of justification. Certainly, the good works of a Christian are still his own even as being influenced by God, that is, works performed in accordance with inventive love and genuine sympathy. Even as such they have no influence whatsoever on our justification. The only righteousness that prevails before God is the gift of righteousness won by Christ alone.

The Committee further attempts to defend the Joint Declaration (p. 24), by stating that "also the Augsburg confession speaks of justification without using the expression through faith 'alone'." But what is the point? Surely the Augsburg Confession, when speaking of faith being counted for righteousness before God (article 4), by no means implies that justifying faith would still include love and hope as in Roman Catholic theology.

***Inability of Man:* (Committee Report pp. 26-27)**

Throughout its presentation of the issue of the inability of man, the Committee gravely misinterprets the Lutheran Confessions.⁸ Firstly, it sees no problem in confusing the articles of justification and conversion (*Buße*) with each other. It should be clear that salvation is seen from a different angle in the latter and does not essentially belong to the scope of justification, although in Lutheranism it is always naturally brought into relation with justification. "But here very good attention must be given with especial diligence, if the article of justification is to remain pure, lest that which precedes faith, and that which follows after it, be mingled together or inserted into the article of justification as necessary and belonging to it, because it is not one or the same thing to speak of conversion and of justification. For not everything that belongs to conversion belongs likewise to the article of justification, in and to which belong and are necessary only the grace of God, the merit of Christ, and faith, which receives this in the promise of the Gospel, whereby the righteousness of Christ is imputed to us, whence we receive and have forgiveness of sins, reconciliation with God, sonship, and heirship of eternal life." (SD III, 24-25).⁹

Secondly, the Committee (p. 27) quotes at this point a portion of the FC according to which it is "certain that through the power of the Holy Ghost we can and should cooperate" (SD II, 65). The quotation strongly misleads the reader. The fact is that the FC narrows this statement to concern man's influence, which is only made possible after conversion and regeneration. It relates to the actions of the "new man" (SD II, 63-64). How does the Committee manage to begin from this

teaching in the FC and, completely awkwardly, end up supporting the Roman Catholic teaching of man's ability to cooperate in his own salvation from the very beginning onwards? For clarity we quote the aforementioned article: "From this, then, it follows that as soon as the Holy Ghost, as has been said, through the Word and holy Sacraments, has begun in us this His work of regeneration and renewal, it is certain that through the power of the Holy Ghost we can and should cooperate, although still in great weakness" (SD II, 65). Here the FC is considering the growing authority of the new man in Christians. The growth does not indicate that *justification* is an ongoing process in them. Rather, it means a deepening understanding of one's own depravity as well as an increasing trust in God's perfect justification through faith in which good works will inevitably follow. This is not so in Roman Catholic theology. Even if the term 'cooperate' is not always used, man's supposed natural ability and goodness is nonetheless accentuated. He has the power and the responsibility to "fit oneself into" the grace of God.¹⁰

Thirdly, the Committee (p. 27) claims that both the Lutheran and the Catholic sides "unanimously reject an extreme interpretation of man's passivity." This statement holds true in neither case. The Roman Catholic doctrine of man in his fallen state usually contains the notion that he still possesses faith in God's existence as well as some spiritual abilities (although weakened in nature). Consequently, natural goodness is not fully corrupted in him but he is able to cooperate with God to some extent in order to obtain salvation.¹¹ Hence it cannot be stated that Catholic doctrine of salvation merely rejects an extreme interpretation of man's

passivity. In fact, it even presupposes man's active cooperation.

Even more serious and offensive is the Committee's claim that the FC too would reject "an extreme interpretation of man's passivity" (SD II, 59). The term "passive" is only true in a very narrow sense.¹² Strictly speaking man is not passive in matters of salvation but rather quite active, that is in resisting God. SD II, 59 states clearly: "For a stone or block does not resist the person who moves it, nor does it understand and is sensible of what is being done with it, as man with his will so long resists God the Lord until he is [has been] converted. And it is nevertheless true that man before his conversion is still a rational creature, having an understanding and will, however, not an understanding with respect to divine things, or a will to will something good and salutary."¹³ To be sure, this text does not reject – as the Committee somehow manages to interpret – an extreme interpretation of man's passivity, but it accentuates on the one hand man's total corruption, which manifests as active resistance of God, and on the other hand man's conversion, which is realized only through the power of God's word killing the sinner by means of the law and regenerating the believer by means of the Gospel.¹⁴

