

## THE JOINT DECLARATION ON THE DOCTRINE OF JUSTIFICATION: RETROSPECT AND PROSPECTS

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On Reformation Day—October 31, 1999—official representatives of the Roman Catholic Church and the Worldwide Lutheran Federation culminated a two-decade dialogue<sup>1</sup> by signing a “Joint Declaration on the Doctrine of Justification” (hereafter JDDJ). The document set forth areas of new-found accord regarding the nature of justification as well as areas where disagreements still exist between the Roman Catholic and Lutheran traditions. In addition, both sides officially lifted anathemas pronounced upon one another over four hundred years ago.

News headlines regarding the signing of JDDJ ran the gamut from celebratory to cautious to critical. For example:

“Faiths Heal Ancient Rift over Faith; Catholics, Lutherans End Doctrinal Dispute.”<sup>2</sup>

“On Earth, Peace?”<sup>3</sup>

“Taming the Reformation.”<sup>4</sup>

In the United States, Roman Catholics and mainline Protestant leaders generally praised the declaration, as did some high-profile evangelical Protestants, though not without qualification. Not surprisingly, there was negative feedback as well. The Rev. Paul T. McCain of the Lutheran Church—Missouri Synod (which is not affiliated with the Lutheran World Federation) used the words “ambiguous and equivocating” as well as “fundamentally dishonest” to describe JDDJ.<sup>5</sup> Reformed theologian Michael Horton of Westminster Theological Seminary concluded that “calling bad news [i.e.

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<sup>1</sup> The 1980 papal visit to Germany on the occasion of the 450th anniversary of the Augsburg Confession provided the original stimulus. For further details, see “The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective” (St. Louis: The Lutheran Church—Missouri Synod, 1999) 13–14. The entire Joint Declaration on the Doctrine of Justification is included in this packet. Copies are available from the Commission on Theology and Church Relations, The Lutheran Church—Missouri Synod, 1333 South Kirkwood Road, St. Louis, MO 63122; also available on the internet at [www.lcms.org](http://www.lcms.org) (PDF document; Adobe Acrobat Reader required to open it). The JDDJ itself is available on numerous websites; search for Joint+Declaration+Justification.

<sup>2</sup> *Washington Post* Foreign Service, November 1, 1999.

<sup>3</sup> *World* 14/50 (December 25, 1999) 16–17.

<sup>4</sup> Douglas A. Sweeney, “Taming the Reformation,” *Christianity Today* 44/1 (January 10, 2000) 63–66.

<sup>5</sup> *World* (December 25, 1999) 20.

JDDJ] good news is destructive of . . . the prospects for genuine long-term ecclesiastical reconciliation.”<sup>6</sup>

While sharp critiques from conservative Protestants in the United States did not constitute a hot news flash, the reaction of over two hundred Lutheran theologians in Europe (primarily from German universities) was somewhat of a surprise. Prior to the signing of JDDJ they issued a “Position Statement of Theological Instructors” which set forth seven points of objection to JDDJ.<sup>7</sup> Among the signatories were eighteen professors from the University of Tübingen (hardly a bastion of conservatism), including Peter Stuhlmacher, Martin Hengel, and Otto Betz. Among their objections was that JDDJ promulgates an essentially Catholic view of justification.

This assessment no doubt surprised some Catholics and even some Protestants. For example, Roman Catholic Avery Dulles concluded that at key points JDDJ appears to favor the Lutheran perspective over that articulated at the Council of Trent,<sup>8</sup> while Protestant Douglas Sweeney observed that “Roman Catholics have not now adopted the Lutheran position. But they have condoned it.”<sup>9</sup>

What are we to make of such seemingly mixed signals? In order to address this question, the following essay will be divided into three main sections. First, we shall expound key portions of the JDDJ as well as supporting documents. Second, we shall examine several responses to JDDJ, both pro and con. Third, I will evaluate the document’s strengths and weaknesses from my own perspective as a confessional Reformed Protestant with pronounced Lutheran leanings. A concluding statement will address the issue of whether and to what extent JDDJ may open up further avenues of dialogue between evangelical Protestants and Roman Catholics.

## I. AN EXPOSITION OF THE JOINT DECLARATION ON THE DOCTRINE OF JUSTIFICATION

The JDDJ contains forty-four paragraphs and an appendix containing excerpts from key documents that provide essential background information to JDDJ. Following its preamble (paragraphs 1–7), JDDJ is divided into five parts: 1. *Biblical Message of Justification* (8–12); 2. *The Doctrine of Justification as Ecumenical Problem* (13); 3. *The Common Understanding of Justification* (14–18); 4. *Explicating the Common Understanding of Justification* (19–39); 5. *The Significance and Scope of the Consensus Reached* (40–44). Most of the appendix is devoted to further explication and documentation of part 4 of JDDJ, *Explicating the Common Understanding of Justification*.

<sup>6</sup> Ibid. 21.

<sup>7</sup> “Position Statement of Theological Instructors in Higher Education to the Planned Signing of the Official Common Statement to the Doctrine of Justification” (translated by Mark Menacher). Available on the internet at [www.ultranet.net/~tlclms/251.htm](http://www.ultranet.net/~tlclms/251.htm).

