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Preaching Good News in a Moralistic Age

Reflections on C.F.W. Walther's *Proper Distinction between Law and Gospel*

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Introduction

Are there times in history when moralistic preaching comes in a tidal wave or does the rather constant tide of legalism only seem to be even worse at some times than others? At any rate, our age does seem to be given to moralism in politics and preaching. Whether more liberal, “social gospel” or more conservative “fundamentalist,” we hear from podium, pulpit and television far more about human initiative, hard work and positive thinking than we do about *sola gratia* or *sola fide*. In a recent book describing how the “New Economy” wears away at a sense of personal character, Richard Sennett tells the story of a group of computer programmers who have been laid off from IBM and the stages they go through in trying to make sense of their losing their jobs, which the corporation had led them to believe would last them their working lives if they did their jobs well.¹

Justification by Grace through Faith

The point of properly distinguishing law and Gospel is so that the preacher can speak the Gospel clearly in the context of the hearers. For Lutheran theology it is crucial to this process that the preacher have the doctrine of justification clearly in view. Article IV of the Augsburg Confession says:

It is also taught among us that we cannot obtain forgiveness of sin and righteousness before God by our own merits, works, or satisfactions, but that we receive forgiveness of sin and become righteous before God by grace, for Christ's sake, through faith, when we believe that Christ suffered for us and that for his sake our sin is forgiven and righteousness and eternal life are given to us.²

Note that the Augsburg Confession is not talking about faith in a nebulous, ambiguous way. We are not saved by faith in faith. Faith is

not a general willingness to trust, but is a specific attachment to Jesus of Nazareth. Grace is not some sort of abstract niceness or good feeling, but is the core of God's being revealed in Jesus' particular arrest, trial, conviction and execution. Justification by grace through faith is not an abstract principle; it is what happens to real people when the Word of God's action in Jesus is heard.³

It is important that we keep the order and the grammar intact in order to communicate the meaning correctly. We are justified *by* grace. It is the grace of God which justifies us and nothing else. God's grace is revealed in the resurrection of the crucified Jesus and in the rescue of Israel from slavery in Egypt. We are justified by God's grace in Christ alone (*sola gratia*), not by any action, thought, attitude, or whatever that we are naturally capable of producing.

We are justified *through* faith. Note well that it is not really correct to say that we are justified *by* faith – though sometimes we use the phrase “justification by faith” as shorthand for the whole statement. It is God's grace and God's grace alone which justifies us. Faith is the instrument through which grace is communicated to us and becomes active in the life of the disciple community. It is not faith *per se* which justifies us, but faith in Christ is the means through which God justifies us by grace. Faith is received through the action of the Holy Spirit working in, with, and under the Word preached and the sacraments celebrated in community. That is why Word and Sacrament are called “means of grace”: the Holy Spirit uses these means to communicate faith which is the instrument through which we are received in grace.

This is an important point because it is clear that God's grace always remains God's while the word “faith” has some ambiguity because of ways that it is used. It is possible to say “my faith,” in which case I would become the cause of my own justification – which is precisely justification by works. When we put faith before grace, we make faith a precondition for grace. This turns faith into a work which we produce, a work which merits salvation. What is crucial in preaching is always to present salvation as God's work and never to present it as if we can somehow accomplish or participate in accomplishing our own salvation. Let God be God! The means for preaching this Good News unadulterated by “salvation through hard work and positive thinking” is the proper distinction of Law and Gospel.

C. F. W. Walther's *Proper Distinction between Law and Gospel*

One of the most significant theological contributions from North American Lutheranism in the latter nineteenth century is Dr. C. F. W. Walther's theses and lectures on *The Proper Distinction between Law and Gospel*.⁴ Faced with the influence of Pietism from Germany and the American form of Revivalism, Walther was called upon to present a Lutheran understanding of preaching for young theologians under his care. In twenty-five theses and their explanations Walther sets forth about the most complete understanding ever presented of how the core of Lutheran theology and preaching involves properly distinguishing Law and Gospel. In the process he delivered a theological masterpiece. Every preacher should read the original, but because some of Walther's language has become archaic and some of his points might be misunderstood in the context of contemporary culture, I have decided for this essay to present the proper distinction of Law and Gospel by commenting on selections from *Law and Gospel*.

In presenting his lectures on distinguishing Law and Gospel to students at Concordia Seminary, Walther said to them:

I wish to talk the Christian doctrine into your very hearts, enabling you in your future calling to come forward as living witnesses with a demonstration of the Spirit and of power. I do not want you to stand in your pulpits like lifeless statues, but to speak with confidence and with cheerful courage offer help where help is needed.⁵

Walther stated that his purpose was not only to give a complete treatment of the theology of distinguishing Law and Gospel, but to show his students how much damage to people could be done by confounding Law and Gospel. That is the purpose and hope of this article as well – that its readers may better learn to distinguish Law and Gospel so as to preach the truth of God's grace in Christ with cheerful confidence.

A Commentary on Walther's Theses

In the commentary that follows I will not be commenting on every thesis, but on those that seem to me to be most important for contemporary preachers. In this commentary I will give my own views on the subjects presented – views which often but not always agree with Walther's own explanations. In addition, since contemporary theology has come to a greater appreciation of the

community of disciples, some of this commentary will move beyond Walther's more individual perspective toward a more communal perspective.

Distinguishing Law and Gospel as a Hermeneutic

Three of Walther's theses state:

The doctrinal contents of the entire Holy Scriptures, both of the Old and the New Testaments, are made up of two doctrines differing fundamentally from each other, viz., the Law and the Gospel.

The true knowledge of the distinction between the Law and the Gospel is not only a glorious light, affording the correct understanding of the entire Holy Scriptures, but without this knowledge Scripture is and remains a sealed book.

