

SIMUL JUSTUS ET PECCATOR:
DID LUTHER AND THE CONFESSIONS GET PAUL RIGHT?*

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Many years ago I undertook an extensive investigation of the “priesthood of all believers” as this idea appears in the Scriptures and in Luther. Many of my discoveries were surprising, but one of the most unexpected was that Luther never used the popular phrase, “the priesthood of all believers”. Neither did he ever write “the universal priesthood”, and he only rarely used the expression “the royal priesthood”. In fact, the only phrases he commonly used were “the spiritual priesthood” and “the common priesthood”. More often he simply made statements like: “we are all alike priests.”¹

This example reminds us of the dangers lurking within popular phrases, and we must be aware of these dangers when we approach the slogan that means so much to Lutheran theology: *simul justus et peccator*. We certainly cannot underestimate its importance. In my opinion, this single phrase encapsulates the uniqueness of Lutheran theology as well as any other. In its essence, it is rejected by Reformed and Roman Catholic theologians to either side of us. In 1998, on the eve of the completion of the *Joint Declaration on the Doctrine of Justification*, the papal see issued a statement declaring why they could not sign the declaration. Among their reasons were that JDDJ came too close to expressing Luther’s hated *simul justus et peccator* idea.²

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¹ The German phrases are, respectively: *das Priestertum aller Gläubigen, das allgemeine Priestertum, das königliche Priestertum; das geistliche Priestertum, das gemeine Priestertum, wir sind alle gleich Priester*. For the data see my STM thesis, “The Priesthood of all the Baptized: An Exegetical and Theological Investigation” (St. Louis: Concordia Seminary, 1992, unpublished), chapter three. This chapter was published separately in *Lutheran Theological Review* 4.1 (Spring/Summer 1992): 129-56. My conclusion is confirmed by Brian A. Gerrish, “Luther on Priesthood and Ministry”, *Church History* 34 (1965): 421 n. 26; and more recently by Timothy Wengert, “The Priesthood of All Believers and Other Pious Myths” (http://wwwstage.valpo.edu/ils/documents/05_wengert.pdf): 1-2.

² Cardinal Cassidy comments deftly in his letter to the general secretary of the LWF: “the Catholic response does not state that the relative condemnation of Trent remains, but that it is difficult to see how in the present presentation the doctrine on ‘simul iustus et peccator’ is not touched by the anathemas of the Tridentine decree on original sin and justification.” Cardinal Edward Idris Cassidy, “The Vatican and JDDJ”, *Logia* 11.1 (Epiphany 2002): 59.

Though the pope could accept that Christians “sin”, he simply could not accept that Christians “are sinners”. Only when both parties accepted the Roman church’s “Annexe”, which softened the Lutheran character of the declaration, could the pope allow representatives of his church to sign it. Even today, *simul justus et peccator* serves as a Shibboleth of the Lutheran confession.

For this reason it is quite surprising to discover that this phrase appears nowhere in the Book of Concord. So if my task were merely to explain its use in the Confessions, we could all go to coffee early! But, of course, what matters most is not the words themselves but the idea they represent, and the idea is most certainly found in the confessional writings of our church. In fact, I think it is a hermeneutical key that unlocks our Confessions at their most critical moments: the nature of man and original sin, Baptism, justification, repentance and absolution, and lifelong regeneration. Without the *simul* doctrine Christian theology falls into a moralism that is the modern-day equivalent of scholastic semi-Pelagianism. Salvation is then reduced to a process of improvement in which God and man each contributes his share, and man’s progress is measured against a scale of ever-increasing holiness. But such mathematics are incompatible with Scriptural (and therefore Lutheran) theology, which sees man as totally lost and Christ as totally Saviour.

But if *simul justus et peccator* does not appear in our beloved Book of Concord, how did it come to such prominence in our vocabulary? It is important that we answer this question before we proceed, and so we must dwell for a few moments on Luther. For he is indeed the author of this phrase, but he uses it more rarely and more diversely than we may have expected.

EARLY USES IN LUTHER

The first clear use of *simul justus et peccator* language occurs in Luther’s early lectures on Romans (1515)—and this fact is extremely important for locating the Scriptural foundation of the idea. Surprisingly, though, it is not in his discussion of chapter seven that the phrase first occurs, but in his comments on Romans 4:7-8, which itself is a quotation of Psalm 32:1-2.

Blessed are those whose iniquities are forgiven [ἀφέθησαν; *remissae*], and whose sins are covered [ἐπεκαλύφθησαν]; blessed is the man against whom the Lord will not reckon [οὐ μὴ λογίσηται; *non inputabit*] his sin.

It is from the very nature of the words “forgiven”, “covered”, and “not imputed” that *simul justus et peccator* arises. For all three verbs imply that the sin remains, but that the sinner is no longer guilty for it. Each describes

God's dealings with sin with a different image. "Forgiven" in the context of the Old Testament is cultic language. It evokes an image of sacrifice, by which the blood of an animal (which foreshadows the blood of Christ) is shed to pay for the sin of man. The connotations of the verb ἐπικαλύπτω "to cover" are similar, for it translates כָּפַף, commonly used in the Old Testament for "covering sin with the blood of a sacrifice". As far as God is concerned, the sin is now blotted out, invisible, paid for, but its effects have certainly not been removed from before man's eyes. The second image, conveyed by the verb λογίζομαι "to reckon", is either financial or legal. It conveys the idea that the debt has been cancelled or that the punishment for the crime has been suspended. In both cases it is clear that the change has taken place not in the sinner but in God and in His "accounts". Thus it is clear that man has been declared righteous even though he does not appear to be righteous in himself.

