

## *Martens on the Condemnations*

### REVIEW ESSAY

by GEORGE LINDBECK

*Die Rechtfertigung des Sünders—Rettungshandeln Gottes oder historisches Interpretament? Grundentscheidungen lutherischer Theologie und Kirche bei der Behandlung des Themas 'Rechtfertigung' im oekumenischen Kontext.* By Gottfried Martens. Göttingen: Vandenhoeck & Ruprecht, 1992. *Forschungen zur systematischen und Ökumenischen Theologie* 64. 428 pp. n.p.

THIS ERLANGEN DISSERTATION fuels the current debate over the proposed withdrawal by Lutherans and Roman Catholics of their sixteenth-century condemnations of each other's teaching on justification. The issue is pressing. It has reached the stage of action: final votes are planned for 1997, the 450th anniversary of the Decree on Justification of the Council of Trent.

Although it was completed in 1990 and published unchanged (15) in 1992 before planning for action by the churches had begun, this book could not be more timely. When it was written, the idea for the withdrawal of condemnations had already been explored by an ecumenical working group commissioned by the churches as the result of a papal visit to Germany in 1980, and there had been extensive discussions of the 1986 report of this group, *Lehrverurteilungen—Kirchentrennend?*, eds. K. Lehmann & W. Pannenberg (published in English in 1990 under the title, *The Condemnations of the Reformation Era. Do They Still Divide the Churches?*). The present work is not limited to this report but examines the entire background and backing for the proposal from Reformation times to the present. Its comprehensiveness and thoroughness make it indispensable.

This is true despite the unfashionableness of its views. The author's objections to the proposed withdrawals place him in what T. Mahlmann calls a "vanishing minority" in Germany, but he stands out among the nay-sayers. His book cannot be as easily dismissed as either the 1989 polemic, *Einig in Sache der Rechtfertigung?* by the Göttingen systematics

professor, Jörg Baur, or the superficial though less vulnerable 1991 Opinion (*Stellungnahme*) of the Göttingen Theological Faculty. (Reprinted in translation in the *Lutheran Quarterly* V/1 Spring 1991. Pp. 1-62 deal with justification.) Nor have his opponents equalled him in range and depth. No similarly comprehensive and searching examination of the Lutheran confessional understanding of justification in ecumenical context is likely to appear before 1997, if ever. These 344 heavily and fascinatingly foot-noted pages followed by eighty pages of bibliography will be hard to match; and those who, like the present reviewer, are unconvinced can nevertheless greatly benefit from it.

The history in this volume, to begin with that, is generally well-done and, though integral to the total argument, is in large part not controversial. Part one, on the sixteenth century, deals with some of the most thoroughly studied areas of church history and contains few surprises for readers of the specialized literature. As the author notes, however, non-specialists may be startled at how closely Reformation/Roman Catholic attempts at agreement after Augsburg (1530) and at Regensburg (1540/41) parallel the putatively unprecedented convergences of the contemporary dialogues (22). This point contributes to Dr. Martens' later contention that the dialogues mistakenly and uncritically adopt modern notions of development and progress in accounting for theological change. Such concepts may play an explanatory role in some non-theological areas, but not in theological ones.

Part two also has surprises, but this time for specialists as well as non-specialists. It uses unpublished archival materials to shed fresh light on the notoriously unsuccessful discussions of justification which took place in and around the Fourth Assembly of the LWF at Helsinki in 1963. These discussions were inner-Lutheran, but as one whose task at Helsinki was to report on Vatican II (where I was then an LWF observer), my impression is that specifically ecumenical considerations played a larger role than is evident in the data available to Dr. Martens. It would be interesting to discover what the Roman Catholic observers at the Assembly reported to their authorities. Yet though this is not the definitive study of the Helsinki fiasco, it is the fullest and best we have. It sketches a picture of ideological disarray in which, among other things, an anti-confessional use or misuse of Paul Tillich, though not yet of liberation theology, was rampant. The present confessional weakness of world Lutheranism is not a novel phenomenon.

