

# **Luther and the Law in the Lutheran Church of Uganda**

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*To my family*

## Abstract

This study with the title 'Luther and the Law in the Lutheran Church of Uganda' investigates how the Law is understood and interpreted by Lutherans in the Church of Uganda. It studies the Lutheran understanding of the Law from the Reformer, Martin Luther, to the current Lutheran Church. The study also presents the findings from the Ugandan Lutherans. The research question is to find out whether the Lutheran Church of Uganda understands and interprets the Law in the same way as Luther and other Lutherans across the globe. The motivation for doing this research is the contextualisation of the Gospel, that is, to find out whether the social and cultural context of the Lutherans in Uganda affects their understanding and interpretation of the Law.

Luther understands and interprets the Law according to his social context of the sixteenth century. His background is much different and so much removed from the African context the Lutherans in Uganda find themselves in today. Even in Luther we find some conflicts with Paul because of different social contexts. Therefore, can the Lutheran Church of Uganda have the same understanding of the Law as Luther? Are there aspects in the Law's interpretation that are peculiar to the social context of the people of Uganda?

This study keeps in mind the social and cultural context of the people involved in the understanding and interpretation of the Law. This study investigates whether the Lutheran Church of Uganda has its own distinct understanding and interpretation of the Law given its distinct social location and cultural background. This is important because people understand a concept better when it is applied to an environment that is familiar to them. For example, when Paul preaches to the gentiles he strips his gospel of Jewish practices of circumcision and food laws. This, however, did not stand well with his fellow Jews (cf. Gl 2). Jews thought that only those within Jewish ethnicity should be counted among the people of God. This study is interested in finding out whether the cultural context of Lutherans in Uganda influences their understanding and interpretation of the Law.

To achieve this goal, this study presents the Western Lutheran understanding of the Law (Chapter 2), the Law as it is understood by Lutherans in Uganda (Chapter 3), and then compares (Chapter 4) and contrasts (Chapter 5) the two understandings.

Chapter 6 summarises the research and harmonises the discrepancies encountered in the study.

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## DEFINITION OF TERMS

For the purpose of clarity the following terms were defined.

### **Apology of the**

### **Augsburg**

### **Confession:**

A statement of faith prepared by Lutherans in defence of Lutheranism and presented to Emperor Charles V at the Diet of Augsburg stating what they believed, taught, and confessed. This document forms part of Lutheran Confessions.

### **Congregant:**

A common laity/Christian in the congregation.

### **Congregation:**

The term congregation is used to refer to an individual assembly of Christians in a given location.

### **Church:**

The church refers to the Lutheran body of believers worldwide who subscribe to the Lutheran Confessions (Book of Concord). In Chapter 3, the term refers specifically to the Ugandan Lutheran body.

### **Formula of**

### **Concord:**

A document of statements of faith with in the Lutheran confessions written after the death of Martin Luther to harmonise Lutheran doctrine within a church that was plagued with many theological controversies.

### **Gospel:**

The good news of the forgiving grace of God he has given to human race through his son Jesus Christ. The good news that Christ's righteousness is given to everyone who believes and trusts in him.

### **Law:**

The Law or commandments as described in the Holy Scriptures.

### **law:**

Other laws put up by individual congregations which govern the day-to-day running of a specific congregation.

### **Man:**

This term is used in its generic form to mean humanity and not to identify any specific gender. It is used interchangeably with humanity and human in this study.

### **Respondent:**

A person who took part in the interview. Also the subject.