<sup>8</sup> Avery Dulles, “Two Languages of Salvation: The Lutheran-Catholic Joint Declaration,” *First Things* (December 1999) 25–30.

<sup>9</sup> Sweeney, “Taming the Reformation” 64.

The “common understanding of justification” expressed by JDDJ is best summarized by the following statement: “Together we confess: By grace alone, in faith in Christ’s saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works” (par. 15). In addition, this common understanding affirms that “justification directs us in a special way towards the heart of the New Testament witness to God’s saving action in Christ” (par. 17). “Therefore the doctrine of justification . . . is more than just one part of Christian doctrine. It stands in an essential relation to all truths of faith. . . . It is an indispensable criterion, which constantly serves to orient all the teaching and practice of our churches to Christ” (par. 18).

The explication of this common understanding of justification, found in part four of JDDJ (par. 19–39), includes seven sections. Each section has a title, which could also be rephrased as a question, as Avery Dulles has done.<sup>10</sup> The seven section titles, together with Dulles’s rephrasings, are as follows:

- 4.1. *Human Powerlessness and Sin in Relation to Justification*. “Do the justified cooperate in the preparation for, and reception of, justification?”
- 4.2. *Justification as Forgiveness of Sins and Making Righteous*. “Is justification a divine decree of forgiveness or interior renewal?”
- 4.3. *Justification by Faith and through Grace*. “Is justification received by faith alone or by faith together with hope and charity, which bring one into communion with God?”
- 4.4. *The Justified as Sinner*. “Does concupiscence, that is to say, our innate tendency to be self-indulgent, make us sinners, even when we do not give in to it?”
- 4.5. *Law and Gospel*. “Is God’s law given only in order to accuse sinners of their failures, bringing them to repentance, or also to provide them with a rule of life that they can and must observe?”
- 4.6. *Assurance of Salvation*. “Does faith include an assurance that one will in fact attain final salvation?”
- 4.7. *The Good Works of the Justified*. “Are the heavenly rewards for which we hope things that we also merit, or are they to be understood exclusively as undeserved gifts from God?”

Each of these seven sections is treated in three phases: a brief statement of Lutheran-Catholic consensus; a Lutheran perspective; and a Catholic perspective. JDDJ does not require the two parties to accept one another’s perspectives, but only to view them as tolerable. The seven areas of consensus and differences discussed in part 4 are as follows:

Section 4.1 (*Human Powerlessness and Sin in Relation to Justification*) affirms that Lutherans and Catholics “confess together that all persons depend completely on the saving grace of God for their salvation,” because

<sup>10</sup> Dulles, “Two Languages” 27.

sinner “are incapable of turning by themselves to God. . . . Justification takes place solely by God’s grace” (par. 19). At the same time, Catholics continue to affirm that persons “cooperate” in preparing for and accepting justification by consenting to God’s justifying action, though this personal consent is itself an effect of divine grace and not innate human abilities (par. 20). Lutherans, on the other hand, stress human *incapability* to cooperate in their salvation, yet “do not deny that believers are fully involved personally in their faith, which is effected by God’s Word” (par. 21).

Section 4.2 (*Justification as Forgiveness of Sins and Making Righteous*) affirms a Lutheran-Catholic consensus that justification includes both forgiveness and new life: “God no longer imputes to them their sin and through the Holy Spirit effects in them an active love. These two aspects of God’s gracious action are not to be separated . . .” (par. 22). “When [Lutherans] stress that God’s grace is forgiving love . . . they do not thereby deny the renewal of the Christian’s life” but instead “express that justification remains free from human cooperation and is not dependent on the life-renewing effects of grace in human beings” (par. 23). “When Catholics,” on the other hand, “emphasize the renewal of the interior person through the reception of grace imparted as a gift. . . . They do not thereby deny that God’s gift of grace in justification remains independent of human cooperation” (par. 24).

Section 4.3 (*Justification by Faith and through Grace*) begins with a joint confession “that sinners are justified by faith in the saving action of God in Christ. . . . [S]uch a faith . . . cannot and should not remain without works. But whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it” (par. 25). Lutheranism’s *sola fide*, “justification by faith alone,” affirms that “a distinction but not a separation is made between justification itself and the renewal of one’s way of life that necessarily follows from justification and without which faith does not exist” (par. 26). Catholics affirm that the “justification of sinners is forgiveness of sins *and* being *made* righteous by justifying grace, which makes us children of God. In justification the righteous receive from Christ faith, hope, and love and are thereby taken into communion with him” (par. 27, emphasis added).

Section 4.4 (*The Justified as Sinner*) finds common ground between Lutherans and Catholics with its affirmation that the justified “also are continuously exposed to the power of sin still pressing its attacks” and must therefore “ask God daily for forgiveness . . . , are ever again called to conversion and penance, and are ever again granted forgiveness” (par. 28). The following paragraph notes that “Lutherans understand this condition of the Christian as a being ‘at the same time righteous and sinner’” while simultaneously affirming that “the enslaving power of sin is broken on the basis of the merit of Christ” (par. 29). Catholics, on the other hand, hold that justifying grace “takes away all that is sin ‘in the proper sense’ and that is ‘worthy of damnation,’” though there does “remain in the person an inclination (concupiscence) which comes from sin and presses towards sin.” In this way Catholics “do not see this inclination as sin in an authentic sense” (par. 30).