Fourthly, the Committee (p. 27) recommends approving the Joint Declaration by yet again interpreting a quote from the FC contrary to its context, according to which man has a "freed will" based on his baptism (SD II, 67), and therefore also a possibility to cooperate. While there is no need to defend again Lutheran views on man's total inability to contribute in matters of his salvation prior to his conversion (see above), it should be added in this context that the human will being freed from sin's slavery through justifica-

tion in baptism is no separate and permanent mental ability independent of faith.¹⁵ If a baptized Christian renounces faith, his spiritual life dies and sin regains control of him. Because the Holy Spirit has then been grieved and totally lost, he is no longer able to sustain the will freed by him. It is gone. Man is once more spiritually dead, albeit baptismal grace is still valid on God's part. According to the FC he should under no circumstances be re-baptized, but he should instead re-convert (SD II, 69). Consequently, a new conversion would comprise everything that has been stated above about conversion in general. The prodigal son returns through the hearing of God's word. He does not act of his own mind or his own power – all in accordance with the basic teaching on conversion in e.g. Luther's Small Catechism (III article).¹⁶

The Term 'To Sanctify': (Committee Report pp. 28-31)

The Committee (p. 30) claims in general that the FC rejects "speaking of sanctification 'in a wider sense.'" That is obviously not true. Sanctification "in a wider sense" (including both forgiveness of sins and renewal) is only rejected as a synonym for justification (SD III, 37-39).¹⁷ This is not the only time the Committee neglects to make a (sufficient) separation between justification and sanctification. Their internal relation is left unclear time and time again. Lutheran doctrinal tradition often speaks of justification using such terms as 'to sanctify', 'to renew' or 'to regenerate' without having justification tainted with the sanctity of works or renewal of life. Luther for example does in fact use the word "sanctification" in a broader sense in both his Small and Large Catechisms, comprising all of the Holy Spirit's activity from the bestowal and

sustaining of justifying faith and even to eternal life. This is the growth and strengthening "in the faith and its fruits which He produces" (Large Catechism, Creed 53). But when teaching justification Luther focuses solely on the Holy Spirit's work in word and sacrament, through which the sinner receives the gift of justification obtained by Christ. Receiving the gift by faith and possessing it in faith, the Christian is truly sanctified in body and soul (1. Cor. 3:16; 6:11, 19). "[...] by faith [...] we acquire a new and clean heart, and God will and does account us entirely righteous and holy for the sake of Christ, our Mediator. And although sin in the flesh has not yet been altogether removed or become dead, yet He will not punish or remember it." (Smalcald III, 13, 1). Further: "[...] the entire man, both as to his person and his works, is to be called and to be righteous and holy from pure grace and mercy, shed upon us [unfolded] and spread over us in Christ." (Smalcald III, 13, 2). The sinner's "holiness" in this sense of the word is therefore not his own good works but solely the gift of holiness (gift of righteousness) obtained by Christ.

The Term 'Regeneration': (Committee Report pp. 28-31)

The Committee states cursorily and erroneously that the Defense of the Augsburg Confession (Apologia) would include both forgiveness of sins and regeneration into justification. It is already stated by the Lutheran fathers in the FC that Apologia "frequently" uses the terms 'regeneration' and 'justification' as synonyms. As an example they quote in Latin: "*Iustificatio est regeneratio*, that is, Justification before God is regeneration." (SD III, 19).¹⁸ Immediately the Committee follows with a statement that again fails to convince

for the very same reason (pp. 28-29): In the Apologia justification is supposed to be "a definite act of God based on Christ's merit, and simultaneously the gradual renewal of life caused by the Holy Spirit". Strictly speaking, justification means nothing but a sinner being accredited before God the gift of righteousness obtained by Christ, through faith. When defending the Augsburg confession against false Roman Catholic doctrine of salvation, Melancthon surely did not approve of any talk of double justification or "an ambiguous meaning" of justification as the Committee does (pp. 28-31).¹⁹ He based his clear and simple teaching on the Bible.

When discussing the Formula's definition of the broader sense of regeneration, the Committee (p. 29) yet again jumps to justification without consideration stating that "later on the FC prefers a manner of speaking in which only forgiveness of sins is included in justification". When *justification* is concerned there really is no other manner of speaking (see SD III, 24)! The Committee soon after claims that the Lutheran fathers' manner of speaking is "one-sided" or "extreme" (pp. 29-30), thus showing not only open contempt for them, but also proving their own tendentiousness, if not downright ignorance.