# Chapter 1

## Introduction

### 1.1 Status of the question

Considering the big volumes of the work done on Paul and the Law one wonders if there is anything else left to write about. Many reputable scholars have written about Paul and the Law and it seems like there is nothing new young researchers can contribute to this complex subject. However, I find it interesting because the more scholars have written about it the more exciting the subject of the Law becomes. The Law is so important because everyone is governed by it to some extent whether in the civil or religious realms. It is believed at least among most Christians that the Law did not just come out of the blue nor is it a human invention. Most Christians believe that it is the Law of God. God wrote it with his own finger on the two tablets of stone (Ex 31:18; Dt 9:10) and he gave it to his chosen nation as a seal to the covenant he made with his people Israel. Israel was to abide by all the requirements of the Law. They were not to turn away from the Law either to the left or to the right (Dt 28:14). Obedience of the Law would bring blessings but disobedience would result into curses (Dt 28:15). With the introduction of the Law the Lord established his covenant with the people Israel. He is God, the only God of Israel and they are his people who must obey all that he commands in the Law. The relationship between God and Israel depends on Israel's obedience to the Law. If they would obey his Law Israel would remain his people and enjoy the benefits described in the covenant. However, their disobedience of the Lord's commands and their failure to conduct themselves according to the requirements of the Law would lead to their fall from the Lord's favour and would forfeit the benefits of the covenant. The Law would maintain the relationship between God and the obedient, but it would also punish the disobedient by inflicting them with curses. Israel was to obey the Law otherwise their relationship with God would turn sour. God's intention for giving the Law was that it would keep and maintain his relationship with Israel.

What then becomes of the Law with the coming of Christ? Has the Law become useless? There seems to be different views on what becomes of the Law after the coming of Christ. The problem is that St. Paul on whom scholars rely to understand and interpret the Law seems to present different views. He speaks of the Law as

having come to an end with the coming of Christ on the one hand while suggesting that the Law is still to be upheld on the other hand. For example Paul writes: 'Do we nullify the Law by this faith? Not at all! Rather, we uphold the Law' (Rm 3:31; NIV). Yet he later says, 'Christ is the end of the Law so that there may be righteousness for everyone who believes' (Rm 10:4; NIV). These two statements seem to stand in antithesis with each other when taken at face value, however, the context of each text needs to be taken into consideration in order to arrive at the meaning of each statement. This study aims at establishing the understanding and the interpretation of the Law in the Lutheran Church of Uganda with emphasis on the role the cultural background plays in such an interpretation.

## **1.2 Recent research**

The question in recent scholarship has been whether the Law is still important in the life of believers. Do we still teach and apply the Law to believers in Christ? Or has faith in Christ nullified the preaching of the Law? Lutheran scholars are among those who hold different views on the Law with one group suggesting that the Law has come to an end with faith in Christ whereas others continue to hold a positive role of the Law among believers. The Lutheran Church has always taught the so-called 'third use' of the Law. This is in addition to the other two uses Martin Luther attributes to the Law. Put simply, therefore, the Law has three uses in the Lutheran Church: it is 1) a curb, 2) a mirror, and 3) a guide (third use). Werner Elert and Gerhard Forde are some of the Lutheran scholars who have rejected the 'third use' of the Law.

Forde (1969:232) argues that believers in Christ do not need the Law to teach them to do good works or how to live in the new obedience. Believers have been liberated from the Law by Christ and now live in the life of the Spirit. The Spirit enables them to live God-pleasing lives without any compulsion of the Law. Believers now carry out the will of God by the prompting and impulse of the Holy Spirit. The problem of the third use of the Law is that it demands something that the believer has already fulfilled (Forde 1969:232). Elert (1967:11) on the other hand insists that Luther did not teach the 'third use' and also that the Law always accuses. For Elert the accusing function of the Law never ceases.