Section 4.5 (*Law and Gospel*) begins: “We confess together that persons are justified by faith in the Gospel ‘apart from works prescribed by the Law’ (Romans 3:28),” then quickly adds that nevertheless “God’s commandments retain their validity for the justified” (par. 31). Lutherans affirm that the “theological use” of the Law is “demand and accusation” and that “[t]hroughout their lives, all persons, Christians also, in that they are sinners, stand under this accusation, which uncovers their sin so that, in faith in the Gospel, they will turn unreservedly to the mercy of God in Christ, which alone justifies them” (par. 32). And while Catholics “emphasize that the righteous are bound to observe God’s commandments, they do not thereby deny that through Jesus Christ God has mercifully promised to his children the grace of eternal life” (par. 33).

Section 4.6 (*Assurance of Salvation*) confesses jointly that “the faithful can rely on the mercy and promises of God. In spite of their own weaknesses . . . they can build on the effective promise of God’s grace in Word and Sacrament and so be sure of this grace” (par. 34). Lutherans emphasize that “in the midst of temptation, believers should not look to themselves but look solely to Christ and trust only him. In trust in God’s promise they are assured of their salvation, but are never secure looking at themselves” (par. 35). Catholics note that while “one cannot believe in God and at the same time consider the divine promise untrustworthy,” a person nonetheless “may be concerned about his salvation when he looks upon his own weaknesses and shortcomings. Recognizing his own failures, however, the believer may yet be certain that God intends his salvation” (par. 36).

Section 4.7 (*The Good Works of the Justified*) affirms the joint conviction “that good works—a Christian life of faith, hope, and love—follow justification and are its fruits. . . . this consequence of justification is also for them an obligation they must fulfill” (par. 37). Catholics believe that “good works, made possible by grace and the working of the Holy Spirit, contribute to growth in grace,” and that these good works are labeled “meritorious” in order “to emphasize the responsibility of persons for their actions, not to contest the character of those works as gifts, or far less to deny that justification always remains the unmerited gift of grace” (par. 38). Lutherans likewise endorse the notion of “a preservation of grace and a growth in grace and faith,” while emphasizing that “righteousness as acceptance by God and sharing in the righteousness of Christ is always complete,” whereas the good works of Christians are “fruits and signs of justification” as opposed to one’s own “merits” (par. 39).

Part five of JDDJ speaks of a “consensus” which, although it includes “remaining differences in language, theological elaboration and emphasis,” is nevertheless “acceptable” to, if not endorsed by, both parties (par. 40). Paragraph 41 then affirms what may be seen as the “bottom line” for ecclesiastical relations between the two bodies whose representatives authored JDDJ:

Thus the condemnations of the 16<sup>th</sup> century, in so far as they relate to the doctrine of justification, appear in a new light: The teaching of the Lutheran churches presented in this Declaration does not fall under the condemnations

from the Council of Trent. The condemnations in the Lutheran Confessions do not apply to the teaching of the Roman Catholic Church presented in this Declaration.

The following paragraph contains a somewhat curious *caveat*:

Nothing is thereby taken away from the seriousness of the condemnations related to the doctrine of justification. Some were not simply pointless. They remain for us “salutary warnings” to which we must attend in our teaching and practice.

Paragraph 43 then notes:

There are still questions of varying importance which need further clarification. These include, among other topics, the relationship between the Word of God and church doctrine, as well as ecclesiology, authority in the church, ministry, the sacraments, and the relation between justification and social ethics.

In spite of this need for “further clarification” of outstanding issues, JDDJ concludes with “thanks to the Lord for this decisive step forward on the way to overcoming the division of the church” (par. 44).

Thanks is indeed in order in that two historically-hostile Christian traditions have affirmed points of common understanding and agreed to condone, if not endorse, remaining differences regarding justification. At the same time, further clarification is also needed on issues that JDDJ *has* addressed. To this end we shall now turn from exposition to evaluation, including both strengths and weaknesses of JDDJ.

In the next section we shall enumerate several responses to JDDJ set forth by Protestants and Catholics. Following that, section III will set forth my own evaluation of JDDJ.

## II. RESPONSES TO THE JOINT DECLARATION

We have already noted in the introduction to this essay that certain irony characterizes some of the critiques of JDDJ: Some Catholics believe the document to be too Protestant, while some Protestants deem it too Catholic. Such are the hazards of interconfessional dialogue.

In addition to the rhetorical brickbats tossed at JDDJ, other responses could be characterized as bouquets, albeit with qualifications. This portion of our essay will therefore be a selective overview of both “brickbats” and “bouquets” tossed in the direction of JDDJ.