The Ambiguity of the Term 'Faith': (Committee Report pp. 31-36)

The Committee (pp. 31-36) explains different understandings of what saving faith really is, yet they never account for why the differences have emerged. They merely state as historical fact e.g. that Lutherans had to reject false interpretations of faith in the 1500's (pp. 31-34). It is certainly true that the Roman Catholic side saw and still sees faith "as merely assent to scriptural assertions as external truth" (p. 32). Understood this way,

”faith alone” is not sufficient for justification; alongside and in addition to faith, one needs ”theological virtues”, i.e. love and hope. But why not make the effort to study what the Bible means by faith, especially since Biblical research is so strongly appealed to? It is well-known that Roman Catholic theology has reached its definition of faith partly on the basis of certain philosophical ties. Should this not openly and honestly be recognized? The traditional difference of opinion is being admitted but left untouched. Furthermore, if that highly respected ”latest Biblical research” had even superficially been taken into account, the Roman Catholic definition of faith would have been proven completely wrong. According to the Bible faith is not mere knowing. It is submission to the truths of God's word and is essentially a strong confidence in his loving kindness based on the unfailing promises of the Gospel, against all doubt, and complete unworthiness of one's own heart. It is a gift of God, which he presents and delivers through the means of grace.²⁰ That is why the discussion on different aspects of justification undergone by the Catholic Church at Trent as well as the anathema on the Lutheran doctrine of justification and on Lutherans had nothing to do with what the reformers really meant by faith. It is equally useless for the Committee report (p. 33) to examine the claim made by ”extreme critics” that ”Lutheran 'faith alone' excludes not only love but also the use of word and sacrament”. This kind of thinking is only familiar to us because of radical and liberal late Protestantism. Apparently, presenting and examining it must aim at creating an artificial breach, so that there would then appear a great opportunity to alleged ”ecumenical breakthrough”. Surely genuine ecumenism should focus on solving

existing problems.

The Committee (p. 34) goes on to quote the Apologia, quite incomprehensibly and out of context: ”For, as we have said, the good works of saints are righteous, and please on account of faith” (Defense V, 131). Surely Melancthon does not narrow this down to justification, but refers to the righteousness of saints in general. The Finnish translation does not necessarily convey the original idea correctly. An earlier translation by A. E. Koskenniemi said: ”For the good works of saints are, as we have said, righteousnesses, they are pleasing on account of faith.” In Latin: ”*Nam bona opera in sanctis, ut diximus, sunt iustitiae et placent propter fidem.*” The sentence by no means implies that good works belong to justification itself. On the contrary, it depicts the piety of saints, that is, those who are already justified through faith. Their piety shows itself through good works. Immediately prior to this, the Apologia explains: ”And here to be justified does not mean that a righteous man is made from a wicked man, but to be pronounced righteous in a forensic sense, as also in the passage Rom. 2:13: The doers of the Law shall be justified. As, therefore, these words: The doers of the Law shall be justified, contain nothing contrary to our doctrine, so, too, we believe concerning the words of James: By works a man is justified, and not by faith alone, because men having faith and good works are certainly pronounced righteous.” (Defense V, 131). The Committee (p. 33) leaves unmentioned (surely not on purpose?), that the quote ”man is not justified by faith alone but also by works” is from James and that it speaks nothing of righteousness by faith but of works (= Christian piety) that inevitably follow righteousness by faith. The usage and

interpretation of the Lutheran Confessions by the Committee is suspect, to say the least.

The Reality of Sin: (Committee Report pp. 36-40)

The Committee holds that "a sufficient unanimity" (p. 39) on the doctrine of sin has been reached in ecumenical negotiations between Catholics and Lutherans. However, the proof (p. 37) fails to convince. On the one hand there is reference to the view of the Lutheran Confessions that lust is "truly sin". But was this not precisely the real issue of controversy? Is this not exactly what is missing from the Joint Declaration? On the other hand there is reference to Luther's Large Catechism: "Thus, although we have sins, the [grace of the] Holy Ghost does not allow them to injure us ..." (LC Creed, 55). As if this were the whole solution to the controversy! Simply put, the ecumenical problem lies here: The Roman Catholic Church holds that "lust is not truly sin in the baptized saint". Luther and the Lutheran Confessions for their part teach that "lust is always sin". How can these statements be made to match?²¹ The Committee is attempting to erase the difference. So much for their "ecumenical discovery"!

To be sure, the Committee (p. 38) does state that "even Catholic tradition contains views according to which even the first move toward a bad thought was considered sinful." If despite this, lust is not considered sin, a whole theological construction alien to the NT has been created (see e.g. Mark 7:21-22; Rom. 7:7-11; Jam. 1:14-15). The Catholic idea of *concupiscentia* rises, as is known, from classical philosophic traditions.²² Consequently, "the first movement of thought" presupposes a liking or assent on man's part,

which means that the sinfulness of lust itself is denied.