Despite the opposition regarding the 'third use' Lutherans teach that believers need to hear the Law. Although believers are motivated by the Spirit of God and do his will

out of a free Spirit, they are nevertheless without the Law. For the Holy Spirit uses the Law to teach believers to serve God 'according to his written Law and Word, which is a certain rule and guiding principle for directing the godly life and behaviour according to the eternal and unchanging will of God' (Kolb & Wengert 2000:587). Believers have been freed and liberated from the curse of the Law, however, they practice the Law of God and meditate on it day and night (Ps 1:2; 119:35, 47). The Law no longer burdens believers with its curse and coercion because they now delight in it according to their inward persons (Kolb & Wengert 2000:588). Believers are no longer enemies, but friends of the Law (Engelbrecht 2011:89). However, the preaching of the Law among believers must be different from the way it is preached to non-believers<sup>1</sup>. This is why it is important for Lutherans to have a proper distinction of Law and Gospel. A preacher, teacher or theologian needs to know when is the right time to preach the Law or the Gospel<sup>2</sup>, otherwise the word of God is totally misunderstood if Law and Gospel are not properly distinguished.

The third use of the Law needs to be preached in our churches because it applies to Christians. Firstly, the Law is God's immutable will (Kolb & Wengert 2000:503). What is described in the Law is nothing else but God's will for his people. The Law prescribes the kind of life Christians are expected to live. It guides the moral life of believers although it does not motivate one to live a holy life (Eyer 2000:65; Saarinen 2006:74-75). The moral life of Christians is important because it is the church's external mark. This is why Luther retains the Ten Commandments in the Catechisms (Saarinen 2006:75). Saarinen also believes that the Law is relevant for the believers in their relationship with God although it does not justify. This importance of the Law has to do with the Christian love, a reflection of Jesus' Sermon on the Mount (Mt 5-7; Saarinen 2006:75-76). Ebeling (1985:249) in support of the third use argues that

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<sup>1</sup> In his thesis xxiii, Walther writes, 'You are not rightly distinguishing Law and Gospel in the word of God if you use the demands, threats, or promises of the Law to try and force the unregenerate to put away their sins and engage in good works and thus become godly; and then, on the other hand, if you use the commands of the Law –rather than the admonitions of the Gospel –to urge the regenerate to do good' (Walther 2010:429). Walther explains that the Law should not be preached to Christians in order for them to do what is good and pleasing to God; for the 'Law does not produce a change of heart, love of God, and love of one's fellow human being.' The Law only acts in informing the believer of what is pleasing to God, the function it had before the fall (Walther 2010:430, 433).

<sup>2</sup> Walther (2010:101) addresses the right sequence in preaching Law and Gospel. The right sequence would be to preach the Law before the Gospel, so that those who have been convicted of their sins and are troubled in their hearts might be consoled by the good news of the Christ, that he forgives their sins for faith.

faith is part of Christian living. Faith has consequences which must be evident among those who believe. Faith shows itself through love towards the neighbour and so fulfils the Law of Christ (Gl 6:2).

Secondly, Christians are not perfectly renewed in this life. They still live in a sinful world and sin still clings to them as Wengert says:

‘Believers are at the same time saint and sinner, believer and unbeliever, and thus they still need the Law –first, to restrain them and reveal God’s good and gracious will and order for humanity and for all of God’s creation and, second, to kill the old creature and drive it back to the Gospel, faith and God-pleasing works and away from works-righteousness and ‘self-chosen spirituality.’

(Wengert 2013:39)

In this case, the Law is not a ‘condemning command but an enticing invitation’ (Wengert 2013:40). When people have been redeemed from the Law by the Spirit of God, they live according to unchanging love and will of God. This, however, is not out of compulsion of the Law, but out of the free and merry Spirit. It is an invitation rather than a compulsion (Wengert 2013:40). This preaching of the Law does away with both extremes of legalism and antinomianism. Legalism, on the one hand, takes away the role of Christ’s sacrifice on the cross leading people to look for alternative ways to earn their way to heaven –which is not possible, Antinomianism, on the other hand, leads to moral degeneration just as David Scaer depicts the structure of American Lutheranism in his article *Walther, the Third use of the Law, and contemporary issues* (Scaer 2011:340).