Part three discusses treatments of justification in four ecumenical dialogues involving Lutherans since Vatican II. The one leading to the

Leuenberg Concord (1973) was with the Reformed, but the other three were with Roman Catholics and resulted in an international dialogue's Malta Report (1971), the U.S. Justification by Faith (1985), and the already-mentioned German *Lehrverurteilungen* of 1986 (henceforth referred to as "Condemnations"). Malta and Leuenberg deal with justification only briefly (though the background discussions, which Dr. Martens investigates at length, were extensive), but *Justification by Faith* is entirely, and *Condemnations* is largely, devoted to this topic. The densely-packed final hundred pages of this book include the fullest discussion up until now of the last two items. This is the climax and summation of the work.

The history in these pages, however, is sometimes tendentious. *Justification by Faith* and *Condemnations* are too recent to have accumulated the secondary literature which helps correct authorial bias in discussions of the earlier documents. Whether or not this is a correct diagnosis of the problem, the treatment of the 1971 Malta Report is clearly more reliable than that of the 1985 *Justification by Faith* (both of which I had a hand in drafting), and the same seems to me to be true of Leuenberg (1973) in comparison to *Condemnations* (1986).

The problem is one with which every interpreter is familiar: generalizations which work well on one level are extended beyond the evidence. Thus, to take a notable example, Dr. Martens' description of the pervasive influence of a progressive-developmental scheme on the dialogues' presentation of the history of the doctrine of justification is excellent. He shows that the dialogues treat Reformation and Roman Catholic Christianity as two traditions within the one great tradition of Western and Augustinian theological thought. After indicating their common origins, they note the formation of distinct theological currents in the middle ages, the emergence in the Reformation of new ways of doing theology which proved irreconcilable with traditional patterns, and the modern advances in historical and biblical thinking "which allow both traditions once again to converge" (244). The appropriateness of this schema is assumed without discussion of possible alternatives, and without apparent awareness that it poorly accommodates data which the dialogues themselves cite (such as the 16th century colloquies at Augsburg and Regensburg which were earlier mentioned). This description of an uncritical and uncriticized aspect of the dialogues is an important contribution, but what Dr. Martens infers from it is questionable.

He uncritically assumes that notions of development and/or progress are *ipso facto* "historicizing" and "relativizing" (these words recur repeatedly) and thus exclude consideration of the theological truth or falsity

of Roman and Reformation positions. Because of this conviction, he does not take seriously the dialogues' claims that instead of excluding the truth question, they are sharpening it: they are asking whether it was rightly posed by the official condemnations in their own day and for ours. These claims may be mistaken, but they cannot be dismissed *a priori*.

To be sure, it cannot be proved that there is nothing in the suspicion that progressive-developmental thinking has led the dialogues, despite disavowals, into relativist and historicist reductionism. Although the overt surrender to the *Zeitgeist* entailed by the pseudo-Tillichean correlationism of some of the interventions at Helsinki and by much in later theology, is absent from the recent dialogues, one can always suspect that it remains the hidden agenda. On the other hand, a less paranoid reading would lead to the conclusion that the progressive-developmental schema operates, not as a cause or necessary condition for the convergences, but as an intelligible because familiar pattern for describing the accomplishments of the dialogues to an audience for which this pattern of thinking is second nature. For over two hundred years, Westerners have been habituated to Whig notions of development and progress without, for the most part, lapsing into relativism or historicism. Perhaps this is an inconsistent position, but it is a happy inconsistency which a charitable interpretation would have attributed to the dialogues.

Sometimes lack of charity leads to outright error. It is quite wrong as a simple matter of English idiom to cite "common convictions . . . *have come to light* more recently" [Martens' italics] as evidence in the U.S. dialogue of belief in the "revelatory quality" of modern developments (245). The author's construals of Latin (especially Tridentine) and occasionally of German texts are not altogether free of similar though less egregious eisegesis. Yet these textual and historical lapses, it next needs to be emphasized, leave his specifically theological critique of the dialogues largely intact.