In the fourth place, the Word of God is not rightly divided when the Law is preached to those who are already in terror on account of their sins, or the Gospel to those who live securely in their sins.⁶

This is simply the fundamental Lutheran hermeneutical claim, that the centre of Scripture is the doctrine of justification by grace alone though faith alone, and that, in support of this doctrine, all Scripture is understood as Law or Gospel. Lutherans claim that the only way to understand the central message of the Scriptures is to be able to distinguish Law and Gospel properly. That means that at the centre of Lutheran hermeneutics is the claim that the whole of Scripture, no matter when it was written, by whom, or with what original intent, when being applied to our current situation must be read through the prism of properly distinguishing Law and Gospel so that the central message of God's gracious justification of the ungodly can be clearly communicated. The Bible is not first of all a collection of rules for living so that we can become more moral, nor is it fundamentally a source book from which we can determine the religion of Israel or the history of the early Christians. The Bible is first of all a multi-layered, multi-faceted witness to Law and Gospel so that the Gospel can be heard.

When we claim that the Bible can only be correctly understood and applied when interpreters properly distinguish Law and Gospel, there are certain things that we are not claiming – in fact would not want to claim. This is not a claim that Old Testament and New Testament are different or should be separated, and it is certainly not a claim that the Hebrew Scriptures are somehow “legalistic” and less

necessary for Christians than the New Testament. It is not a claim that God's covenant with Israel is somehow different from God's covenant with Christians or that history is divided into different dispensations. It is not a claim that Judaism is "legalistic" while Christianity is "evangelical." It is not a claim that the Gospel is more "divine" than the Law. It is not a claim that the Gospel is more necessary than the Law. It is not a claim that the goal of the Gospel is different from the goal of the Law. It is not a claim that the Gospel contradicts the Law. It is not a claim that only the Gospel is for Christians.

What we are claiming is that Law and Gospel, which both appear throughout the whole Bible, are distinct from one another, and we are claiming that this distinctiveness is crucial to understanding the Scriptures and communicating the saving message of God's grace in Christ. According to Walther, there are at least six ways in which this distinctiveness can be seen: (1) How Law and Gospel are revealed, (2) the contents of each, (3) what each promises, (4) what threats there are, (5) the function and effect, and (6) the application of Law and Gospel.

The Law is revealed in a variety of ways. One can determine certain outlines of the Law in nature and in human history and culture though the use of normal rational processes. Most people have a conscience, which indicates that we might even have some sort of innate knowledge of the Law. Within some theological and philosophical traditions this is called "natural law." The Law is also revealed in Scripture. It takes specific forms through the revelation of God's commandments to Israel at Mt. Sinai and through some of the writings of the prophets. Jesus gives "new commands" to his disciples. The books of *Proverbs* in the Old Testament and *James* in the New Testament contain wise rules for living. Beyond Scripture the Law is revealed in our own actions. Societies pass laws and enforce cultural values in a variety of ways. Proverbs shape folk wisdom. Corporations reward desirable behaviour and punish undesirable behaviour in employees. Schools give grades. In all of these ways the Law is revealed and communicated to us. Preaching the Law will almost always find a ready audience because the Law sounds to people like common sense.

On the other hand the Gospel is only revealed in the liberation of Israel from slavery in Egypt and in the birth, life, death and resurrection of Jesus of Nazareth. Lutherans believe that the

Scriptures were written primarily to preserve the Gospel promise of these events. We also believe that these two events are unique in their witness to the Gospel promise. There seems to be no society in any time or any place that lived by radically trusting God's radical grace. Even the Christian church has a very, very mixed record when it comes to trusting in God's grace. In most cases most communities seem to revert to Law in everyday life and in crisis. The Gospel remains a paradox. There is no ready market for it. Preaching the Gospel will sound strange, unheard of, even crazy and the audience may even rebel against it.

Law and Gospel are also to be distinguished in content. Here Walther's own words express the distinction quite clearly:

The Law tells us what to do. No such instruction is contained in the Gospel. On the contrary, the Gospel reveals to us only what God is doing. The Law is speaking concerning our works; the Gospel, concerning the great works of God. In the Law we hear the tenfold summons, "Thou shalt." Beyond that the Law has nothing to say to us. The Gospel, on the other hand, makes no demands whatever.⁷

The Gospel makes *no* demands. It does not even demand that it be believed, but rather through the communication of the Gospel in Word and Sacrament the Holy Spirit kindly and graciously draws people into faith, which is new life in Christ. It is in that life in Christ that belief in the Gospel becomes possible. The most important point is that the subjects of Law and Gospel are different. The Law is about me, what I must do, what rewards I will receive, what punishments I deserve. The Gospel is always and only about God and what God is doing in Christ by the Spirit. The content of the Gospel is what God is doing to make possible resurrected life in Christ by the Spirit as a people who hears the Gospel of God's free grace.

While it might seem enough to say that the Law commands and the Gospel promises, the actual situation is more subtle than that. Both Law and Gospel promise, but the Law's promises always have conditions attached. In fact the fundamental condition that the Law lays down is total and complete obedience in every particular. The Law promises salvation – on the condition that we follow and fulfill all the rules. The Law says to us, "If you ..., then God" The Gospel's promises are always completely unconditional. The Gospel is the promise of pure grace. The Gospel says, "Because of what God has done in Christ, therefore your destiny is good."⁸

Connected to this distinction is Walther's fourth difference. The Gospel does not threaten, the Law does. Just as the Law promises rewards if the conditions are fulfilled, it threatens punishments if the conditions are not fulfilled. Every conditional promise is a veiled threat: "If you fulfill the condition, then God (or the company or whatever) will reward you" always contains within it the (perhaps) unspoken, "And if you don't" That is why Luther and other Lutheran theologians often say that the Law is nothing but threats. It is not that the Law does not promise conditional rewards, but that even these conditional promises are silent threats of punishment. These threats can then be turned on the person who fails: "It's all your own fault, you evil thing you!"