Jonathan Lange (1994) in his article *Using the Third use* makes a distinction between the Christian *in concreto*<sup>3</sup> and the Christian *qua* Christian<sup>4</sup>. The Christian *in concreto* has both ‘the old Adam and the inner man inextricably bound together’ so that there is always a struggle between them. Whereas the old Adam needs the Law because he is sinful, the inner man needs no Law because he is holy and righteous (Lange 1994:20) just as the Lutheran Confessions teach:

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<sup>3</sup> A Christian *in concreto* refers to a Christian as he is still in this world. He is not perfectly renewed and the old man still clings to him. In other words he has two natures: the inner man, that is, the spirit which has been regenerated, born anew and believes in Christ, and the old man, that is, the sinful human nature which does not believe in Christ but still desires things of the flesh, the world and the devil (cf. Pieper 1950:238).

<sup>4</sup> This is the Christian insofar as he is born anew ‘through the Spirit of God and set free from the Law’ and now does everything from ‘a free and merry spirit’ (Kolb & Wengert 2000:590).

[I]f the faithful and elect children of God were perfectly renewed through the indwelling Spirit in this life, so that in their nature and all their powers they were completely free from sin, they would need no [L]aw and therefore no prodding. Instead, they would do in and of themselves, completely voluntarily, without any teaching, admonition, exhortation, or prodding of the [L]aw, what they are obligated to do according to God's will, just as in and of themselves the sun, the moon, and all the stars follow unimpeded the regular course God gave them once and for all, apart from any admonition, exhortation, impulse, coercion, or compulsion.

(Kolb & Wengert 2000:588)

The inner man needs no Law because he does the will of God willingly, but the old man needs to hear the Law because he is not free from sin. Therefore, a Christian *in concreto* is free from the curse and coercion of the Law, however he daily exercises himself in the Law (Kolb & Wengert 2000:587-588). In other words a Christian *in concreto* is free from the curse of the Law but not from its exercise (Lange 1994:20). This, however, is not to be understood in the sense that a Christian is free from the curse of the Law because the Law applied to believers is different from that which is applied to non-believers. The Law is the same to both believers and unbelievers. The accusing function of the Law never ceases whether to believers or unbelievers (Elert 1967:11). A Christian is only free from the curse of the Law only because he delights in the Law according to the inner man. But as long as a Christian lives according to the old Adam, he remains under the curse and punishment of the Law (Lange 1994:21). The third use does not apply to the inner man because firstly, he lacks nothing in regards to the Law, and secondly, he has an inscribed Law –the Law that has been written in his heart (Lange 1994:21-22). This is the Law that existed before the fall: 'For God's [L]aw is written in their hearts, and the [L]aw was given to the first human being immediately following his creation according to which he was to conduct his life' (Kolb & Wengert 2000:588). Lange, however, asserts that the inscribed Law should not be mistaken to be the third use. The third use is the preached word. Although the third use guides the life of the Christian *in concreto*, it has nothing to do with the Christian *qua* Christian because he is perfectly renewed (Lange 1994:22). For Lange, therefore, it does not matter what kind of preaching of the Law is chosen; whether it is to curb, to condemn or to guide, the Law remains superfluous to the Christian *qua* Christian. The third use of the Law remains the responsibility of the Holy Spirit who uses it to God-pleasing ways (Lange 1994:23).

The third use of the Law remains one of the most discussed topics in Lutheran theology. It is so central because it forms the Christian living. Lutherans believe that the coming of Christ has not nullified the function of the Law. It is still God's unchangeable will.

Lutherans, however, are not the only ones who advocate for Law's usefulness to Christian living. Shin & van Aarde (2005:1362) after differentiating between the ritual demands of the Law and the moral function of the Law assert that the latter is still valid for Christians. Although the ritual aspect of the Law ceased, the moral aspect still applies to Christians because it is God's will. The moral aspect of the Law guides and shapes Christian ethics (Shin & van Aarde 2005:1362). Thuren (2000:87) in comparing Galatians 5:14 with Galatians 6:2 differentiates between the Law and the principle behind the Law. He states that although Christians are not required to fulfil the Law, they are not free from the main principle behind it. Christians are not under the obligation of the Law if they are to be justified for such obedience only leads to a curse (Gal 3:10); however, those who live by the love command fulfil the whole Law (Gal 5:14) which is the Law of Christ (Gal 6:2; Thuren 2000:87-88).