1. *Brickbats: what's wrong with JDDJ.* The final draft of JDDJ included not only the text completed in 1997, but also an “annex to the official common statement” added to the 1999 version of JDDJ. This annex in turn was occasioned by critiques of the 1997 version of JDDJ set forth in June 1998 by Edward Cardinal Cassidy, President of the Pontifical Council for Promoting Christian Unity.<sup>11</sup> Cardinal Cassidy's *caveat* included the following points in section 8 of the annex:

<sup>11</sup> The text of Cardinal Cassidy's statement may be found on the Vatican website at: [www.vatican.va/roman-curia/pontifical-councils/chrstuni/index.htm](http://www.vatican.va/roman-curia/pontifical-councils/chrstuni/index.htm). Open the document entitled “Text of the Presentation of the Catholic Response by His Eminence Edward Idris Cardinal Cassidy.” The Annex is at the same website; open the document entitled “Annex to the Official Common Statement.”

- With respect to JDDJ section 4 paragraphs 28 and 29, Cassidy can find no resolution between the Lutheran insistence of *simul iustus et peccator* and the Catholic view that the “concupiscence” remaining in the justified person “cannot be properly called sin.”
- Cassidy also believes that the Lutheran definition of justification, that is, that “God no longer imputes to the justified their sins,” does not do justice to “the Catholic understanding of the interior transformation that takes place in the justified person.”
- In light of the two previous statements, says Cassidy, “it is difficult to see how, in the current state of presentation, given in the *Joint Declaration*, we can say that the Lutheran doctrine of ‘*simul iustus et peccator*’ is not touched by the anathemas of the Tridentine decrees. . . .”
- Cassidy adds that JDDJ deemphasizes, or perhaps even denies, humanity’s cooperation with grace, thereby obscuring the Catholic view “that eternal life is, at one and the same time, grace and the reward given by God for good works and merit.”
- “In pursuing this study further, it will be necessary to treat also the sacrament of penance, through which the sinner can be justified anew,” Cassidy notes as his final point of critique.

Avery Dulles has noted that, given the serious criticism of the Vatican’s official response to JDDJ, “many assumed that the Joint Declaration was as good as dead. But the Holy See, almost unaccountably, continued to insist on its readiness to sign. How could the Vatican agree to sign a document that it found so defective?”

We shall see how Dulles answered his own question in the final section of this essay, wherein we shall evaluate the JDDJ. For now, let us examine some Protestant objections to JDDJ before turning to statements of approval by both Catholics and Protestants.

We have already noted the objections of over two hundred Lutheran German-speaking theological instructors who see JDDJ as teaching a fundamentally Catholic view of justification.<sup>12</sup> For example, while JDDJ “does include a few Lutheran formulations, for example ‘*simul iustus et peccator*’ or ‘by faith alone,’ . . . it interprets these statements in a Roman Catholic sense against their Reformation meaning” (par. 3). The German Lutherans also complained that the member churches of the World Lutheran Federation had been bypassed in the process of approving JDDJ: “None of their synods has yet taken a position on the OCS [Official Common Statement by the Lutheran World Federation and the Catholic Church, which approved JDDJ], let alone affirmed it” (par. 7).

Perhaps the most thorough critique from a confessional Lutheran perspective came from Lutheran Church—Missouri Synod (LCMS).<sup>13</sup> On some

<sup>12</sup> See note 7 above.

<sup>13</sup> “The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective.” See note 1 above (hereafter “LCMS”). Gene Edward Veith of the Lutheran Church—Missouri Synod summarizes LCMS objections to JDDJ concisely in his essay “On earth peace?” *World* (December 25, 1999) 16–19.

points the LCMS critique seems overdrawn and thus unhelpful.<sup>14</sup> At the same time, however, other portions of the LCMS document point out significant divergences in JDDJ from the Lutheran and Reformed traditions.

"The foremost defect of the document," says the LCMS, is that it does not make clear whether justification is "forensic" or "transformational" (p. 17). For while JDDJ par. 4.2 "could be understood in a Lutheran way," even six ELCA (Evangelical Lutheran Church in America) theologians sympathetic with JDDJ admitted that the "fundamental problem with JDDJ is that it seems to subsume the Lutheran understanding of justification under a Roman Catholic understanding of justification as a process whereby the soul is progressively transformed through 'grace'" (p. 18). The LCMS authors respond with justifiable amazement: "This objection does come a bit late!" (p. 18).

Section 4.4 of JDDJ, which deals with original sin, likewise comes under severe scrutiny by the LCMS. We noted above that par. 30 of section 4.4 affirms the Roman Catholic belief that justifying grace "takes away all that is sin 'in the proper sense' and that is 'worthy of damnation,'" though there does "remain in the person an inclination (concupiscence) which comes from sin and presses towards sin." In this way Catholics "do not see this inclination as sin in an authentic sense" (par. 30). The LCMS response is succinct: "Although [Catholics state that] this inclination is 'objectively in contradiction to God,' it [the inclination] 'does not merit the punishment of eternal death and does not separate the justified person from God.' Here excuses for sin are substituted for forgiveness and justification!" In its attempts at precision, the Catholic vocabulary of sin does appear to split hairs at times!<sup>15</sup>

At other times *imprecise* theological language renders JDDJ problematic, says the LCMS. In particular, "the example that is most important,