Now we need finally to hear how Luther draws a picture of the Christian out of this description of justification. It is a long quotation, but it is worth hearing in full:

Thus in ourselves we are sinners, and yet through faith we are righteous by God's imputation. For we believe Him who promises to free us, and in the meantime we strive that sin may not rule over us but that we may withstand it until He takes it from us.

It 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 and abstains from those things which have been forbidden him, 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 at the same time. He is sick in fact, but he is well 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; for he has already begun to cure him and no longer reckons to him a sickness unto death. In the same way Christ, our Samaritan, has brought His half-dead man into 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 and his sin, that is, his concupiscence, might be increased. Now, is he perfectly righteous? No, for he is at the same time both a sinner and a righteous man [*Non, Sed simul peccator et Iustus*]; 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 thus he is entirely healthy in hope, but in fact he is still a sinner; but he has the beginning of righteousness, so that he continues more and more always to seek it, yet he realizes that he is always unrighteous. (AE 25:260; WA 56:272; cf. WA 57:165¹²)

Do we have here a full and clearly “Lutheran” exposition of justification? We have learnt in recent years to discern an historical development in Luther’s theology. He does not get the Gospel completely clear with all its implications in just one moment. In this early excerpt from Luther’s 1515 Romans lectures we find a lot of clear Gospel in which to rejoice. Luther has drawn the sickness analogy from Augustine, who thought of justification as a lifelong process of renewal in which God is the only actor. What is new and improved in Luther is the clear emphasis on the word of promise, and the need for trust in that promise.³ But while we have both *peccator* and *justus* here, it is the *simul* that is weak. Still relying on Augustine, Luther sees the Christian as **partly** sinner and **partly** saint, in the middle of a lifelong process of renewal, getting better every day. This interpretation is confirmed by Luther’s comment on Romans 3:21, “And thus we are partly righteous, but not wholly so” (AE 25:247; WA 56:259). Although man is still mostly a sinner, God declares him righteous because He foresees what He will make him to be. This idea is not new; it is thoroughly rooted in scholastic thinking. And in this scheme we rarely hear of the external righteousness of Christ which is accounted to us completely.

Between 1515 and 1519, as Luther was at his most creative in rediscovering the Gospel, we find various forms of our phrase popping up repeatedly. His understanding of imputed justification in Romans 4 leads him to read Romans 7 quite naturally as a description of the Christian’s twofold existence. In his gloss on Romans 7:16 we read: “Therefore I am at the same time a sinner and a righteous man [*Ideo simul sum peccator et Iustus*], for I do evil and I hate the evil which I do” (AE 25:63; WA 56:70⁹⁻¹⁰). The sinful flesh and the spiritual, inner man are interpreted by analogy to the two natures in Christ. By way of a sort of *communicatio idiomatum* “communication of attributes”, the whole Christian man can be called at one moment “sinner” and at another moment “saint”, “for one and the same man is spiritual and carnal, righteous and a sinner, good and evil” (AE 25:332; WA 56:343). Commenting in 1519 on Galatians 5:22, which seems to say that Christians do not sin, Luther interprets it as an utter paradox:

a man is righteous and holy and does not sin insofar as he walks in the Spirit; but insofar as he is still prompted by lusts, he is a sinner and carnal. Therefore he has sin in his flesh, and his flesh sins; but he himself does not sin. ... All the saints, therefore, have sin and are sinners; yet no one of them sins (AE 27:372; WA 2:591).

Paradoxical though it is, Luther must say it because Paul does.

³ See Bernard Lohse, *Martin Luther’s Theology: Its Historical and Systematic Development*, trans. Roy A. Harrisville (Minneapolis: Fortress, 1999), 76-77.

LATER USES IN LUTHER

It is in his later, monumental commentary on Galatians (1535), however, that he finally escapes from Augustine, and confesses *simul justus et peccator* more evangelically. Here the saintliness of the Christian is no longer merely begun or hoped for, but a reality to be found in Christ. Commenting on the faith of Abraham by which, Paul says in Galatians 3:6, he was reckoned to be righteous, Luther concludes:

Thus a Christian man is righteous and a sinner at the same time [*simul iustus et peccator*], holy and profane, an enemy of God and a child of God. None of the sophists will admit this paradox, because they do not understand the true meaning of justification. ... We, on the other hand, teach and comfort an afflicted sinner this way: "Brother, it is impossible for you to become so righteous in this life that your body is as clear and spotless as the sun. You still have spots and wrinkles (Eph. 5:27), and yet you are holy." But you say: "How can I be holy when I have sin and am aware of it?" "That you feel and acknowledge sin—this is good. Thank God, and do not despair. It is one step toward health when a sick man admits and confesses his disease." "But how will I be liberated from sin?" "Run to Christ, the Physician, who heals the contrite of heart and saves sinners. Believe in Him. If you believe, you are righteous, because you attribute to God the glory of being almighty, merciful, truthful, etc. You justify and praise God. In short, you attribute divinity and everything to Him. And the sin that still remains in you is not imputed but is forgiven for the sake of Christ, in whom you believe and who is perfectly righteous in a formal sense. His righteousness is yours; your sin is His." (AE 26:232; WA 40¹:368)