This leads us to see a further distinction between Law and Gospel, a distinction of effect and function. In its theological use⁹ the Law has a threefold function. It tells us what to do, it shows how far short we fall from doing that (it reveals our sin), and it produces sorrow, fear and even despair. Beyond these three, the Law has no function and no effect whatsoever. The Gospel gives faith when it is preached, exchanges sorrow, fear and despair for the peace and joy of the Holy Spirit, and it changes our hearts. The Gospel "demands nothing, but it gives all."¹⁰

Understanding the first five points of distinction, we should be able to see why there is a distinction of application between Law and Gospel. This is, in fact, the difference to which all the previous five have been leading us. Think what might happen if the Law were preached to a person already in despair. The Law – even a watered-down, moralistic version of the Law – could only drive such a person deeper into despair. Those who fear that their breaches of the Law will condemn them need to hear the comfort of the Gospel promise and that promise alone. In times of fear and despair the Law must be silent. On the other hand, think of a middle class congregation secure in their exclusion of the poor. Such a people need to hear a few words of Law from the prophet Amos or from the apostle James. Sorrow – worked by the Holy Spirit through the Word of Law – at the fact that the community has excluded those whom God is saving helps them to hear the Gospel that the Spirit uses to convert them to God's reign. To silence the Law at such a time would condemn this congregation to self-righteousness and rejection of God's salvation. To mix Law and Gospel – for example to say, "Well, yes, we sin, but everybody

sins, don't they, so God isn't really all that upset with us" or to say, "We really ought to be good because God is good and wants us to be good" – only confuses the issue and, in the end, denies the possibility of grace.

This is one of the most difficult points for contemporary preachers. We rightly react against "hell fire and brimstone" preaching – any preaching which is all or primarily Law and little or no Gospel, preaching which threatens punishments and promises rewards. Nonetheless, we must still preach the Law. We must apply the Law to the sins of the present. We must preach the Law as we understand its point from our study of Scripture and contemporary culture. We must let the Law be the Law and not try to soften its message with a little "I'm OK, you're OK" pop psychology. Why must we preach the Law? If we silence the Law we also silence the Gospel. If we mix Law and Gospel we silence the Gospel. The point is to preach the Good News of pure, unadulterated grace. We accomplish that goal when we let the Law be the Law so that the Gospel can be the Gospel.

Preaching the Law may not be what one thinks it is. Under the influence of Revivalism and Fundamentalism in Anglophone North America, we have come to think of sin primarily as individual misbehaviour, which is more or less the view of late Medieval theology against which Luther objected. In this view preaching the Law would be pointing out these individual violations of various codes of behaviour. But that is not the true definition of sin, nor is it a true preaching of the Law. In fact, to condemn individual "sins" which the community already sees as "wrong" may only reinforce people in self-righteousness. Sin is the condition of alienation from the ground of our being which, somehow, gets built into human cultures and from which we – insofar as we are human and part of a culture – cannot free ourselves. Preaching the Law means preaching so as to enable people to see this situation clearly – giving examples from the life of the community which reveal our state of alienation. The fact that a congregation of Christians could exclude anyone, especially the poor, is not an example of sin because it is misbehaviour,¹¹ but because it reveals to us the depth of alienation from God and each other that exists even in the hearts of those who have heard the Good News. Even we, who have heard and proclaimed that Christ came to save all cannot quite accept how

radical that “all” really is. That is what it means to be a slave to sin. Preaching the Law reveals to the disciple community the depth of even its own slavery to sin.

Even when the Law must be preached, the Gospel must also be heard. The call to repent is a call to “turn around,” to be reoriented. But turn around to what? The Law only requires us to work harder at moving in the same direction. If the Gospel is not preached, those who hear the call to repent will turn around to ... nothing. The Law which points out our alienation cannot reconcile us. The Law which causes the sorrow over sin cannot heal the hurt which it causes. Only the Gospel converts, only the Gospel reconciles, only the Gospel heals. The Gospel must be present at all times, and the Gospel must be present in its purity and not mixed with Law.

Distinguishing Law and Gospel as a Theological Skill

Walther’s third thesis states:

Rightly distinguishing Law and Gospel is the most difficult and the highest art of Christians in general and of theologians in particular. It is taught only by the Holy Spirit in the school of experience.¹²

We must never think that we have the art of distinguishing Law and Gospel properly down pat. At just that moment we inevitably confuse Law and Gospel to the detriment of whoever happens to be listening to us at the time. This is not to say that one cannot easily comprehend the “Doctrine of the Proper Distinction of Law and Gospel.” That is a fairly simple task that anyone with a moderate amount of intelligence can undertake. What is so difficult is the art or skill of distinguishing properly. That is what can only be taught “by the Holy Spirit in the school of experience.”

We see the difficulty of properly distinguishing Law and Gospel as Christians at precisely the point where our conscience condemns us, when we are faced with overwhelming feelings of guilt or shame. As Walther says, “When our heart does not condemn us, it is easy to distinguish Law and Gospel.”¹³ When all is well, distinguishing Law and Gospel seems an intellectual exercise, a simple matter. When we are wracked with guilt and shame things look quite different. At those points we cry out for God’s mercy but we cannot find it. Even if we look to Scripture for comfort, we somehow seem always to find only the Law, only the words that confirm that we are indeed guilty, shameful sinners, ineffective disciples, weak followers. We have lost

the art of applying Law and Gospel to ourselves and need the Holy Spirit to groan for us,¹⁴ to articulate the Word of the Gospel that we cannot find for ourselves. When the Spirit speaks the Gospel for us – in whatever way that might be, though usually through the words of friends – we begin to hear.

That is what Luther is talking about when he says that theologians are made through study, prayer, and suffering and that is Walther means when he says that the art of distinguishing Law and Gospel is taught by the Spirit in the school of experience. Neither of them are saying that serious study is not necessary; far from it! We must study the material carefully and master it intellectually. Good preaching cannot happen on the basis of shoddy exegesis or haphazard theological reflection. Nothing can replace careful and disciplined study, but that in itself is not enough. When we experience how difficult it is to hear the Gospel in our own *Anfechtungen* we begin to learn how important the art of distinguishing Law and Gospel properly is.

The preacher carries this experience of being a person in need of God's grace into the task of being a theologian. As theologian, the art of properly distinguishing Law and Gospel involves at least two parallel skills. The theological artist must be a skilled interpreter of Scripture and must be a skilled interpreter of people. The Holy Spirit enhances both of these skills in the "school of experience."