At this point the Committee (p. 39) also underlines that "the Lutheran Confessions do not present specific refutations on the subject of the sinfulness of the justified" and that "all refutations within the doctrine of sin regard the doctrine of original sin before justification". Statements such as these contain the idea that it is possible to separate "original sin before justification and after justification" from each other. The suggestion is totally artificial, because certainly the essence of original sin does not change in justification. On the contrary, the position of the sinner before God is altered as consequence of justifying faith, since his nature, which is corrupted by original sin, and his countless transgressions and neglects, no longer condemn him for the sake of Christ. The dispute between Roman Catholics and Lutherans regarding the concept of sin is unmistakably seen in discussions from reformation times. The *Confutatio*, written against the Augsburg confession, states: "We also reject the explanation of the princes (= CA II), because they call the original flaw lust (*concupiscentia*), if they want to understand that lust be sin even after baptism [...]."²³ Accordingly it was precisely the doctrine of original sin "after baptism (that is: justification)" that Roman Catholic theology got wrong, according to Melanchthon. Although he refrains from denouncing it as anathema per se, the 2nd article of the Augsburg Confession condemns "the Pelagians and others" who do not hold original sin as truly sin. The FC goes on to specifically condemn the Tridentine statement according to which lust for sin after baptism is not proper sin: "Also, [we reject and condemn the teaching] that evil lusts are not sin, but con-created, essential properties

of the nature, or, as though the above-mentioned defect and damage were not truly sin, because of which man without Christ [not ingrafted into Christ] would be a child of wrath". (Ep I, 12). Related to this: "Also, [it is censured and rejected] that sinful, evil lusts are not sins, but *conditiones*, or con-created and essential properties of the nature." (SD I, 18).

Thus, no unanimity has been reached on the doctrine of sin in ecumenical negotiations between Catholics and Lutherans. The differences are exactly the same as in the time of the Reformation. That is why it seems extremely strange that the Committee (p. 40) speaks merely of "differences of emphasis on the doctrine of sin" and even of allowing those. The Catholic view that the sin of *concupiscentia* is not sinful, is in stark contradiction with the apostle Paul and the Bible in general, which is even quietly admitted by Trent.²⁴ Since the complete seriousness of sin is surpassed and blurred, it follows convincingly that the Lutheran doctrine of justification no longer suffices as it is. If a Christian is not in himself "fully sinful", there is no way he can also be "fully righteous" in Christ. Therefore the Committee (pp. 38-39) – quoting the Bishop's Conference – brings forth a partial view of righteousness alongside and at the expense of the holistic view. Due to his incompleteness, the Christian is only "partially sinful" and "partially righteous", but he strives to become better. Accordingly, in the Lutheran doctrinal tradition the partial view has first and foremost been connected with *sanctification*, whereas the holistic view is absolutely essential for the understanding and protection of the doctrine of *justification*. By now attempting to build some kind of unanimity based on the partial view, the Committee is simultaneously endeavoring to

bring down and overturn the Church built by the Reformation.

The Merit of Good Works and Growth in Faith: (Committee Report pp. 43-47)

As has been shown above, the Committee repeatedly confuses justification and sanctification. When treating the subject of the relevance of good works to justification, they likewise leave the subject open in a suspect manner. Certainly the Committee (p. 43) is right in saying "good works cannot be the basis of salvation, but in the life of the righteous they are inevitable consequences of the renewal affected by the Holy Spirit". Here, if anywhere, it is essential to explicitly separate the perfect righteousness obtained by Christ, owned solely in faith, from the Christian's own very incomplete piety with regards to neighborly love. It is clear, that justification and sanctification are interdependent, as cause and effect. Yet the Committee (p. 43) is unable to clarify their relationship without being (intentionally) vague. The report declares e.g.: "Although righteousness is perfect on basis of Christ's merit, its effects keep gradually growing during the course of a Christian's life". It must be asked where the true doctrine of justification by faith lies hidden when there is on the one hand talk of Christ's perfect righteousness and on the other of its gradual growth in a Christian's life. In that case Christ's righteousness would in itself be perfect, but we would not fully own it through faith nor would we be fully righteous and holy before God. In fact this causes Christ and the Christian to be separated from each other. Might we not now summon the famous *unio*, being united with Christ through faith, if then the effects of Christ's righteousness would start growing gradually in the Christian? The Com-

mittee (p. 43) attempts to prove their view by quoting the FC: "It is also correctly said that believers who in Christ through faith have been justified, have in this life first the imputed righteousness of faith, and then also the incipient righteousness of the new obedience or of good works." (SD III, 32). Yet the FC neither here nor in other parallel paragraphs confuses new obedience, good works, with justification by faith. The Committee is desperate for something they will never find in the Lutheran Confessions. Why does the report not once speak directly of righteousness by faith? Everything is processed through the ecumenical blender into an even mixture. The above mentioned quote from the FC continues with a useful warning: "But these two must not be mingled with one another or be both injected at the same time into the article of justification by faith before God." (SD III, 32). Yet this is exactly what the Committee is doing, although they quote the very same words (p. 43).