Their fatal flaw, as the title of the book suggests, is that they fail to distinguish justification as reality (*Rettungshandeln Gottes*) from justification as interpretation, and then focus on the latter to the neglect of the former. Their concern is with the teaching or doctrine of justification in the sense of specific descriptions, explanations or expressions, and these are inescapably historically conditioned and relative. In the Lutheran confessional understanding, however, the word "justification" primarily denotes God's saving action and only secondarily does it refer to doctrine. To center on this second meaning, ignoring the first, is in effect to fail to take the Reformation position into account. But this is what the

dialogues do. It is chiefly with justification as interpretation rather than reality that they deal.

This is most evident in the case of the document on condemnations. The seven areas of the historic doctrinal antitheses with which it deals are anthropological correlates of justification, namely, original sin, concupiscence, passivity (freedom or bondage), the nature of grace or righteousness (*extra nos* or inherent), faith, assurance of salvation, and merit. In none of these cases is the theme God's saving action in Christ's atoning work as this is enacted in word and sacrament. The reality of justification is bracketed, and what is left is its interpretation in human life. It would seem that the antitheses are overcome by abstracting from justification *per se* or, as Dr. Martens repeatedly says, by changing the subject. It is only by thus detaching the condemnations from the settings in worship and confession which give the anathemas their concrete meaning that they can be interpreted, as the dialogues seek to do, as originating in complementary concerns rather than conflicting practices and as "salutary warnings" rather than as anathemas. From this perspective, the proposed withdrawal of the condemnations has an Alice-in-Wonderland character. It has as much substance as the smile on the face of a Cheshire cat.

Dr. Martens does not quote Lewis Carroll, but he shares these sentiments. He concludes that only agreement on the reality of God's saving action as expressed in a common confession proclaimed and celebrated in the churches can bring reconciliation on justification. While the details of a sufficient future common confession—whose possibility he grants, although in what sounds like an afterthought (343 f.)—cannot be anticipated, it would go much beyond the joint statements of faith in any of the dialogues so far conducted. It would reiterate what both Rome and the Reformation affirmed in the sixteenth century—justification is the triune God's rescue through Christ of sinners from judgment by the Spirit-empowered communal means of grace—but it would not stop there. Reformation specifications have to be added to this generic identification of justifying reality. It needs to be specified that it is by Word as well as sacrament "as these take place in the worship of the community that God acts constantly anew to judge and acquit sinful human beings, to slay and awaken them to new life. In this double work of God, time is foreshortened: God's judging word . . . places sinners under his wrathful sentence [while] the consolation of the gospel makes them participants in Christ's saving work, in his atoning death and his resurrection, and their acquittal thereby has eschatological validity and they are therewith

rescued here and now from God's final judgment" (322). Such a confession is for the Reformers simply catholic, rooted in Scripture and the church's liturgy from the beginning, but in terms of its historical origins, it is pre-Reformation in its trinitarian and christological character and distinctively Lutheran in its eschatological law-gospel structure as well as in its stress on the enactment of God's justifying action *pro nobis* in the communal means of grace. As for the anthropological correlates with which the dialogues have been preoccupied, these are important only to the extent they are embedded in the reality witnessed to in this confession. When considered by themselves, as the dialogues tend to do in practice even if not theory, the *sola gratia* and *sola fide*, for example, become, as in neo-Protestantism, interpretations or expressions of human experiences of helplessness and acceptance, and are theologically irrelevant. They are, in other words, not part of that justifying reality with which the confession and worship of the church are properly concerned.

Both the tenability and the ecumenical implications of this understanding of justification need assessment. In reference to tenability, the major objection to the argument of this book in the German discussions I have seen is that it is hermeneutically naive: it assumes an impossible separation between reference and meaning, between referring to reality and interpreting it. Dr. Martens has not, as far as I know, replied. Perhaps he thinks it futile. His ecclesiastical associations (viz., with the SELK [Independent Evangelical Lutheran Church] which has Missouri Synod connections) presumably make him suspect of fundamentalism; and he has already, as a matter of fact, been accused of *Gnadenmittelfundamentalismus* during the defense of his dissertation as this is described in the preface of this book by his *Doktorvater*, Prof. Reinhard Slenczka.