Skillful interpretation of Scripture is obviously an intellectual and scholarly exercise, but is also more. The preacher must have some knowledge of original languages, must have some facility as a historian, must have a certain level of literary skill. The preacher must be familiar with the work of other scholars who have struggled with the text. For skillful interpretation of Scripture, though, just these scholarly attributes, while an irreducible minimum, are not sufficient alone. What Calvin referred to as "the inner witness of the Holy Spirit" is also necessary. As the Spirit grants us skill in the art of properly distinguishing Law and Gospel, the Spirit is teaching us how to read the Bible. The skillful interpreter of Scripture is one who has some sense of what words of Law and Gospel God is trying to speak through a passage and how that message might be communicated to a community of disciples.

The second skill, the skill of interpreting and understanding people, is of equal importance to the first. If the preacher is not intimately

familiar with the community and the persons in the community, properly distinguishing Law and Gospel will be impossible. Remember that the proper distinction moves toward preaching the Law when the Law is necessary and preaching the Gospel when the Gospel is necessary. How can one know what Word from God the community needs to hear unless one knows the community?

Again, developing the skill to interpret people is an intellectual task and more. One must have some familiarity with history, politics, psychology, sociology, anthropology and other means by which cultures, communities, and individuals can be understood. That is a minimum. Beyond that minimum one must also have continual experience with people in all aspects of their lives. One must have some sense of what people have gone through and are going through. One must hear the questions that people are actually asking. One must be with people in good times and bad, when they are facing sickness and health, as they deal with death and birth, when they are depressed and when they experience joy. Here too, the inner witness of the Holy Spirit helps the preacher to hear what God wants to say to these people in this community at this moment in their history.

Because the art of properly distinguishing Law and Gospel requires both the skill of interpreting Scripture and the skill of interpreting people, it is a difficult art. Even more, because it requires the sense of what God is trying to say to a particular people in a particular place at a particular time, the art of properly distinguishing Law and Gospel is the highest and most difficult art which can only be taught by the Holy Spirit in the school of experience.

Hard Legalism and Soft Moralism

In the major part of Walther's treatise he points out a long list of the ways in which Law and Gospel can be confused. The first of these is the most obvious. Thesis five asserts:

The first manner of confounding Law and Gospel is the one most easily recognized – and the grossest. It ... consists in this, that Christ is represented as a new Moses, or Lawgiver, and the Gospel turned into a doctrine of meritorious works¹⁵

What could be more obvious a confusion of Law and Gospel than out-and-out legalism? None of us, good evangelical preachers that we are, would ever do such a thing, would we? Of course we wouldn't ... but we do, and we do it fairly often. We may not be "hellfire and

brimstone” preachers, but we still present Christ as a lawgiver fairly often. Examine a sermon you have preached recently. Do you find phrases such as “Gospel mandate” or “Jesus commands”? What did you say the last time you preached on Matthew 25? What was your message when the text was part of the Sermon on the Mount? When I look back over old sermons, I find way more straight legalism than I would like to admit. There it is in black and white: “If you want to please God, then you must”

Beyond our own feeble efforts at distinguishing Law and Gospel, most people in our congregations will be exposed over and over again to discourse which presents the Law as the way of salvation. Unlike the sixteenth century, the Roman Catholic Church is not now the primary source of Law presented as Gospel.¹⁶ Today the problem is everywhere. Whether it is a prime minister or president on the evening news or a televangelist on the “Christian” TV network, what people hear in the mass media is pure Law: If you perform, then you succeed. It may come in the form of “work hard and get ahead” or in the form “believe and be healed,” but it is all the same message: earn your salvation through the Law. This message permeates society and is communicated almost universally through every institution. Even most of what is presented as Christianity is “a doctrine of meritorious works.” This is what the doctrine of original sin means: We and our culture are so immersed in and committed to the Law in its various forms, that we cannot by our own reason or strength remove ourselves from the legalistic framework. To preach the Gospel means to shatter the legal framework completely and utterly and to present the alternative of God’s gracious action in Christ.¹⁷

This is not a tirade against preaching the Law; it is a tirade against telling people that we are preaching the Gospel and then giving them nothing but Law as if it were Gospel. The Law must be preached, as stated above, but it must be presented as Law, not as Gospel. The Law points out our alienation from God and each other, the Gospel witnesses to what God has done in Christ to overcome alienation with reconciliation. The Law can never reconcile us to God, and if it is presented as if it could, then the Gospel is silenced.

Beyond gross legalism is “soft” legalism and moralism. This is when we mix some Gospel elements in with the Law to soften its critique or add a bit of Law to the Gospel to encourage people to try harder. Walther’s sixth thesis states:

In the second place, the Word of God is not rightly divided when the Law is not preached in its full sternness and the Gospel not in its full sweetness, when, on the contrary, Gospel elements are mixed with the Law and Law elements with the Gospel.¹⁸

Subtle legalism is still legalism. When we preach moralistic sermons, we may sound much more reasonable and moderate than those evil politicians and televangelists, but we are in fact just as legalistic. The Gospel is equally silenced. Mixing Law and Gospel leaves people only with Law, with a scheme where they become responsible for effecting their own salvation. Rather than presenting the Good News of what God has done in Christ, we present only the bad news of what we must do or not do. If I say to people that they don't have to do much to be saved, I am still telling them that the legal system is intact, though with lowered expectations, and that they must perform and achieve to be accepted. Even light conditions are still conditions which must be fulfilled. The question is not whether we are harsh or soft, the question is whether we preach what God has done or what we must do. On this there can be no compromise: moderate legalism is still legalism.¹⁹