At one point the Committee (p. 45) themselves admit a problem exists. From a Lutheran point of view they hold as hard to accept the Catholic emphasis found at Trent, according to which good works contribute to maintaining righteousness and even increasing it (JD §38).²⁵ Yet the Committee continues on their path, despite obstacles in their way, reconciling irreconcilable views by once again confusing righteousness by faith with sanctification. For a start the report (p. 46) quotes a FC instruction: "Since, then, it is manifest from God's Word that faith is the proper and only means by which righteousness and salvation are not only received, but also preserved by God, the decree of the Council of Trent, and whatever elsewhere is set forth in the same sense, is justly to be rejected, namely, that

our good works preserve salvation, or that the righteousness of faith which has been received, or even faith itself, is either entirely or in part kept and preserved by our works." (SD IV, 35). Immediately it is stated that the aforementioned quote "would at first glance seem to clash with the Catholic statement in the Joint Declaration". Indeed! Every knowledgeable reader surely understands that the FC without a doubt clashes with the Catholic statement. But the Committee (p. 46) manages somehow to reconcile the opposing views of both parties through clever verbal acrobatics. According to the report "good works, effected by the Holy Spirit, can be said to 'preserve' this divine relation, in a sense that they leave no room for turning away from God" and that "the human being mainly avoids destroying that which God upholds". Is it not time to stop talking about the practice of genuine ecumenism in our Church?

The most dangerous and destructive doctrine for the Gospel is the idea of the meritorious character of good works, which is favored and even emphasized by Catholic theology and now even confessed by the Committee (see above). Since if man's salvation depends even partly on something else than Christ's merit, the Biblical doctrine of justification is lost. The whole reformation was in some way triggered by the discovery of malpractices on a "grass-root" level that were distorting the Gospel and leading people astray. The most sensational was of course the sale of indulgences. That was flagrant greed, as the Pope put the imaginary merits of the saints out in the open market. Throughout the history of the church there has hardly been any other single practice that has met as firm and as resolute a resistance as the use of indulgences for the purpose of controlling and direc-

ting religious circulating capital. This is why references to the meritorious character of good works in ecumenical documents along with recommendations of the usefulness of indulgences in the new Roman Catechism are a kind of continuation of the counter-reformation of past centuries and a sad degeneration of modern protestant Christianity.

Summary

In summary, we conclude that the Committee interprets the Lutheran Confessions quite arbitrarily. They quote random passages in a goal-oriented way and

without much concern for context. The report is dominated by a positive attitude toward the Joint Declaration. It does not even aim at solving ecumenical problems by working objectively and applicably, but instead uses numerous artificial explanations to avoid answering the real burning issues. This kind of method is of course irresponsible as such, but especially so when discussing the most fundamental doctrine. It is imperative that the committee report be brought under international scholarly examination so that its misinterpretations can be shown in detail.²⁶