The good that Luther has learnt from Augustine is still there, but much has fallen away. His use of *simul justus et peccator* is now more comforting and more Christocentric. Most importantly, we note again that **it is a necessary consequence of a correct understanding of justification.**

Now, it is still possible for the mature Luther to speak of saint and sinner in different ways. He can still speak of man being "partly saint" and "partly sinner". But he no longer views Christian life as a simple, mathematical progression from one end of the spectrum to the other, nor is this progress seen as part of justification. His older Augustinian view has been overwhelmed by his rediscovery of Christ. So, for example, he writes on Galatians 5:16:

And so if we look at the flesh, we are sinners; if we look at the Spirit, we are righteous. We are partly sinners and partly righteous. Yet our righteousness is more abundant than our sin, because the holiness and the righteousness of Christ, our Propitiator, vastly surpasses the sin of the entire world. Consequently, the forgiveness of sins, which we have through Him, is so great, so abundant, and so infinite that it easily swallows up every sin,

provided that we persevere in faith and hope toward Him. (AE 27:68; WA 40^{II}:85-86)

Luther's immeasurably high regard for Christ will not allow him to say that we are **equally** saint and sinner, for Christ always outweighs sin. Only in this sense can the Christian be called "partly sinner" and "partly saint". Otherwise, Luther in his later years insists on the paradoxical language of totality. These words from his 3rd *Antinomian Disputation* (1538) may be regarded as vintage Luther: "For this is true, that according to the divine reckoning we are in fact and totally righteous, even though sin is still present. ... So we are in fact [at the same time] and altogether sinners" (WA 39^I:563¹³-564⁴).⁴

INTO THE CONFESSIONS

We have established, then, that *simul justus et peccator* is an essential part of the Reformation breakthrough, and therefore well established in Luther's theology before the first confessional writing is produced in 1529. Why, then, does this phrase not appear in the Confessions? One answer is that although the phrase appears frequently in Luther's writings between 1515 and 1519, it mostly disappears again until 1535. In other words, in 1529 and 1530, when the first confessional writings are produced, this phrase is not on the tip of his tongue, so to speak. However, it would be a serious mistake to conclude that the idea has lost prominence. What has happened is that it has matured from a slogan that appears in certain exegetical contexts to become an integral part of all Lutheran thinking. At the same time, it is important to note that *simul justus et peccator* as an idea in the Confessions is not simply based on Romans 7. We have seen that it never was exclusively derived from Romans 7 in Luther's thought. In the various writings of the Book of Concord we find that it has a much broader Scriptural and theological foundation.

⁴ English translation from Lohse, 263. Lohse, unfortunately, does not clearly see the differences between Luther's early and later understanding of this phrase. Lowell Green, *How Melancthon Helped Luther Discover the Gospel* (Fallbrook, CA: Verdict Publications), 148 & 244, concurs with my judgement:

Luther's familiar paradox, *simul justus et peccator*, which had the content of an "analytic" justification twenty years previously, now received a new meaning. Then the believer was sinful in reality but perfect in the hope of future perfection. Now the believer is sinful in the eyes of the world (active righteousness), but through divine justification and in the eyes of God he is really justified and without sin here and now (passive righteousness), so that he does not have an evil conscience but knows that he is fully and unconditionally justified in the sight of God. (244)

Before we pursue the various uses of the idea in the Confessions, it is important to establish a parallel distinction made in the first article of the Formula of Concord. For just as some exegetes today have had difficulty imagining how the Christian can simultaneously be saint and sinner, so also there were those in the 16th century who misunderstood how man could be both a sinner and a creation of God. If man's nature is created by God, can original sin be part of that nature? If so, then is not God the author of sin? The Formula responds by affirming, firstly, that even after the Fall, human nature remains God's creation.

³⁸ These passages [of Scripture cited above] indicate clearly that even after the Fall God is man's creator who creates body and soul for him. ... In the exposition of the First Article of the Creed in the Small Catechism we confess, "I believe that God has created *me* and all that exists, that he has given me and still sustains my body and soul, eyes, ears, and all my members, my reason and all my senses." ... It is of course true that this creature and handiwork of God has been miserably corrupted by sin, for the dough out of which God forms and makes man has been corrupted and perverted in Adam and is transmitted to us in this condition. ... ⁴¹ If there were no difference whatever between the nature and essence of our body and soul (which are corrupted by original sin) and original sin itself (by which our nature is corrupted), we should be compelled to conclude: Either that, since God is the creator of this our nature, he has created and made original sin, which thus would also become his handiwork and creature; or that, since the devil is the author of sin, Satan is the creator of our nature, our body and soul, which would also necessarily have to be Satan's handiwork or creature if our corrupted nature were unqualifiedly identical with sin itself. Both conclusions are contrary to the first article of our Christian faith. (FC SD I:38-41)

The Formula's conclusion is vital: when we say that we are "by nature sinful and unclean", we do not mean to say that sin has become a part of the human essence. We must distinguish sharply between man as a creation of God, and the sin which infects creation.⁵ Nevertheless, sin is an infection which runs so deeply through man that it cannot be removed except through the grace of God in Christ. So also when we say *simul justus et peccator*, we are forbidden by article one of the Formula to understand ourselves to be "sinner" in an essential way. To say that the Christian is totally sinner is not to deny that he has been totally recreated in Christ. We are simply emphasizing that we remain "sinner" insofar as we remain in this world and in this flesh. Only God can remove the *peccator*, and He has pledged to do so only through the death of the body and the resurrection unto eternal life.