Perhaps the most difficult set of topics to preach on without being legalistic or moralistic is those surrounding the question of Christians and social justice, especially in those situations where Christians are clearly doing what is wrong. If mixing Law and Gospel were no problem, these topics might be easier to preach. We could simply call on people to exert themselves and do their duty, or we could tell them that God will only accept them if they practice justice. But these paths are not open to preachers who wish to distinguish Law and Gospel properly. Certainly we can and should preach the requirements of justice as Law – as Walther says, we must preach the Law in its full sternness – but we cannot then say, “But, of course, none of us can live up to that, so God forgives us, and we can go on doing what we do” as if this is Gospel. The Gospel does indeed forgive our sin and the power of its unconditional promise changes us. Through the Gospel the Holy Spirit crucifies and resurrects us in Christ so that we are alive to a new way of being human, a way of being human in which we can see that justice is not only a requirement but also a gift, a gift of God's grace which we do not earn or deserve but in which we can live in Christ. The Law reminds us that the systems we have created to order human life will inevitably be unjust – we build our

original sin into the systems we create – and points out that our bondage to sin makes us helpless in the face of this dilemma. If, therefore, our preaching on social justice is only Law or confuses Law and Gospel, we leave people with no option but despair or cynicism. The Gospel is the Good News of the resurrection of the crucified Jesus which forgives us our sin – thereby freeing us from bondage to sin – and empowers the disciple community to work for justice and healing in the midst of unjust systems.

So, in preaching on, say, the parable of the sheep and goats in Matthew 25 we do not say “If we want to pass Jesus’ judgment at the end of time we had better feed the hungry” – though, as we preach the Law we might say something about how most hunger in the world arises from the sin in human systems, not from “natural causes.” Nor do we say, “We should feed the hungry because it is our duty as Christians.” We even need to go beyond the evangelist himself and say more than “Whoever feeds the hungry feeds Jesus.” What we are to say is something like: “We live in the midst of a society which makes people hungry and homeless, and we participate fully in that society. This is not what God intends for human life and it is sin. At the same time, as followers of Jesus, we have had our sin forgiven and as a result we have been given the incredible gift of being able to see our Lord revealed in the hungry and homeless. Jesus invites us to feast with him alongside the hungry and homeless in the great wedding feast of the Reign of God. We have been set free from the stereotypes that bind us into treating the hungry and homeless as objects in our way. The revelation of the Crucified One in the poor empowers us to see them as real human beings and act on that insight.” From there we can ask what such action might look like and pray that the Spirit would guide our asking.

Replacing Grace with Works

When I was serving my internship part of my duties included a campus presence at the local community college in Monterey, California. It was just at the point when the “Jesus Movement” was getting off the ground in places like Monterey that had been especially attractive to the Hippies. One morning I was sitting in the student union when one of the students ran in and said, “Bob, you’ve got to see this. Some guy is preaching in the amphitheatre.” I went out to see. The preacher was a member of a local “Jesus Freak”

commune and the gist of his sermon was: I used to do drugs, but now I've found Jesus and I don't do drugs anymore. I used to drink and smoke, but now I've found Jesus and I don't drink and smoke anymore. I used to fornicate, but now I've found Jesus and I don't fornicate anymore. I used to hate my parents, but now I've found Jesus and I don't hate my parents anymore. Etc., etc., etc.

Walther addresses the concerns raised by this sermon in four theses. These are issues that are still important today because people continue to be exposed to similar evangelists and their theology. Even the theology of "good" Evangelicals such as Billy Graham often fall short on these points. Walther's theses say:

In the eighth place, the Word of God is not rightly divided when the preacher represents contrition alongside faith as a cause of the forgiveness of sin.

In the ninth place, the Word of God is not rightly divided when one makes an appeal to believe in a manner as if a person could make himself believe or at least help towards that end, instead of preaching faith into a person's heart by laying the Gospel promises before him.

In the tenth place, the Word of God is not rightly divided when faith is required as a condition of justification and salvation, as if a person were righteous in the sight of God and saved, not only by faith, but also on account of his faith, for the sake of his faith.

In the twelfth place, the Word of God is not rightly divided when the preacher tries to make people believe that they are truly converted as soon as they have become rid of certain vices and engage in certain works of piety and virtuous practices.

In the sixteenth place, the Word of God is not rightly divided when a person's salvation is made to depend on his association with the visible orthodox Church and when salvation is denied to every person who errs in any article of faith.²⁰

Any and every one of these failures to distinguish Law and Gospel properly can be heard frequently in our time. They all share the same flaw: they replace grace with works. Thesis XII uses the example of replacing grace with the work of contrition, in which I am required to produce sorrow over my sins before I can receive God's grace. This problem was rampant in late Medieval theology²¹ and resurfaced in Pietism as early as Johann Arndt.²² While we don't often hear the word "contrition" anymore, what we do hear is the assumption that someone must have an emotional and memorable conversion experience in order to be a real Christian. The

requirement now is that one must have a “born again” experience. This is simply the old requirement for contrition as refined by preachers of the First and Second Great Awakenings and put in a new form for a psychological age. While an emotional conversion experience is not to be condemned or laughed at, it must also not be required. To require that everyone have such an experience is to confuse and mix Law and Gospel. Sorrow over the reality of sin is the work of the Law, and such sorrow can be expressed emotionally or intellectually or in a myriad of ways. But such sorrow cannot be set up as a prerequisite for forgiveness. We are forgiven by grace, proclaimed in the Gospel, and were forgiven long before we ever knew what sin is. We are justified by grace, not by some experience of conversion. Therefore the point of preaching can never be to create some prescribed emotional response in the audience, but to proclaim as clearly as possible the unconditional promise God makes in the death and resurrection of Jesus.

Thesis XIII expresses the heart of the Lutheran denial of the efficacy of free will to cooperate in our salvation. It should be no secret that Lutherans since Luther have held to a doctrine of election and have held this doctrine not in the form of Augustine or Calvin, but in the form described by Articles II and XI of the Formula of Concord. That is, Lutherans hold to two propositions, even if these propositions must exist in a paradoxical tension: (1) God wants all to be saved and offers grace in Christ through Word and Sacrament to all; (2) If we are saved, it is strictly by God’s gracious action to which our own will and actions can add nothing. Our will cannot cause or even cooperate in our salvation.