Perhaps the atmosphere would be more congenial in this country. Dr. Martens sees in Gerhard Forde of Luther Seminary a fellow spirit (25, 242, 269, 315), and there is no reason he could not adopt the latter's "performative" understanding of justification (derived from J.L. Austin, and which he in part shares with Robert Jenson of St. Olaf whom, however, Martens misunderstands—see 256). There are, in other words, resources in Anglo-American thought for distinguishing between reality and interpretation (i.e., between identifying and naming, on the one hand, and describing or interpreting, on the other) which have until now been little utilized in Continental hermeneutics. With the help of these resources, it should be possible to reconstruct Dr. Martens' basic argument so that it is his critics, not he who appear conceptually naive.

Yet however defensible the basic theological argument and critique of

the dialogues may be, the ecumenical import of this work, turning now to that, is not as clear as the author seems to think. He does not consider the possibility that pastoral and prudential circumstances may in some circumstances quite rightly decide whether to be for or against withdrawal of the condemnations.

The Augsburg Confession itself exemplifies this possibility. It did not ask the Romanists to agree on justification and join in formulating a common confession of faith with the Lutherans. It asked rather that opponents acknowledge there was no reason even from their perspective to break off church fellowship. They need only agree that "there is nothing here which departs from the Scriptures or the Catholic church or the church of Rome" as known from the church's early tradition (conclusion of AC, Part 1). There would then be no occasion for anathemas. For the Confessors at Augsburg, in short, agreement on justification sufficient for ecclesial communion with fellow trinitarian Christians did not depend on a common ecclesiastical confession of this reality but on the absence of condemnations. This guaranteed the freedom of the gospel, and such liberty was in the circumstances of 1530 a sufficient consensus, *satis est* as article seven puts it.

The absence of condemnations, however, did not continue to be enough because the practical situation changed. The Romanists rejected the requested freedom, and the Reformers closed ranks to protect gospel liberty by insisting, among other things, on unanimity in official confessions.

Now, however, the situation has once again changed immensely. It seems that even the Vatican is sympathetic to the view that, as now interpreted, Trent on justification (not, be it noted, on various other topics) is no longer in contradiction to Reformation teachings. Even though the respective understandings of justification remain unsynthesizably different, the differences are no longer seen as church-dividing. Perhaps Rome misconstrues Trent, as Martens sometimes argues, but that leaves untouched the contention that to the degree the newer views prevail, the relation of the churches may be decisively altered.

Those who think this is so need not in any sense be historicists or relativists to ask whether the absence of condemnations is in our day pastorally *satis est*. The Confessors at Augsburg were swayed by non-theological surmises that if the gospel were granted the freedom for which they asked, the Reformation understanding of justification would flourish through the church catholic, and similar hopes at times inspire contemporary proponents of withdrawal, not least some Roman Cath-

olic ones. Practical hopes are matched, however, by practical fears that gospel proclamation would be harmed more than helped. To the extent such hopes and fears are determinative, the removal or retention of the condemnations is an *adiaphoran*, that is, something “neither conceded nor forbidden by the Word of God but . . . introduced into the church in the interest of good order” (FC X). Spirit-guided discernment of the signs of the times is necessary.

Dr. Martens seems to disagree. He leaves the impression that the inadequacies of the dialogues makes the rejection of the proposals for withdrawal *status confessionis*. How he would argue against an *adiaphoron* view or, if he accepted it, what pastoral reasons he would adduce for opposing withdrawal are unclear. The ecumenical import of his work, in short, is obscure.

Thus the book fails if read as an attack on the proposed withdrawals, but not as an analysis of justification and the dialogues. In both these latter respects Dr. Martens' work is valuable, and it would be a pity if its positive contributions were overlooked in the polemical fury of the present debates.



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