⁵ On this distinction, see Edmund Schlink, *Theology of the Lutheran Confessions*, trans. Paul F. Koehneke and Herbert J. A. Bouman (Philadelphia: Fortress, 1961), 44-48.

This, incidentally, is why Luther in the Large Catechism considers “the resurrection of the dead and the life everlasting” to be part of the Holy Spirit’s work of sanctification, “making holy” (LC II:37, 58-59).

DOES SIN REMAIN AFTER BAPTISM?

But it is the **first** death and resurrection to which we must now turn: Holy Baptism. For it is in relationship to Baptism that the question first arises of whether the Christian remains a sinner. The Augsburg Confession is initially very cautious on this matter:

¹ It is also taught among us that since the fall of Adam all men who are born according to the course of nature are conceived and born in sin. That is, all men are full of evil lust and inclinations from their mothers’ wombs and are unable by nature to have true fear of God and true faith in God. ² Moreover, this inborn sickness and hereditary sin is truly sin and condemns to the eternal wrath of God all those who are not born again through Baptism and the Holy Spirit. (AC II:1-2)

The Confutation finds this last sentence rather ambiguous.⁶ Do the Lutherans mean to say that original sin is removed through the rebirth of Baptism, or that it simply no longer condemns? They raise this question because Luther’s teaching that original sin remains after Baptism had previously been condemned.

This was no storm in a teacup. Although the Augustana had not directly addressed this question, it had used rather strong terms to describe original sin. This was quite deliberate. For the Reformation not only magnified Christ, it also magnified sin. Puny sin, puny Saviour. Big sin, big Saviour. The two go together. Luther had been trained in the *via moderna*, the Occamist tradition that exalted man’s natural spiritual powers, and diminished sin to a petty annoyance.⁷ If this is the case, then Christ is diminished and the Gospel has little meaning. We must, therefore, give due regard to Luther’s breakthrough on the Pauline teaching about sin, not merely about justification.⁸ Bernard Lohse comments:

⁶ “Also rejected is their teaching that inherited or original sin is concupiscence, if they mean that concupiscence is a sin that remains a sin in children after their Baptism.” Robert Kolb and James A. Nestingen, eds., *Sources and Contexts of The Book of Concord* (Minneapolis: Fortress, 2001), 107.

⁷ Lohse, 71, comments: “Altogether, Luther rigorously distanced himself from the Occamist concept of sin, especially from the view that by their natural powers humans are able to keep the commandments of God.”

⁸ “In Luther’s own biography as well as in the structuring of his new theology a radical view of sin had been given pre-eminence. It is not an exaggeration to state that in his Reformation theology this new view of sin comprises the actual motif for practically all other

[O]n Romans 5:14, in an excursus on the nature of original sin, Luther wrote that the scholastics with their subtleties construed it as the absence of original righteousness. ... According to Paul and its simple sense in Jesus Christ, however, original sin is not merely the absence of a quality of will, but “a total lack of uprightness and the power of all the faculties both of body and soul and of the whole inner and outer man. Besides the inclination to evil.”⁹

Scholastic theology was only willing to admit that after Baptism a certain weakness remained in the Christian that inclined him to commit sins (concupiscence). For Luther, it is not enough to say that the Christian commits sins; he is a sinner.

This is a conviction that arose not simply from Luther’s personal traumatic experience in the Sacrament of Penance, as so many scholars have asserted. Though it indeed agreed with personal experience, it was the result of a decade of preparing lectures on the Bible in Wittenberg, from Psalms, to Romans, to Hebrews, to Galatians. By 1521 Luther was regularly preaching it to his people:

[H]ereditary sin or natural sin or personal sin is the truly chief sin. If this sin did not exist, there would also be no actual sin. This sin is not committed, as are all other sins; rather it *is*. It lives and commits all sins and is the real essential sin which does not sin for an hour or for a while; rather no matter where or how long a person lives, this sin is there too. (AE 52:152, *Sermon on the Gospel for New Year’s Day* [1521/22])

Thus, when the Confutation put the question to the Lutherans, Melanchthon answered in no uncertain terms:

³⁸ But they maintain that concupiscence is a penalty and not a sin, while Luther contends that it is a sin. We have said earlier that Augustine defines original sin as concupiscence. Let them argue with Augustine if this position displeases them! ³⁹ Besides, Paul says (Rom. 7:7), “I should not have known lust if the law had not said, ‘You shall not lust.’” And again, “I see in my members another law at war with the law of my mind and making me captive to the law of sin which dwells in my members” (Rom. 7:23). ⁴⁰ No quibbling can overthrow these proofs. For they clearly call lust sin, by nature worthy of death if it is not forgiven, though it is not imputed to those who are in Christ. (Ap II:38-40)

themes. Luther arrived at his new interpretation partly through critical self-examination and partly through intensive study of Paul.” Lohse, 248.

⁹ Lohse, 70. The quotation is from AE 25:299; WA 56:312¹⁻¹¹; Scholia on Rom. 5:14 (1519).

EXCURSUS ON ROMANS 7

This is the first reference to the controversial seventh chapter of Romans in the Book of Concord, and so it is worth taking a brief moment to consider its exegesis. (Unfortunately, we don't have time to consider this issue in the thoroughness that it deserves.) The critical question is the referent of the "I" who is the subject of Romans 7:14-25. Simply put, is the speaker of this passionate chapter the pre-Christian man or the Christian man? If we conclude with Luther and the Confessions that it is the latter (Paul speaking as a Christian man), we would still need to ask whether this is a description of a normal or abnormal Christian life. But we must not be in any doubt about the significance of this decision. Like the *simul* doctrine itself, the exegesis of Romans 7 is a shibboleth that divides Lutheran theology from both Roman and Reformed.