This means that faith is received as a gift, it is not earned or produced or chosen by an act of will. We are born into some human culture. We do not choose which culture or which family of origin we enter at birth. Whatever that culture or whichever that family, it is marked by the original sin of those humans who have created and maintain it. We fully participate in this family and culture and in those structures which perpetuate injustice. We cannot, no matter how hard we try, no matter how much we might wish to, remove ourselves from human culture. Yet that same culture calls upon us to save ourselves by our own choices and efforts, pushing aside others if that is necessary. Even our therapists call upon us to take responsibility for our own lives. As Lutheran Christians we continue

in the face of this cultural consensus to confess that we are slaves to sin and cannot free ourselves. Taking charge of our own lives is part of the problem, not the solution. No matter how strenuously we exert our will, the forces of family and culture always prevent us from letting God's grace save us. We cannot choose to die and rise. We can only be set free by that same grace of God which we so stoutly resist. We are saved from sin by God's gracious intervention in world history and in our personal histories.

To preach as if we are capable of choosing to have faith is to confuse Law and Gospel. In fact, to preach as if we are capable of choosing faith over unfaith is to preach almost pure Law using words that seem to be Gospel. One would be using the story of Jesus to condemn people to futility. Their latter state would really be worse than their former because now they think that they have chosen Christ, completely unaware that they have really only reinforced the human tendency to self-chosen works.

Thesis fourteen continues along the same lines, reminding us that if we preach so as to leave the impression that faith is a precondition for justification, then we also confuse Law and Gospel or substitute Law for Gospel. Remember that Gospel preaching usually comes in the form, "Because of what God has done in Christ, therefore your destiny is good." To make faith a precondition for justification is to say, "If you have faith, then God will justify you," the classic form of a Law statement. This particular Law statement may be the most pernicious of all. If by faith we mean what Luther meant by faith ...

Faith ... is a divine work in us which changes us and makes us to be born anew of God, John 1. It kills the old Adam and makes us altogether different [people], in heart and spirit and mind and powers; and it brings with it the Holy Spirit. O, it is a living, busy, active mighty thing, this faith. It is impossible for it not to be doing good works incessantly. ...

Faith is a living, daring confidence in God's grace, so sure and certain that ... believer[s] would stake [their lives] on it a thousand times.²³

... then to make faith a precondition for justification is to condemn people to a permanent exclusion from salvation. Who could ever produce such a faith? If we deal with that problem by defining faith as believing certain propositions, as most Protestants do, we then turn free grace into cheap grace by making the minimal work of

belief *the* work which merits salvation. In either case we have thoroughly confused Law and Gospel, condemning our hearers either to despair or self-righteousness.²⁴

We cannot even, according to thesis twenty, equate faith with membership in the church or with doctrinal orthodoxy. God's grace is bigger than the reach of the institutional church, and so we can neither require that someone join the organization, nor can we condemn someone simply because they do not belong. Certainly church membership is to be encouraged, as is orthodoxy, but neither is a substitute for that faith which is an instrument of God's grace. We are not saved by believing the correct doctrines nor by belonging to the correct organization. The old saying, *Extra ecclesiam nulla salis* ("outside the church there is no salvation"), is only correct when we define *ecclesia* to mean something like, "the community of all those who are being saved by grace."

When we preach about faith we need to be careful what we say. We can preach about faith in such a way that people doubt that they can ever have such a thing. That is a huge mistake. Talk of faith is meant to be the purest Gospel and the comforting promise of salvation in Christ. Remember: We are saved *by* grace *through* faith. The grace of God in Christ is the cause; faith is the instrument.

Finally in this sequence comes thesis sixteen which reminds us that being converted to God's grace does not consist in giving up certain vices: "I used to ..., but now I've found Jesus and I don't even want to ... anymore." This equates conversion to behavioural change and confuses Law and Gospel. Remember that the Law has two functions. Its theological function is to point out our alienation from God and each other. Its political or civil function is to promote good behaviour in society among those who do not accept the truth of the Gospel as well as among those who are converted. We also need to look at Luther's treatise on "Two Kinds of Righteousness" from 1519.²⁵ The first kind is "the righteousness of Christ by which he justifies through faith."²⁶ This righteousness, the righteousness of conversion, is an alien righteousness which is given to us by grace through Word and Sacrament. The second kind of righteousness is our own, not Christ's, and it is "that manner of life spent profitably in good works ... [which] consists in love to one's neighbour ..."²⁷ This second righteousness is "Civic Righteousness" and relates to the civic use of the Law. One does not need grace to be a good person.

That is, the external goodness of appropriate behaviour is available to all people in the civic use of the Law. Changing one's behaviour can be based simply on learning to respect the Law. It is an action open to everyone by nature. The Gospel is not about good behaviour. This does not mean that conversion does not result in sanctification, in a Christ-like way of life. It does mean that the conversion which the Spirit works by the Gospel in Word and Sacrament is not centred in our behaviour, but in what God has done in Christ. It also means that a sanctified life cannot really be described as avoiding certain "secular" behaviours but is a way of life which translates the Gospel into the everyday routines of ordinary life.

The point of each of these theses is the same. Whenever we direct people to their own activities, whether that be feelings, experiences, beliefs, institutions, or behaviour, we are preaching the Law or – if we think that such preaching will convert people – we are confusing Law and Gospel. We direct people to what they must do and away from what God has done and is doing. None of these approaches are Gospel and none of them will lead troubled people to the grace of God in Christ. If any of these is the primary content of our preaching, we leave people with no hope for the Reign of God.

The Gospel Is Not about Feeling Forgiven

If we cannot point people to feeling, experience, belief, or behaviour as sure signs of conversion and justification, then where can the preacher direct the person who has become uncomfortable with their current way of life because they have begun to hear the Law? Walther addresses this need in thesis nine:

In the fifth place, the Word of God is not rightly divided when sinners who have been struck down and terrified by the Law are directed, not to the Word and Sacraments, but to their own prayers and wrestlings with God in order that they may win their way into a state of grace; in other words, when they are told to keep on praying and struggling until they feel that God has received them into grace.²⁸

Where are troubled sinners to be pointed?: to the Word of God, the sacraments of Baptism and the Lord's Supper, and to the sacramental words of absolution. These are the places where the Holy Spirit is working to communicate the Gospel. The Gospel is not communicated through anything in us or in our own works, but through Word and Sacrament.