<sup>14</sup> One such "unhelpful" tendency of the LCMS critique is found in the "Summary of the Seminary Evaluations" which prefaces the detailed LCMS evaluation of JDDJ. Specifically, the Summary at times reads into JDDJ principles that the JDDJ itself never expresses. For example, the LCMS seminaries opine: "It does not serve the cause of dialog to operate on the principle that two or more theologically contradictory statements can all be true" (p. 7). This seems to beg the question as to whether statements that use different languages of salvation are *ipso facto* contradictory, or whether apparently "contradictory statements" may be two sides of the same coin (e.g. "imputed" versus "infused" righteousness). LCMS also insists that the Joint Declaration "fails to make clear that the *cause* of justification is God's saving work in Christ, not ourselves or anything in us" (p. 8), a statement which the present writer finds to be wide of the mark. In the very next paragraph LCMS notes that the Joint Declaration spells out the differences between the Lutheran and Catholic views of original sin and baptism, but that "JDDJ leaves this historic disagreement, like other disagreements mentioned above, unresolved" (p. 8). This critique is problematic in light of the Summary's preceding paragraph cited above, which chided JDDJ for its failure "to make clear" the cause of justification. For when JDDJ now *does* "make clear" the unresolved differences between Lutherans and Catholics on the matter of baptism, it is once again found guilty! JDDJ, it seems, cannot win: If it is "unclear," it is guilty; if it is clear (albeit unresolved), it is guilty. Such a methodology of evaluation guarantees victory to the critic but does little to advance dialogue.

<sup>15</sup> It is worth recalling that the difference between Lutherans and Catholics on the matter of concupiscence was also the first issue of concern raised by the Catholic Church in the "Text of the Presentation of the Catholic Response by His Eminence Edward Idris Cardinal Cassidy" (see n. 11). This is one of the clearest cases where the co-signers of JDDJ have agreed to disagree!

and far-reaching, has to do with the document's use of faith, especially the preposition used to designate faith's role in the justification of the sinner." Lutherans have normally expressed the role of faith by means of the preposition "through," i.e. "through faith." "They spoke this way in order to indicate that faith was an instrument, a means through which sinners receive the justification of God, that is, faith, as opposed to works" (p. 43).

But whereas Lutherans speak of salvation by grace *through* faith, JDDJ speaks of justification "*in* faith." LCMS notes that occasionally JDDJ uses the phrase "*by* faith," but nowhere in the document does the phrase "through faith" appear.<sup>16</sup> Such a shift in language is "dangerous" because it fails to state clearly "the instrumental nature of justifying faith." That is to say, for Lutherans the "cause of our faith is outside of us, not 'in faith,' not in us." The danger of speaking of salvation "in faith" is that "we rob Christ of all the glory in the justification of sinners and we deprive sinners of the maximum comfort which can only be gotten when Christ is the sole cause of salvation" (p. 44).

Given the fact that Roman Catholics such as Cardinal Cassidy as well as Lutherans on both sides of the Atlantic have found significant flaws in JDDJ, it would seem that the document hardly represents a breakthrough in ecumenical relations. Yet there are those who believe that in spite of its shortcomings, JDDJ does constitute a breakthrough of sorts. Without being blind to its problems, supporters of JDDJ would affirm that progress has occurred with the signing of the document. Let us now turn our attention to those who have voiced support for the Joint Declaration.

2. *Bouquets: what's right with JDDJ.* When one examines statements of support (albeit qualified at times) for JDDJ, a different world of discourse emerges. Supporters of JDDJ, both Protestant and Catholic, focus less on the content than on the *intent* of the Joint Declaration. That intent, cited in the preamble of the Joint Declaration, is "to show that [the Lutheran and Catholic dialogue partners] are now able to articulate a common understanding of our justification by God's grace through faith in Christ." And while JDDJ "does not cover all that either church teaches about justification, it does encompass a consensus on basic truths of the doctrine of justification and shows that the remaining differences in its explication are no longer the occasion for doctrinal condemnations" (par. 5).

The *intent* of JDDJ thus has to do with *restoration of Christian fellowship among Lutherans and Catholics*, as opposed to doctrinal agreement that goes beyond the "common understanding" affirmed by the Joint Declaration. In this way JDDJ differs from critiques leveled at it not only by LCMS and other Protestants, but also from Cardinal Cassidy's critiques of the document. In this regard JDDJ may be seen as a document whose primary goals may be termed "ecclesiastical" or even "political" as opposed to "theological." It is the potential *impact* of JDDJ—restoration of a unified

<sup>16</sup> In point of fact, the phrase "justification by God's grace *through* faith in Jesus Christ" does occur once in the Preamble to the Joint Declaration (par. 5).

Christian witness among erstwhile adversaries—and not merely its content that encourages a number of Protestants and Catholics to support the document in spite of its shortcomings.