While there have been a large number of theologians throughout history who have found the life described in chapter seven to be incompatible with the liberation from sin that Paul had previously described, we must not ignore the fact that the most important theologians in Christian history have agreed with Luther. The list of those who believe Paul is speaking about himself as a Christian include Methodius, Ambrose, Ambrosiaster, Augustine, Aquinas, and even Calvin.¹⁰ Only since Kümmel's monograph of 1929¹¹ have Lutherans even been tempted to abandon this great tradition of exegesis. Having studied the question for many years, I am still persuaded that Luther's exegesis is unassailable. Consider, for example, his major argument in the 1515 *Lectures on Romans*:

Wretched man that I am! Who will deliver me from the body of this death? (v. 24). This even more clearly than the preceding statements shows that a spiritual man is speaking these words, for he laments and mourns and desires to be delivered. But surely no man except a spiritual man would say that he is wretched. . . . But the carnal man does not desire to be liberated and set free but shudders terribly at the freedom which death brings, and he cannot recognize his own wretchedness. But when Paul says here, "Who will deliver me from the body of this death?" he is saying the same thing that he says elsewhere: "I desire to depart and be with Christ" (Phil. 1:23). Thus it is astonishing that the idea could have come into anyone's mind that the apostle is speaking these words in the person of the old man or a carnal man, words which are of such great perfection, as if the apostle like a hypocrite had to think and say nothing but good things about himself, that is, to commend

¹⁰ See C. E. B. Cranfield, *The Epistle to the Romans*, International Critical Commentary (Edinburgh: T. & T. Clark, 1975), 1:345-46. The most thorough recent study of the matter is Michael Middendorf, *The "I" in the Storm* (St. Louis: Concordia Academic Press, 1997).

¹¹ W. G. Kümmel, *Römer 7 und die Bekehrung des Paulus* (Leipzig, 1929).

himself and deny that he is a sinner, so that he does not commend grace but denies it. (AE 25:335; WA 56:346)

Nonetheless, since theologians of all sorts continue to be blind to this simple argument, consider the following brief exegetical points in favour of Luther's interpretation.

(1) The order of Romans. There can be no doubt that Romans is the most carefully organized writing in the Pauline corpus. Having demonstrated that all men, both Jew and Greek, are condemned equally by the Law and unable to save themselves by works (chapters 1-3), Paul teaches that both Jew and Greek are justified through faith (ch. 4) in the reconciling work of Christ (ch. 5). This work is applied to men through Holy Baptism, in which they die and rise again to a life without condemnation (ch. 6). Naturally, chapter seven is then to be understood as describing the life of one who has been baptized. Chapter seven follows chapter six. Though the Christian struggles with sin throughout life (ch. 7), ultimate victory is his through the love of God in Christ (ch. 8). If chapter seven referred to the pre-Christian life, it would be completely out of place in the order of Romans.

(2) The meaning of τὸν ἔσω ἄνθρωπον "the inner man" (Rom. 7:22). Proponents of the view that Paul is describing the pre-Christian experience in this chapter typically assert that "the inner man" is a psychological description of the will of any man that opposes the baser desires of his flesh. However, there is no support in New Testament theology for such a Manichaean divide between human flesh and human spirit. They are together either addicted to sin or redeemed by God. In fact, in the only other NT occurrences of the phrase, Paul clearly applies it to the Christian as he is under the influence of the Holy Spirit (II Cor. 4:16; Eph. 3:16). Within the immediate context of Romans, "the inner man" is surely the opposite of "the old man" inherited from Adam through original sin (Rom. 5:12) and crucified with Christ in Baptism (Rom. 6:6). It is thus equivalent to "the new man" described by Paul elsewhere (Col. 3:9-10; Eph. 4:22-24). The simple fact that the Spirit is not mentioned explicitly in chapter seven is not sufficient to exclude Him, especially as both surrounding chapters (6 & 8) are filled with the work of the Spirit.

(3) The assertion that this interpretation contradicts Paul's teaching that the Law no longer has dominion over the Christian (Rom. 6:14) does not stand up to scrutiny. For already in chapter six Paul has taught the continuing validity of the Law's proclamation to Christians, lest they fall back into the old life (Rom. 6:15-23). Paul's brief description of this old life in 7:5 is immediately followed by a statement of the Christian's present condition: "But now we are discharged from the law, dead to that which held us captive, so that we serve not under the old written code but in the new life of the Spirit" (Rom. 7:6). Clearly, Paul does not believe that freedom from the Law's "dominion" means that the Law has no place in the Christian life.

In fact, the main point of chapter seven is that despite all outward appearances, though we struggle daily with sin, we are not slaves to sin, the Law does not condemn us (8:1), and victory remains in Jesus Christ (7:25).

(4) There is nothing in the text itself to support the idea that Paul has suddenly “flashed back” to his pre-Christian life, or that he is speaking of a hypothetical experience of a Christian who seeks to combat sin with his own strength. Those verses that might be interpreted as referring to Paul’s pre-Christian life are clearly marked by the past tense (7:8-13), while the rest of the chapter is consistently in the present tense (7:14-25).