With this thesis we are at one of Lutheranism's most central implications of the Gospel. If justification is by grace and not centred in our own works, that means that the faith which is the instrument of grace cannot be produced through our own works. Any pointing to our own efforts or feelings is a pointing away from grace to works. God's grace is always something outside of us and comes to us from outside ourselves. God accomplishes this by the work of the Holy Spirit in, with, and under the Word and the sacraments. When we baptize someone – of no matter what age or mental capacity – the Holy Spirit works in, with, and under the water and the Word to give that person faith and confidence in God's unconditional grace. That person does not have to *feel* something or even understand anything, for it is the Holy Spirit, not the person's feeling or understanding, which accomplishes the person's salvation.

What happens in Baptism is the paradigm for how all of us hear the Good News. Faith and confidence in God's grace does not come because we pray or struggle or work or argue or behave or feel or believe. Faith does not come through some voice speaking to us from inside our own psyche. Faith comes because God wants us all to be saved and so sends the Holy Spirit in Word and Sacrament to communicate the Gospel to us. Faith comes like the seed of the kingdom that is planted and grows, but the farmer knows not how.²⁹

The counselor as well as the preacher needs to be aware of the common confusion of Law and Gospel which points people to their own struggles as the source of salvation. In the section of *Law and Gospel* devoted to the ninth thesis, Walther gives a moving account of his own encounters with Pietism.³⁰ When he was at a point in his life when he doubted whether he was a true Christian because he had not had an emotional conversion experience, his pietistic associates gave him a book that made his doubts even worse. Why? It is because the book pointed him to his own lack of "proper" feeling. Finally an old pastor reminded him that God's grace did not depend on his feelings but on the crucifixion and resurrection of Jesus. To focus on having the "right" emotional experience was to fall back on one's own works, on the Law.

This story from Walther's own life reminds us that in counseling people we can do as much damage by mixing Law and Gospel as we can in preaching, and one way we mix Law and Gospel is by directing people to look within their own psyche to find God's grace. If the doctrine of original sin is even partly correct, what we find

when we look within ourselves is more of what caused our doubts in the first place: the need to perform planted there by human culture and our own doubts about our ability to perform up to the world's standard. To direct people to look within themselves for freedom from sin and doubt is to doom them either to a hell of anxiety or a hell of self-righteousness. That is what mixing Law and Gospel does. The unmixed Gospel directs people to Christ as the Spirit calls them to faith in, with, and under the Word and the sacraments.

Troubled people need to hear the Gospel. They have already heard enough Law to become troubled. Perhaps their whole lives have been lived under the shadow of the need for performance. Obviously one does not in counseling say, "Just read the Bible!" – some care and subtlety are needed. Both the preacher and the counselor need to be skilled communicators and knowledgeable in the fields of psychology and rhetoric. Yet we must remember that even most schools of psychology are rooted in the Law, not in the Gospel. Where we hear the Gospel is in Word and Sacrament. Troubled people need to hear the Gospel, not the Law disguised as "chicken soup for the soul."

Only the Gospel Motivates Discipleship

The Gospel is the unconditional promise of our future in the crucifixion and resurrection of Christ. The intent of preaching the Gospel is to call people to discipleship, to call people to leave all and follow this same Jesus who was crucified and now lives as Lord. So often talk of discipleship seems to lead to a code of rules and regulations. Is this how we learn to follow Jesus, by learning the rules? Not according to Luther and not according to Walther's twenty-third thesis:

In the nineteenth place, the Word of God is not rightly divided when an attempt is made by means of the demands or the threats or the promises of the Law to induce the unregenerate to put away their sins and engage in good works and thus become godly; on the other hand, when an endeavor is made, by means of the commands of the Law rather than by the admonitions of the Gospel, to urge the regenerate to do good.

What the first part of this thesis warns us away from is perhaps more common than we might think. I remember watching a well-known televangelist who was preaching a series on the basics of

Americanism. The series title in itself should be a clue that confusion of Law and Gospel was rampant. The particular sermon I heard was on the evils of pornography. The preacher pointed out all of the social and individual problems associated with pornography, assuming that this lesson in the Law would produce godliness. That this was the preacher's assumption is born out by the fact that this sermon was immediately followed by an altar call asking all those who had decided to dedicate their lives to Christ as a result of the sermon to come forward. The preacher expected the Law to make people godly, a confusion of Law and Gospel.

Before we get too puffed up about how much better we are than this televangelist, we should ask ourselves how often we have done the same thing, though perhaps from a more "mainline" perspective. And if we have not appealed to the unregenerate with the Law, how often have we tried to motivate Christian people to answer the call to discipleship with the Law? Let's say that the topic is, for example, stewardship. What is our appeal? Do we threaten people with some disaster if they do not give generously? That is the Law. Do we promise people blessings if they do give generously? That is the Law. Do we call people to fulfill their Christian duty by giving generously? That is the Law. The Law cannot motivate Christian stewardship; it can only motivate civic righteousness.

This is something we too often forget when we are trying to motivate people to live a Christian life, to live as disciples of Jesus. We preach the rules for Christian living: Good Christians do this; good Christians don't do that. Such rules are interesting, and they may well describe a way of life that would be more healthy and ethical than our current way of life, but such rules can never motivate a sanctified life of discipleship. At best they motivate civic righteousness, but that is not yet discipleship. The life of discipleship arises from having heard the Gospel and having been gifted with faith and life in Christ. The Law simply is powerless to confer such gifts. Only the Gospel can motivate Christian living, the life of discipleship in faith.