For example, J. Budziszewski declares: “I support the Joint Declaration on the Doctrine of Justification because it gives each side the assurance it needs about the other. The scandal of mutual condemnation can finally be put to rest.”<sup>17</sup> It is the possibility of restored *fellowship*, not doctrinal unity, which is primary for Budziszewski. For this reason he chides those who would say in effect, “I refuse to admit that you agree with me about anything unless you agree with me about *everything*.”<sup>18</sup>

Richard John Neuhaus, former Lutheran cleric turned Roman Catholic priest, addresses the objection that JDDJ compromises the Lutheran *sola fide*. Says Neuhaus: “If our concern were only for explicit biblical teaching, it would be worth noting that the only time the formula ‘faith alone’ appears in the Bible it is rejected (‘You see that a person is justified by works and not by faith alone,’ James 2:24).” This is not Neuhaus’s primary point, however. Like Budziszewski, he is more concerned with Christian fellowship than with doctrinal unity: “I believe [JDDJ] is correct in saying that, whatever differences remain in devotional or theological expression, they should not be viewed as church-dividing.” One reason for such linguistic latitude, Neuhaus goes on to say, is that “there are two languages about justification in play; the one [Tridentine Catholic] is primarily theological and analytical, the other [confessional Lutheran] devotional and experiential.”<sup>19</sup>

Avery Dulles likewise speaks of “two languages of salvation.”<sup>20</sup> Specifically, Catholic and Lutheran theological statements differ at many points because they reflect different “thought-forms.” Says Dulles:

The Catholic thought-form, as expressed at Trent, is Scholastic, and heavily indebted to Greek metaphysics. The Lutheran thought-form is more existential, personalistic, or, as some prefer to say, relational. The Scholastics adopt a contemplative point of view, seeking explanation. Luther and his followers, adopting a confessional posture, seek to address God and give an account of themselves before God. In that framework all the terms take on a different hue.<sup>21</sup>

For this reason Dulles believes that his fellow Catholics ought “to measure the Lutheran theses against some standard other than the decrees of Trent, valid though these decrees are in Catholic dogmatic teaching.” At the same time he affirms: “It is not enough to say that we have different frameworks of discourse. It is necessary to establish that Lutheran proclamation and Catholic speculation are both legitimate derivatives of the same gospel, and therefore compatible. . . . More theological work is needed.”<sup>22</sup>

Given that more theological work is needed, should Catholics and Lutherans have signed JDDJ? Can one have consensus without unity? Ber-

<sup>17</sup> *World* (December 25, 1999) 20.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> Dulles, “Two Languages of Salvation.”

<sup>21</sup> *Ibid.* 29.

<sup>22</sup> *Ibid.*

tram Stubenrauch, professor of dogmatic theology at the University of Trier, replies in the affirmative.<sup>23</sup> Writing from a Catholic perspective, he finds precedent for the Reformed doctrine of justification by faith in the twelfth-century Catholic theologian Bernard of Clairvaux. Stubenrauch's comments are worth noting at some length:

Anyone who knows the spiritual traditions prior to Luther's time, e.g., the High Middle Ages, discovers that in order to be prepared for the justifying presence of God, believers had to look away from themselves. Bernard of Clairvaux (12<sup>th</sup> century) provided a short form of the Reformation doctrine of "justification by faith" when he wrote in *De diligendo Deo*, "Whoever . . . no longer has anything of one's own, that person's entire possession belongs to God; but what belongs to God cannot be impure." Alongside Bernard's words I place those of Lutheran theologians from the theological faculty of Göttingen who wrote in 1991: "In faith the righteousness of Christ is human righteousness." However, it remains the righteousness of Jesus Christ: established outside of human beings (*extra nos*) and to that extent foreign (*iustitia aliena*). In other words, "Believing is transmitted in Christ so that this Christ is the sinner's new being." I do not see how—in view of the essence of faith as loving relationship with God—this statement differs from that of the monk of the Middle Ages.

Inssofar as JDDJ reflects such a consensus between the historic traditions of Catholicism and Lutheranism, concludes Stubenrauch, "the Joint Declaration has come a long way." More work is needed, to be sure, but "in any event we should not neglect to take concrete steps."

Karl P. Donfried, an official representative of the Evangelical Lutheran Church in America at the signing ceremony of JDDJ, likewise finds common ground between Lutherans and Catholics at several points, while at the same time expressing the need for "a more penetrating clarification" in certain areas.<sup>24</sup> Chief among these is "the relationship between the forgiveness of sins (justification) and regeneration through grace (sanctification)." Says Donfried:

Further study of Paul's transformational emphasis (2 Cor 3:18), together with the recent Finnish accent on "divinization" in Luther, needs to be incorporated as the dialogue continues. And there must be a more incisive probing of exactly what Christ's justifying action with regard to the sinful believer actually includes so that we might be able to articulate together, in language comprehensible to all, what it means to confess that justification brings about the regeneration, transformation and divinization of the sinner.<sup>25</sup>

Donfried's reference to the "Finnish accent on 'divinization' in Luther" can serve as a starting point for our evaluation to JDDJ. We therefore now turn to the third and final portion of this essay.

<sup>23</sup> Bertram Stubenrauch, "Consensus without unity?" *TD* 47/1 (Spring 2000) 47–53. Translated and condensed from the German "Konsensus ohne Einigkeit?" *Trierer Theologische Zeitschrift* 107 (1998) 230–42.