Notes

1. Church Council of the Finnish Ev. Luth. Church: REPORT OF THE CONSTITUTIONAL COMMITTEE 1/1998 on the Bishops' Committee report 1/1997 concerning the document JOINT DECLARATION ON THE DOCTRINE OF JUSTIFICATION. Helsinki 1998. Constitutional Committee (in Finnish: Perustevaliokunta) is a standing committee of the ELCF General Synod that prepares statements and reports for the Synod and its other committees as well as other organs on issues concerning faith and doctrine, basis of the work of the Church, relations between Church and State and the relations to other Churches, denominations and religions.
2. All quotations from the Lutheran Confessions are taken from *Concordia Triglotta: The Symbolical Books of the Evangelical Lutheran Church: German-Latin-English*, F. Bente (ed.) (St. Louis: Concordia Publishing House, 1921). Other standard English editions include *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, Th. G. Tappert (trans. and ed.) (Philadelphia: Fortress Press, 1959); *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, R. Kolb, T. J. Wengert, and C. P. Arand, (eds.) (Minneapolis: Fortress Press, 2000); *Concordia: The Lutheran Confessions – A Reader's Edition of the Book of Concord*, P. T. McCain, general (ed.) (St. Louis: Concordia Publ. House, 22006).
3. For the opinion of the Bishop's Conference, see S. Kiviranta - Timo Laato: "The Joint Declaration and Official Discussion in the Finnish Lutheran church. A clarification or an obscuration?" *Theofilos* 6 (2014), especially 418 footnote 26.
4. See especially Timo Laato: "Justification: The Stumbling Block of the Finnish Luther School". *CTQ* 72 (2008), 327–346.
5. "The Joint Declaration", 404-420.
6. Thus we will no longer examine e.g. the criteriological meaning of the doctrine of justification. See our article "The Joint Declaration and official discussion in our Church. A clarification or an obscuration?" *Theofilos* 6 (2014), 409-410. Neither do we discuss the absence of the second use of the law - accusing of sin - in the Joint Declaration (ibid., 419 footnote 33) nor the issue of assurance of salvation (T. Laato: "Paavali ekumeenisena erotuomarina. Mistä löytäisin perustelut yhteiselle julistukselle?" ["Paul as an ecumenical referee. Where can I find grounds for the Joint Declaration?"] in Simo Kiviranta - Timo Laato: *Turbentuuko uskonpuhdistus? Rooman kirkon ja Luterilaisen Maailmanliiton uusi selitys vanhurskauttamis-opista* (Vantaa 1997) [first edition], 84-85 footnote 1 and 1998 [second edition], 94-95 footnote 1).
7. Cf. e.g. M. D. Menacher: "Current Lutheran-Roman Catholic Dialogues". *Lutheran Quarterly* XX (2006), 374: "Scores of Protestant theologians have spent countless hours and have written countless pages seeking either to clarify or to counter every inaccuracy or falsehood associated with the *Joint Declaration*." And later on p. 391: "A lengthy discussion on ecumenical method is obviously not possible here. The body of literature that has developed regarding the methodology used in JDDJ [= Joint Declaration on the Doctrine of Justification] alone would comprise its own multi-volume work. "For the later development of the ecumenical negotiations concerning the Joint Declaration, see e.g. the number 3 of *Logia: A Journal of Lutheran Theology* XVIII (2009), above all G. Martens "JDDJ After Ten Years" (pp. 11-26) and Th. Dieter: "Developments in Ecumenical Theology and Lutheran-Roman Catholic Church Relations Since JDDJ" (pp. 47-56).
8. We refer generally to Bengt Häggglund's renowned work *DE HOMINE. Människouppfattningen i äldre luthersk tradition*. (Lund: Gleerup, 1959). It deals with the anthropology of Luther and early Lutheranism.

9. According to Luther, law belongs to repentance but not to justification. See *First and Second Disputation against the Antinomians* (1537 and 1538). On the relationship between justification and repentance see also Jürg Baur: *Einig in Sachen Rechtfertigung? Zur Prüfung des Rechtfertigungskapitels der Studie des Ökumenischen Arbeitskreises evangelischer und katholischer Theologen: "Lehrverurteilungen - kirchentrenned?"* (Tübingen: Mohr & Siebeck, 1989).

10. The juxtaposition of Roman Catholic and Lutheran doctrine is visible in many of the rejections of the Formula of Concord. E.g. I, 16: "Also, that in man the human nature and essence are not entirely corrupt, but that man still has something good in him, even in spiritual things, namely, capacity, skill, aptness, or ability in spiritual things to begin, to work, or to help working for something [good]." Or SD I, 23: "They are rebuked and rejected likewise who teach that the nature has indeed been greatly weakened and corrupted through the Fall, but that nevertheless it has not entirely lost all good with respect to divine, spiritual things [...], but from natural birth it still has something good, small, little and inconsiderable though it be, namely, capacity, skill, aptness or ability to begin, to effect, or to help effect something in spiritual things."

11. See the Tridentine decree on original sin.

12. Ep II, 18: "Also what Dr. Luther has written, namely, that man's will in his conversion is pure passive, that is, that it does nothing whatever [...]" (see also SD II, 89). In other words, there is nothing man can do to be saved. In that sense he is pure passive. The Constitutional Committee omits to make the essential division of man's active and passive worthiness. The Formula of Concord rejects man's natural and active worthiness for grace: man is on the contrary naturally and actively opposing grace. But God has still of his wonderful mercy wanted to make human beings (not e.g. cats or dogs) able to receive eternal life. "[...] for which [renewal of the Holy Ghost], indeed, no stone or block, but man alone, was created. And although God, according to His just, strict sentence, has utterly cast away the fallen evil spirits forever, He has nevertheless, out of special, pure mercy, willed that poor fallen human nature might again become and be capable and participant of conversion, the grace of God and eternal life; not from its own natural, active [or effective] skill, aptness, or capacity (for the nature of man is obstinate enmity against God), but from pure grace, through the gracious efficacious working of the Holy Ghost." (SD II, 22). In this sense Luther speaks of man's passive worthiness for grace. He notes that heaven is not meant for geese. See *Bondage of the Will* (Texas: Fort Worth, 2005), 53.