Luther uses the metaphor of a fruit tree. If you want fruit from the tree you do not threaten it or promise to reward it or call on it to do its duty. All of that is utterly irrelevant to the tree. The tree is going to do its best to bear fruit, all it needs is fertilizer, water, and cultivation. In the same way, the Law does not motivate Christians to discipleship. What motivates people to discipleship is the Gospel. If

we want congregations to live the Christian life we do not preach the Law to them, we preach more and more Gospel. It is hearing again and again of the Gospel promise that motivates Christians to answer the call to discipleship. The Holy Spirit is always working discipleship in, with, and under the Gospel communicated by Word and Sacrament. It is the Spirit who calls people to discipleship and who answers in our stead.

The Primacy of the Gospel

Walther concludes his theses with the reminder that the primary purpose of the church is to preach and celebrate the Gospel:

In the twenty-first place, the Word of God is not rightly divided when the person teaching it does not allow the Gospel to have a general predominance in his [or her] teaching.

When we properly distinguish Law and Gospel we will preach the Law, as was discussed above. When we properly distinguish Law and Gospel, the Law will be secondary and the Gospel will be primary. When I look back at my own sermons I find far too many in which I have not properly distinguished Law and Gospel in that, if for no other reason, the preaching of the Law is longer and more arresting than the preaching of the Gospel. For some reason – original sin? – it seems so much easier to find contemporary and imaginative ways to express our alienation from God than to find similarly engaging ways to express the Gospel. When that overtakes us we mix Law and Gospel.

This is not to say that the congregation hearing the sermon will necessarily recognize the problem. For instance, many believe that “preaching the Law” means condemning certain personal, individual sins and believe that the Law has been under-emphasized if they do not hear such content. People want the preacher both to scold the congregation, if ever so slightly, and condemn the perceived sins of others. The preacher/theologian should not be fooled by such desires. Nor should we conclude that there is some magical homiletical method whose use will protect us from over-emphasis on the Law. No matter what method we use, the Law is always easier to preach than the Gospel, and we will always be tempted to put our emphasis on the Law rather than the Gospel. As Walther says, “[Y]our hearers will be spiritually starved to death if you do not allow the Gospel to predominate in your preaching. They will be spiritually underfed because the bread of life is not the Law, but the Gospel.”³¹

Conclusion

When we are called to preach, we are first, last, and always called to preach the Gospel. That is the preacher's proper work. Sometimes in order to communicate the Gospel we must engage in the alien work of preaching the Law, but our proper and primary work remains even then preaching the Gospel. That is the whole point of properly distinguishing Law and Gospel, so that we can communicate the Gospel clearly and unequivocally. The proper distinction of Law and Gospel is not some theological sideshow or an antiquarian curiosity, it is the very life blood of evangelical preaching.

In reading back over this essay, I see that in much of it I have been preaching the Law: If you confuse Law and Gospel, then you will prevent people from hearing the Gospel. That is most definitely a Law statement, and it is a Law statement that we need to take seriously. Our call is to preach the Gospel clearly without confusion, but our sin, our incorrigible works-righteousness, stands in our way. The Gospel that we want to preach, we do not; the confused mishmash that we do not want to preach, we do. Can there be any good news for us sorry excuses for apostles? Thanks be to God, yes! The Gospel remains the Gospel of Jesus Christ, and he will not allow it to be silenced. By the grace of God we *are* called to preach and God's Word will be heard, whether in spite of us or because of us. God's grace can transform even preachers. The Gospel is this: Because the crucified Jesus lives as Lord, therefore the Holy Spirit can use even us to preach the Word.

Notes

- ¹ Richard Sennett, *The Corrosion of Character: The Personal Consequences of Work in the New Capitalism* (New York: W. W. Norton and Company, 1998).
- ² Theodore G. Tappert, trans. & ed., *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Philadelphia: Fortress Press, 1959), p. 30.
- ³ Cf. Gerhard Forde, "Atonement as Actual Event," in Carl Braaten and Robert Jenson, eds. *Christian Dogmatics*, II (Philadelphia: Fortress Press, 1984), pp. 79-99.
- ⁴ C. F. W. Walther, *The Proper Distinction Between Law and Gospel: Thirty-Nine Evening Lectures* (Trans. from the German edition of 1897 by W. H. T. Dau; St. Louis: Concordia Publishing House, 1928).

- 5 Ibid., p. 5.
- 6 Ibid., pp. 1-2, theses one, four, and six.
- 7 Ibid., 9.
- 8 On this point, see Eric W. Gritsch and Robert W. Jenson, *Lutheranism: The Theological Movement and its Confessional Writings* (Philadelphia: Fortress Press, 1976), p. 42.
- 9 The Law also has a “civil” use, which is not under consideration here.
- 10 Walther, p. 16.
- 11 The point here is not to encourage misbehaviour, but to say that, while much misbehaviour can be corrected quite easily through our own efforts, real sin cannot be. Sin is much more serious than misbehaviour.
- 12 Ibid., p. 42.
- 13 Ibid., p. 45.
- 14 Romans 8:22-27. See Luther’s comment on these verses at *Luther’s Works* 25, pp. 364ff.
- 15 Ibid., p. 1.
- 16 Cf. the *Joint Declaration on Justification*.
- 17 On this point, see Gerhard Forde, *Justification – A Matter of Death and Life* (Philadelphia: Fortress Press, 1982).
- 18 Ibid.
- 19 On this point, see again Gritsch and Jenson, p. 42.
- 20 Walther, pp. 2-4.
- 21 See Heiko Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Cambridge, Mass.: Harvard University Press, 1963).
- 22 See Robert A. Kelly, “True Repentance and Sorrow: Johann Arndt’s Doctrine of Justification,” *Consensus* 16:2 (Fall, 1990), pp. 47-69.
- 23 From Luther’s Preface to Romans, LW 35, p. 370.
- 24 On this point, see Gritsch and Jenson, p. 37.
- 25 LW 31, pp. 297-306.
- 26 LW 31, p. 297.
- 27 LW 31, p. 299.
- 28 Walther, p. 2.
- 29 Mark 4:26-29.
- 30 Walther, pp. 140-150.
- 31 Ibid., pp. 406-407.