<sup>24</sup> Karl P. Donfried, "Augsburg, 1999: By Grace Alone. Some Reflections of a Participant," *Pro Ecclesia* Vol. IX/1 5–7.

<sup>25</sup> *Ibid.* 7. The Finnish perspective on Luther is found in *Union with Christ: The New Finnish Interpretation of Luther* (ed. Carl E. Braaten and Robert W. Jenson; Grand Rapids: Eerdmans, 1998).

## III. AN EVALUATION OF THE JOINT DECLARATION

As noted above, the present writer approaches JDDJ as a confessional Reformed Protestant with pronounced Lutheran leanings. Specifically, the new Finnish interpretation of Luther mentioned by Donfried has informed the present writer's perspective on the relationship between justification and sanctification.<sup>26</sup>

At the same time, however, the foundation of any dialogue regarding the doctrine of justification lies not in the language of either Protestant or Catholic confessions, but in the language of Scripture itself. In this regard the Joint Declaration may be found lacking sufficient Biblical foundation at points.

For example, the aforementioned LCMS critique of JDDJ's propensity to speak of justification "*in faith*" rather than "*through faith*" or "*by faith*" highlights JDDJ's tendency to subordinate specific statements of Scripture to language that seems agreeable to those desiring to hammer out some sort of compromise acceptable to all.<sup>27</sup> This, however, is to put the cart of tradition before the horse of Scripture. Indeed, one prominent NT scholar who signed the "Position Statement of Theological Instructors in Higher Education to the Planned Signing of the Official Common Statement to the Doctrine of Justification"<sup>28</sup> informed the present writer that two NT scholars, one Protestant and one Catholic, were called upon to write an exegetical rationale for JDDJ only *after* the document had been drafted!<sup>29</sup>

The LCMS critique of JDDJ likewise tends to place confessional traditions ahead of Biblical exegesis in many of its criticisms. The traditional Lutheran distinction, which at times borders on separation, between the *imputed* or *alien* righteousness of Christ (justification) and the *imparted* or *proper* righteousness of Christ (sanctification) is a case in point. LCMS never allows for the possibility that the Catholic language of salvation, which defines justification in a manner that *includes* sanctification, may be a more Biblical perspective than that set forth by the Lutheran and Reformed confessional traditions. Yet this is precisely the point at issue!

One Lutheran NT scholar who has examined the Lutheran and Reformed confessional traditions in light of Scripture and has found them wanting is Peter Stuhlmacher of the University of Tübingen. In language that may sound more Catholic than Protestant to some, Stuhlmacher speaks of "The Process of Justification."<sup>30</sup> Specifically, Stuhlmacher rejects as "superfluous"

<sup>26</sup> See my reviews of *Union with Christ: The New Finnish Interpretation of Luther* in *First Things* 98 (December 1999) 49–53, and in *Pro Ecclesia* Vol. IX/2 (Spring 2000) 241–42. See also Ted M. Dorman, "Justification as Healing: The Little-Known Luther," *Quodlibet* (Summer 2000; online theological journal: [www.quodlibet.net](http://www.quodlibet.net)).

<sup>27</sup> See above.

<sup>28</sup> See n. 7.

<sup>29</sup> The German theologian with whom I spoke did not give me permission to quote him or to name the two theologians who were called upon to write a Biblical justification for JDDJ, so I have chosen to leave them anonymous. My conversation with this prominent theologian, whose name would be recognized by anyone familiar with NT scholarship, took place in the spring of 2000 at an international conference held in North America.

<sup>30</sup> "The Process of Justification" is the title of the third of three lectures delivered at Fuller Theological Seminary in April 2000. Professor Stuhlmacher kindly granted me permission to use

that which he labels “the old two-part analysis of Pauline soteriology in terms of a juristic stream [justification] and a participatory stream [sanctification]” (3.2). Instead, Paul is “really dealing *with two inseparable sides of the same process of justification* effected by God in and through his Christ . . .” (3.2.4, emphasis added).

“Therefore,” Stuhlmacher continues, “the controversial and much discussed distinction between ‘imputed’ righteousness (which is only credited to the sinner) and ‘effective’ righteousness (which transforms the sinner in his or her being) cannot be maintained from the Pauline texts. Both belong together for the apostle” (3.3.2). For this reason, “In Paul’s letters [sanctification] does not mean something additional to justification, but rather the atonement-theological consequences of justification and its outworking in the lives of believers” (3.5).