(5) Finally, we must not fail to note that our Christian experience, if we are honest, confirms this interpretation.¹² My life is a continual struggle against sin, in which I consistently fail to live up to the demands of the Law, despite my pious desire. I am frankly astonished that there are Christians who do not recognize their own lives in this chapter.

Romans 7 certainly deserves more of our attention. But if we are seeking the Pauline foundation of the *simul* doctrine in the Lutheran Confessions, it is important that we do not become fixated on this one passage. For Luther does not begin in Romans 7 and work outwards. Rather, he has come to this interpretation because he first listened to Paul’s description of justification in chapter four. It is therefore important that we look at Melancthon’s description of justification in Apology IV, to see whether he draws the same implications for the Christian life as Luther did.

APOLOGY IV

Melancthon’s clearest definition of justification is found towards the end of Apology IV, where he roots his forensic definition clearly in the writings of Paul:

³⁰⁵ In this passage [Rom. 5:1] “justify” is used in a judicial way to mean “to absolve a guilty man and pronounce him righteous,” and to do so on account of someone else’s righteousness, namely, Christ’s, which is communicated to us through faith.³⁰⁶ Since in this passage our righteousness is the imputation of someone else’s righteousness, we must speak of righteousness in a different way here from the philosophical or judicial investigation of a man’s own righteousness, which certainly resides in the will. Paul says (1 Cor. 1:30), “He is the source of your life in Jesus Christ, whom God made our wisdom, our righteousness and sanctification and redemption.” And 2 Cor. 5:21, “For our sake he made him to be sin who knew no sin, so that in him we might become the righteousness of God.”³⁰⁷ Because the righteousness of Christ is given to us through faith, therefore faith is righteousness in us by

¹² Melancthon appeals to Christian experience in Ap IV:166-68.

imputation. That is, by it we are made acceptable to God because of God's imputation and ordinances, as Paul says (Rom. 4:5), "Faith is reckoned as righteousness."¹³

Melanchthon is challenging the scholastic teaching that "righteousness" is an attribute of the human will. To be righteous would therefore necessitate desiring to do what is right. Melanchthon argues that this is not necessarily the case, for in Paul's teaching the righteousness that justifies remains external to us and our will. Our righteousness is Christ's righteousness. His will is pure in place of ours. If we refuse to recognize ourselves as sinners, we can lay no claim on the righteousness that justifies, because Christ only takes the place of sinners who need Him. Thus we must avoid the temptation to describe Christian righteousness in a philosophical or ethical way.

If righteousness is "imputed", Melanchthon argues, then one should not expect it to be visible. It remains outside the sinner, and is only "applied" to sinners. This is Melanchthon's way of confessing *simul justus et peccator*. If one is justified, one must be a sinner. Now, like Paul (Rom. 6), Melanchthon is at pains to explain that we should not therefore desire to sin! In fact, obedience to the Law does begin after faith, and we should expect it to increase (Ap IV:124, 136), and this very statement implies that a struggle will now ensue. There is no struggle in the pre-Christian man, for he is only under the dominion of sin. But once the Spirit enters through the waters of Baptism, then the struggle begins (Ap IV:146). As Paul says, the redeemed man sides with the Spirit—or better said, the Spirit takes our side and leads us to oppose sin (Ap IV:142-44, 169-70).

To deny that man remains a sinner after Baptism is to violate Melanchthon's cardinal rule: it diminishes the value of Christ as our Redeemer. For then His redeeming work becomes either restricted to the past or only occasionally of value. "Christ does not stop being the mediator after our renewal" (Ap IV:162), he writes. In fact, only the baptized can recognize how much he needs a mediator. Faith thus grows stronger in the recognition that we are sinners.

The faith of which we are speaking, moreover, has its existence in penitence; that is, it is conceived in the terrors of a conscience that feels God's wrath against our sins and looks for forgiveness of sins and deliverance from sin. This faith ought to grow and be strengthened in these terrors and in other afflictions (Ap IV:142).

If one cannot confess himself to be a sinner, then one is not truly righteous. Melanchthon quotes Jerome: "We are righteous, therefore, when we confess that we are sinners; and our righteousness does not consist in our own merit, but in God's mercy" (Ap IV:173). It is impossible, therefore, to replace

¹³ See also the definitions in FC SD III:9, 17.

simul justus et peccator with a temporal succession: first a sinner, then a saint.

SMALCALD ARTICLES

If anyone claims that he used to be a sinner, but now he's a saint, he is ripe for the preaching of John the Baptist. Luther's famous application of John's preaching in the Smalcald Articles is perhaps the most important exposition of the *simul* doctrine in the entire Book of Concord:

³⁰ Here the fiery angel St. John, the preacher of true repentance, intervenes. With a single thunderbolt he strikes and destroys both. "Repent," he says. [Mt. 3:2] On the one hand there are some who think, "We have already done penance," ³¹ and on the other hand there are others who suppose, "We need no repentance." ³² But John says: "Repent, both of you. Those of you in the former group are false penitents, and those of you in the latter are false saints. Both of you need the forgiveness of sins, for neither of you knows what sin really is, to say nothing of repenting and shunning sin. None of you is good. All of you are full of unbelief, blindness, and ignorance of God and God's will. For he is here present, and from his fullness have we all received, grace upon grace [Jn 1:16]. No man can be just before God without him. Accordingly, if you would repent, repent rightly. Your repentance accomplishes nothing. And you hypocrites who think you do not need to repent, you brood of vipers [Mt. 3:7], who has given you any assurance that you will escape the wrath to come?" (SA III.iii:30-32)