13. See further SD I, 10: "Secondly, that it is an entire want or lack of the concreated hereditary righteousness in Paradise, or of God's image, according to which man was originally created in truth, holiness, and righteousness; and at the same time an inability and unfitness for all the things of God [...]" SD I, 60: "[...] the Holy Scriptures, which testify that original sin is an unspeakable evil and such an entire corruption of human nature that in it and all its internal and external powers nothing pure or good remains, but everything is entirely corrupt, so that on account of original sin man is in God's sight truly spiritually dead, with all his powers dead to that which is good." SD II, 17: "Secondly, God's Word testifies that the intellect, heart, and will of the natural, unregenerate man in divine things are not only turned entirely away from God, but also turned and perverted against God to every evil; also, that he is not only weak, incapable, unfit, and dead to good, but also is so lamentably perverted, infected, and corrupted by original sin that he is entirely evil, perverse, and hostile to God by his disposition and nature, and that he is exceedingly strong, alive, and active with respect to everything that is displeasing and contrary to God." Likewise SD II, 18 and 19. There is an almost endless array of parallel passages to quote. E.g. Ep II, 3: "Likewise we believe, teach, and confess that the unregenerate will of man is not only turned away from God, but also has become an enemy of God, so that it only has an inclination and desire for that which is evil and contrary to God [...]. Yea, as little as a dead body can quicken itself to bodily, earthly life, so little can man, who by sin is spiritually dead, raise himself to spiritual life [...]" Ep. II, 11 rejects the following teaching: "Also, when it is taught that, although man by his free will before regeneration is too weak to make a beginning, and by his own powers to turn himself to God, and from the heart to be obedient to God, yet, if the Holy Ghost by the preaching of the Word has made a beginning, and therein offered His grace, then the will of man from its own natural powers can add something, though little and feebly, to this end, can help and cooperate, qualify and prepare itself for grace, and embrace and accept it, and believe the Gospel."

14. E.g. Ep II, 15: "[...] in conversion God makes willing persons out of the unwilling and dwells in the willing." Ep II, 17: "But, on the other hand, it is correctly said that in conversion God, through the drawing of the Holy Ghost, makes out of stubborn and unwilling men willing ones [...]" Ep II, 19: "Therefore, before the conversion of man there are only two efficient causes, namely, the Holy Ghost and the Word of God, as the instrument of the Holy Ghost, by which He works conversion. This Word man is [indeed] to hear; however, it is not by his own powers, but only through the grace and working of the Holy Ghost that he can yield faith to it and accept it."

15. Ep II, 17: "[...] after such conversion in the daily exercise of repentance the regenerate will of man is not idle, but also cooperates in all the works of the Holy Ghost, which He performs through us." Likewise Ep II, 18: "For when [after] the Holy Ghost has wrought and accomplished this, and man's will has been changed and renewed by His divine power and working alone, then the new will of man is an instrument and organ of God the Holy Ghost, so that he not only accepts grace, but also cooperates with the Holy Ghost in the works which follow." On traditional attempts to interpret the term "arbitrium liberatum" (freed will) see H. R. Frank: *Die Theologie der Concordienformel I.* (Erlangen: Verlag von Theodor Blaesing, 1888), 164-171.

16. On the lack of free will in unregenerate man see also SD II, 2 onwards.

17. Speaking of justification *simul sanctus et peccator* means the same as *simul iustus et peccator*. Otherwise the Formula of Concord uses sanctification also "in a broader sense". E.g. Ep I, 6: "In like manner Christ has also redeemed it as His work, sanctifies it as His work, raises it from the dead, and gloriously adorns it as His work. But original sin He has not created, assumed, redeemed, sanctified [...]" SD I, 39: "[...] God does not immediately cast from Himself into hell-fire this corrupt, perverted, sinful mass, but forms and makes from it the present human nature, which is lamentably corrupted by sin, in order that He may cleanse it from all sin, sanctify and save it by His dear Son." Compare SD I, 45: "Thirdly, in the article of Sanctification Scripture testifies that God cleanses, washes, and sanctifies man from sin, 1 John 1:7, and that Christ saves His people from their sins, Matt. 1:21."

18. Also Ep III, 7-8: "[...] according to the usage of Holy Scripture the word justify means in this article, to absolve, that is, to declare free from sins [...]. And when, in place of this, the words *regeneratio* and *vivificatio*, that is, regeneration and vivification, are employed, as in the Apologia, this is done in the same sense. By these terms, in other places, the renewal of man is understood, and distinguished from justification by faith.