Such a perspective is not unlike that set forth by Martin Luther in his *Lectures on Romans* that he delivered in 1515 and 1516. Specifically, in his comments on Rom 4:7 Luther speaks of justification not only in terms of forgiveness of sins, but also of the healing brought to the sinner by God’s grace through faith. Luther speaks of “Christ our [good] Samaritan” who not only forgives our sins, but continues to effect in our lives that divine healing which will bring ultimate deliverance from all our sins, so long as we trust in God’s promise that he will complete the healing work he has already begun when he declared us righteous in Christ. The new Finnish interpretation of Luther contains a similar focus, defining justification as both “grace” (forgiveness) and “gift” (healing).<sup>31</sup>

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the printed text of his lectures for research purposes in preparation for this paper. Subsequent references to this lecture will follow Stuhlmacher’s own method of numbering paragraphs as lecture number, main point, and subpoints. For example, 3.2.3 means lecture 3, main point 2, subpoint 3. For a brief excursus on the Pauline doctrine of justification see Stuhlmacher, *Paul’s Letter to the Romans: A Commentary* (trans. Scott J. Hafemann; Louisville: Westminster/John Knox, 1994) 61–65. Especially worthy of note is the following comment: “According to biblical thought, justification is a legal act of the creator God and therefore at the same time an act of new creation, by virtue of which those who are justified participate in the glory and righteousness which exist in God’s presence. Hence, the dogmatic distinction which arose in the history of the church between a justification which is first only reckoned legally (forensic-imputed) and a justification which is creatively at work (effective) is, measured by the examples just named, an unbiblical abstraction” (pp. 63–64). An expanded version of this lecture, along with the other two lectures Stuhlmacher delivered at Fuller Seminary, is included in a book not available at the time this article went to press. See Peter Stuhlmacher, *Revisiting Paul’s Doctrine of Justification: A Challenge to the New Perspective with an essay by Donald A. Hagner* (Downers Grove, IL: InterVarsity, 2001).

<sup>31</sup> On the Finnish interpretation of Luther, see *Union with Christ* (see n. 25). For an extended discussion of Luther’s interpretation of Rom 4:7, see my article “Justification as Healing: The Little-Known Luther.” Luther’s comments on Rom 4:7 are worth quoting at some length: [Justification] is similar to the case of a sick man who believes the doctor who promises him a sure recovery and in the meantime obeys the doctor’s order in the hope of the promised recovery [from his sinful tendencies] and abstains from those things which have been forbidden him by the doctor, so that he may in no way hinder the promised return to health or increase his sickness until the doctor can fulfill his promise to him. Now is this sick man well? The fact is that he is both sick and well. He is sick in fact but he is well [regarded as righteous] because of the sure promise of the doctor, whom he trusts and who has reckoned him as already cured, because he is sure that he will cure him. . . . In the same way Christ, our Samaritan, has brought His half-dead man into

The real strength of Stuhlmacher's exposition of Paul's view of justification lies not merely in his refusal to allow historic Catholic-Protestant divisions to set the agenda for his exegesis of Romans. Rather, it is his insistence on placing Paul's doctrine of justification within the larger context of Paul's eschatology that leads him to conclude:

The Pauline doctrine of justification is the *doctrine about the implementation of God's righteousness through Christ for the entire creation*. Its goal is the establishment of the kingdom of God. This doctrine therefore shows in its own way both *that* and *how* God will bring the first and second petitions of the Lord's prayer to their fulfillment. Let us therefore be thankful that we have Paul's teaching.

If we uphold it in its unabridged form, it will stand us in good stead ecumenically, confessionally, and personally (3.9).

The doctrine of justification will continue to be a point of conversation and controversy among Catholics and Protestants for years to come. Further progress will be made when attempts to reconcile two very different languages of salvation via verbal compromise give way to the sort of Biblical theology advocated by Stuhlmacher and like-minded theologians. In the meantime, whatever significant differences remain between Protestants and Catholics regarding the doctrine of justification might be mitigated, if not fully resolved, by the following affirmation set forth by a number of Protestants and Catholics seeking reconciliation within the body of Christ: "Justification by grace alone through a faith that is never alone" (cf. Eph 2:8–10).<sup>32</sup>

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the inn to be cared for, and He has begun to heal him, having promised him the most complete cure unto eternal life, and He does not impute his sins, that is, his wicked desires, unto death, but in the meantime in the hope of the promised recovery He prohibits him from doing or omitting things by which his cure might be impeded. . . . Now is he perfectly righteous? No, for he is at the same time both a sinner and a righteous man; a sinner in fact, but a righteous man by the sure imputation and promise of God that He will continue to deliver him from sin until he has completely cured him. And he is entirely healthy in hope [*in spe*], but in fact [*in rei*] still a sinner. . . . But now if this sick man should like his sickness and refuse every cure for his disease, will he not die? Certainly, for thus it is with those who follow their lusts in this world. Another way of expressing this link between saving faith and obedience to the doctor's commands is Paul's phrase "the obedience of faith," found in Rom 1:5 and 16:26.

<sup>32</sup> The late Presbyterian theologian John Gerstner, a solid Calvinist if there ever was one, was the first from whom I learned this phrase. Such an affirmation surely falls short of the sort of overall theological consensus that would be required to accomplish ultimate organizational reunion between the Church of Rome and the historic Reformed denominations. But is this the sort of unity we should seek? The late Oscar Cullmann, a Lutheran who served as an official observer at Vatican II and was involved in interconfessional dialogue for decades, thought not. Cullmann instead defined the unity we should seek in the title of his penultimate book *Einheit durch Vielfalt*—"unity through diversity." See Cullmann, *Unity through Diversity* (trans. M. Eugene Boring; Philadelphia: Fortress, 1988).