This Scriptural parallel is most appropriate. John the Baptist was sent to preach repentance to those who were, in fact, the people of God. They thought of themselves as saints, but not as sinners. Luther finds the same attitude in his Roman opponents and in his own parishioners. Against such self-righteousness he applies Romans 3:10, "None is righteous, no not one", and Acts 17:30, "Now He commands all men everywhere to repent." No one is exempt from this call. Nor is there is a distinction between those who need to repent partially and those who need to repent wholly. Luther continues:

³⁶ This repentance is not partial and fragmentary like repentance for actual sins, nor is it uncertain like that. It does not debate what is sin and what is not sin, but lumps everything together and says, "We are wholly and altogether sinful." We need not spend our time weighing, distinguishing, differentiating. ... ³⁷ And so our repentance cannot be false, uncertain, or partial, for a person who confesses that he is altogether sinful embraces all sins in his confession without omitting or forgetting a single one. ³⁸ Nor can our satisfaction be uncertain, for it consists not of the dubious, sinful works which we do but of the sufferings and blood of the innocent Lamb of God who takes away the sin of the world. (SA III.iii:36-38)

There is no room for mathematics in either repentance or justification. If we count or weigh sins, then our redemption will be given only in part. But if repentance is total, then redemption is total.

The Christian who knows his Saviour will therefore express the most complete confession. His recognition of sin cannot be equalled by the unbeliever. Luther concludes:

⁴⁰ In the case of a Christian such repentance continues until death, for all through life it contends with the sins that remain in the flesh. As St. Paul testifies in Rom. 7:23, he wars with the law in his members, and he does this not with his own powers but with the gift of the Holy Spirit which follows the forgiveness of sins. This gift daily cleanses and expels the sins that remain and enables man to become truly pure and holy.⁴¹ This is something about which the pope, the theologians, the jurists, and all men understand nothing. It is a teaching from heaven, revealed in the Gospel, and yet it is called a heresy by godless saints. (SA III.iii:40-41)

Luther has reached the point that he cannot imagine any Christian who would not recognize himself in Romans 7. He repeats this Pauline reference again and again (SA III.vii:1; III.viii:2). Edmund Schlink sums up Luther's thinking well: "Contrition does not grow smaller, but greater. In daily contrition the Christian recognizes himself more and more as a total sinner who stands under God's wrath and is in need of forgiveness."¹⁴

THE SMALL/LARGE CATECHISMS

Luther's insistence that the Christian is in daily need of repentance is played out in his arrangement of the catechisms. Firstly, there is the important matter of where the Ten Commandments belong. For it is now well known that, though the Small Catechism is conservative in most respects, it differed from all its predecessors in its ordering of the chief parts. Augustine, for example had famously lined up the chief parts with Paul's trio of faith, hope, and love (I Cor. 13:13). The creed comes first, laying down the historic Christian faith, and indicating that the catechism is for Christians. The Lord's Prayer comes second, describing the Christian's future hope. Then, finally, comes the Decalogue, laying down the rules by which the Christian exercises his faith and hope in love. In Augustine's thinking, the Law has been tamed, Christianized, and reduced to a guide that aids in one's gradual justification.¹⁵

¹⁴ Schlink, 123.

¹⁵ See Charles P. Arand, *That I May Be His Own: An Overview of Luther's Catechisms* (St. Louis: Concordia Academic Press, 2000), 124-25.

Augustine's understanding of the Law prevailed throughout the Middle Ages, leading all mediaeval catechisms to put the Decalogue in third place.¹⁶ Luther, however, dramatically broke with this tradition by moving the Decalogue into first place. Why? Already in 1520 in his *Brief Explanation of the Ten Commandments, Creed, and Lord's Prayer*, he offers this explanation:

In order for a man to be saved, it is necessary for him to know three things. ... In this respect, he is like a sick man. A man who is sick needs to know what his illness is and what he can and cannot do. ... Thus the commandments teach a man to recognize his sickness so that he may know and understand what he can and cannot do, what he ought to do and ought not to do. In this way he comes to recognize that he is an evil and sinful man. After this, the creed shows and teaches him where he can find the medicine or the remedy that he needs, that is, the grace which will help him become a righteous man¹⁷

The Decalogue has taken on a completely different meaning. Its primary purpose now is to show man his sin, the purpose of the Law that Luther has learnt from Paul (e.g. Rom. 3:20; 7:7). The Law leads man to repentance in order that he might perceive his need for the righteousness of Christ which is proclaimed in the Creed.

But does this mean that the Law applies only to man before conversion? This is not at all what Luther means. Firstly, his explanations of the commandments clearly demonstrate that they are directed to Christians, for the unbeliever cannot "fear and love God". Secondly, Luther himself claims that he prays the catechism daily, thus applying to himself both Law and Gospel (LC Longer Preface 7-8). Thirdly, Luther explicitly directs the Christian to examine himself regularly on the basis of the Decalogue in the Small Catechism's brief order of Confession. This is *simul justus et peccator* lived out in daily life. In the fourth question of the Small Catechism's treatment of Holy Baptism, Luther concludes the section by quoting Romans six. For Luther, it is obvious that if we have died to sin in Baptism, then we must daily turn away from sin and keep on drowning the old man.¹⁸ The Catechism's treatment of Confession and Absolution flows out of Holy Baptism in the same way that Romans seven flows out of Romans six. This is what it is like to be a baptised child of God who is continually undergoing

¹⁶ See Arand, 125-29.