19. Likewise G. Wenz rejects with good grounds that Apologia would teach a "double meaning" of justification. See his article *Konsens in Grundwahrheiten der Rechtfertigungslehre? Die "Gemeinsame Erklärung zur Rechtfertigungslehre" (= GER) des Lutherischen Weltbundes und des Päpstlichen Einheitsrates aus evangelischer Sicht. Una Sancta. Zeitschrift für ökumenische Begegnung* 3/97, 247-248. The article, however, claims that a "double meaning" is also not supported by the Joint Declaration (p. 248). One can disagree on this part. Cf. Apologia IV, 71-72: "But when it is said that faith justifies, some perhaps understand it of the beginning, namely, that faith is the beginning of justification or preparation for justification, so that not faith itself is that through which we are accepted by God, but the works which follow; and they dream, accordingly, that faith is highly praised, because it is the beginning. For great is the importance of the beginning, as they commonly say, The beginning is half of everything; just as if one would say that grammar makes the teachers of all arts, because it prepares for other arts, although in fact it is his own art that renders every one an artist. We do not believe thus concerning faith, but we maintain this, that properly and truly, by faith itself, we are for Christ's sake accounted righteous, or are acceptable to God. And because 'to be justified' means that out of unjust men just men are made, or born again, it means also that they are pronounced or accounted just. For Scripture speaks in both ways. [The term 'to be justified' is used in two ways: to denote, being converted or regenerated; again, being accounted righteous.] Accordingly we wish first to show this, that faith alone makes of an unjust, a just man, i.e., receives remission of sins."

20. Thus e.g. Ep III, 6: "We believe, teach, and confess that this faith is not a bare knowledge of the history of Christ, but such a gift of God by which we come to the right knowledge of Christ as our Redeemer in the Word of the Gospel, and trust in Him that for the sake of His obedience alone we have, by grace, the forgiveness of sins, are regarded as holy and righteous before God the Father, and eternally saved."

21. See below. Compare further SD II, 18: "Now, if in St. Paul and in other regenerate men the natural or carnal free will even after regeneration strives against God's Law, it will be much more obstinate and hostile to God's Law and will before regeneration. Hence it is manifest [...] that the free will [...] from its innate, wicked, rebellious nature it resists God and His will hostilely, unless it be enlightened and controlled by God's Spirit." See further M. Luther: Answer to Latomus. *Luther's Works* 32. American Edition. Career of the Reformer II, 158: "What can be made of this except that sin is completely forgiven in baptism and yet remains, even as Paul says in Rom. 7 [...]. All sins are washed away, yet something remains to be bathed. [...] How could cleansing still be necessary unless [sin] still remained?" or p. 209: "Do you hear? Even after forgiveness there is still sin, but it is not imputed. Are you so little satisfied with this ineffable mercy of God which justifies you from all sin, accepting you as if you were without sin, that you push on further to put to death what He has himself already condemned and brought close to extinction? This is a manifest absurdity and compels Latomus to hold that the Apostle must not be understood to be speaking properly of real sin. Do you say that what is not imputed is now no longer sin? But this is what I want, that nonimputation [of sin] is not ascribed to the work and its nature, but to mercy. Latomus, however, sets aside forgiving mercy and claims that according to nature sin is no longer present. This truly is to rob God."

22. See article "Konkupiszenz" by J. B. Metz. *Handbuch theologischer Grundbegriffe* (München: Deutscher TaschenbuchVerlag, 1970).

23. See article by S. Kiviranta "Perisynti, konkupisenssi ja vanhurskauttaminen" ("Original sin, concupiscence and justification") in *Turbentuuko uskonpubdistus?*, 149.

24. See article by T. Laato: "Paavali ekumeenisena erotuomarina. Mistä löytäisiin perustelut yhteiselle julistukselle?" ("Paul as an ecumenical referee. Where can I find grounds for the Joint Declaration?") *Turbentuuko uskonpubdistus?*, 96.

25. The Constitutional Committee (p. 44) quotes e.g. a passage from Apologia, according to which "the merit of good works is not salvation but other external and spiritual rewards in this life and hereafter (IV, 194-201; IV, 355)".

26. This text is revised and edited with additions from the Finnish original: "Perustevaliokunnan mietintö - yrittys murtaa luterilaisen kirkkomme tunnustusperusta" in Simo Kiviranta - Timo Laato: *Turbentuuko uskonpubdistus? Rooman kirkon ja Luterilaisen Maailmanliiton uusi selitys vanhurskauttamisopista* (Myllypaino: Leväsijoki, 1998), 37-59.