¹⁷ Philadelphia Edition 2:354-55. This explanation is repeated in the various editions of the *Betbüchlein* from 1522 onwards. See AE 43:13; WA 10.2:376-77.

¹⁸ We cannot digress into the question of whether Luther is correct in reapplying Romans 6 this way. Lohse, 302, notes the problem, but is sympathetic to Luther: "Of course, in noting this difference, we must take into account the situation of Paul and of Luther: Paul was speaking to new Christians who had just experienced a decisive change in their life; Luther was speaking to a Christendom become sluggish." See also Althaus, 356-59.

the Holy Spirit's restorative work. In the Large Catechism Luther describes it in words that might be a layman's version of *simul justus et peccator*:

Now we are only halfway [halb und halb] pure and holy. The Holy Spirit must continue to work in us through the Word, daily granting forgiveness until we attain to that life where there will be no more forgiveness. In that life are only perfectly pure and holy people, full of goodness and righteousness, completely freed from sin, death, and all evil, living in new, immortal and glorified bodies. (LC II:58)

FORMULA OF CONCORD

Lastly in our survey of the Lutheran confessional writings, we turn to the Formula of Concord. By the pure measurement of volume, the Formula has more to say about the *simul* doctrine than the rest of the Book of Concord put together! This is the nature of the beast. The Formula sums up, recapitulates, analyses, and defends the teaching of the confessional writings that went before, in the light of new controversies. Since we have just completed a rather thorough survey of our own, it is not necessary for us to repeat the Formula's effort. However, it will be valuable to describe the way in which the *simul* doctrine is absorbed and used by the second generation of our Lutheran fathers.

The first six articles of the Formula form a logical unit as the authors group together controversies that revolve around the same basic issue of sin and justification. Recall the order of those articles: (1) Original Sin, (2) Free Will, (3) The Righteousness of Faith Before God, (4) Good Works, (5) Law and Gospel, and (6) The Third Function of the Law. In each of the articles we find a well-settled understanding of the Christian's dual nature as saint and sinner. In each article this understanding is repeated in similar words with similar proof texts in order to help answer the specific controversy. The following example from article six should be sufficient:

⁷ But in this life Christians are not renewed perfectly and completely. For although their sins are covered up through the perfect obedience of Christ, so that they are not reckoned to believers for damnation, and although the Holy Spirit has begun the mortification of the Old Adam and their renewal in the spirit of their minds, nevertheless the Old Adam still clings to their nature and to all its internal and external powers. ⁸ Concerning this the apostle writes, "I know that nothing good dwells within me." And again, "I do not do the good I want, but the evil I do not want is what I do." Likewise, "I see in my members another law at war with the law of my mind and making me captive to the law of sin." [Rom. 7:18-19, 23] Likewise, "The desires of the flesh are against the spirit and the desires of the spirit are against the flesh, for these are opposed to each other, to prevent you from doing what you would." [Gal. 5:17] (FC SD VI:7-8).

The passages quoted here to demonstrate that man is still a sinner after conversion, Rom. 7:18-23 and Gal. 5:17, are regularly accompanied in the Formula by:

- Rom 8:7 “For the mind that is set on the flesh is hostile to God”
- Ps. 119:71 “It is good for me that I was afflicted, that I might learn Thy statutes”
- I Cor. 9:27 “but I pommel my body and subdue it”
- Heb. 12:8 “If you are left without discipline, in which all have participated, then you are illegitimate children and not sons”

Parallel to this is a regular list of passages that describe justification by the imputation of Christ’s righteousness through faith:

- Gal. 3:27 “For as many of you as were baptized into Christ have put on Christ”
- Rom. 8:14 “For all who are led by the Spirit of God are sons of God”
- Phil. 3:9 “and be found in Him, not having a righteousness of my own, based on law, but that which is through faith in Christ, ...”
- Rom. 1:17 “in it the righteousness of God is revealed through faith for faith; as it is written, ‘He who through faith is righteous shall live.’”
- Rom. 4:6-8 “David pronounces a blessing upon the man to whom God reckons righteousness apart from works: [Ps. 32:1-2]

The use of these passages among Lutherans appears to be well-established by the time of the Formula. These proof-texts are quoted without the need to defend their exegesis, as Luther needed to. This should not be the occasion for ridicule, as some Lutheran exegetes are inclined to do. If anyone disagrees with the Formula’s judgement, its authors expect him to return to the writings of Luther that it quotes; a thorough explanation can be found there. This is not necessarily the way theology must always be done, but it is an example of a mature confession, confident that the Holy Scriptures are clear and have been correctly applied. If today we find some new insights into Paul’s theology, we have cause for rejoicing; but it is sheer arrogance to presume automatically that our “unsophisticated” forefathers could not have understood Paul without them. Even less should a new interpretation of one particular passage (such as Romans seven) be allowed to overturn the rich and thorough reading of the Scriptures contained in the first six articles of the Formula.¹⁹ For the Formula merely reflects and summarizes the broad biblical basis that we find in the entire Book of Concord for Luther’s incomparable teaching.

¹⁹ The reader is advised to pursue a further investigation of *simul justus et peccator* in the Formula, focussing on the following key passages from the Solid Declaration: II:17-18, 63-69, 85; III:22-23, 32; IV:19; VI:7-8, 12-14, 18-24.

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