While attempting to answer the question whether Paul was consistent in his statements regarding the Law, Crossley (2010:88) argues that Paul's differing statements in Galatians and Romans have to do with the tone and the social setting of individual situation rather than a different theological development. Although Paul is more aggressive in Galatians than in Romans, a general and consistent line of thought on the Law can be seen in both letters. Certain demands of the Law like circumcision, dietary laws, and the Sabbath should not be imposed on believers, for 'neither circumcision nor uncircumcision means anything, what counts is the new creation' (Gal 6:15). Again, Paul seems not bothered by some who observe certain aspects of the Law and those who do not. For example, in Romans 14 Paul allows some people to eat meat and to observe certain days. At the same time he is not concerned with those who abstain from eating and observing as long as no one judges the other, and everyone does what they do for the sake of honour for God. Abstaining and not abstaining counts for nothing. What counts is faith in Christ because justification is by faith alone (cf. Gal 5:6; Rom 3-4). Paul, however, is concerned with the moral values of Christians. If the Law does not guide Christians, there might be moral degeneration the reason he says in Romans 6:15 (NIV): 'What

then? Shall we sin because we are not under the Law but under grace? By no means!' (Crossley 2010:88-90). Although Christians are free from the Law their freedom is an enslavement to one another through love (Gl 5:13). Those who are under the Spirit are no longer under the Law (Gl 5:18), but the Law has been summed up in the love command: they are to love their neighbour as themselves (Gl 5:14); for the love for neighbour fulfils the Law of Christ (Gl 6:2). The fulfilment of the Law of Christ, however, does not come from the efforts of believers but from the indwelling Spirit (Chester 2011:76; Hultgren 2011:480-485).

James Dunn also supports the idea of a continuing positive role of the Law. Dunn (2008:275) believes the Law has a role of instructing the believers and also the Law continues to express God's will. The 'whole [L]aw' is still an obligation of believers, both Jew and gentile. This, however, is not fulfilled by 'works of the [L]aw' like in the time before Christ, but in the love command, "You shall love your neighbour as yourself' (Lv 19:18), a love which is also the fruit of the eschatological Spirit ([Gl] 5:220' (Dunn 2008:275).

Peter Oakes (2009), however, disagrees with the idea that the Law still has a valid function in the life of a Christian. Oakes (2009:151) argues that the Law in Galatians does not take on a new shape to have a continuing function in the life of a believer, for the role of the Law as παιδαγωγός ceased with the coming of Christ. Therefore, the new life in Christ has nothing to do with the Law, it is rather the age of the Spirit. It is the Spirit, not the Law that shapes the morals of Christians (Oakes 2009:151).

### **1.3 Methodology**

The methodology employed in this study is qualitative in nature. This study is based on books, articles, journals and interviews. In the written literature we explore how different people at different times have understood and interpreted the Law. We discover in these writings how people have experienced and how they have been affected by a phenomenon (the Law). For example, there has been a change in the way people use and apply the Law. The way Israel understood and interpreted the Law at its giving takes a new approach at the coming of Christ. We see a change of tone in the understanding of the Law from Jews to Jesus to Paul to Augustine to Luther and to Luther's followers. The period in which people lived affects the way they experience and understand the Law. Church Fathers like Augustine understand

and interpret the Law in a way that affects not only the 16<sup>th</sup> century Augustinian monk, Martin Luther, but also the later century Lutherans. It is therefore important that the social context of people be considered in order to reach at a correct understanding of the Law. A person, therefore, understands the phenomenon in relation to the world he lives in (Welman, Kruger & Mitchell 2005:191). It is for this reason that phenomenological approach has been used in Chapter 3.

#### **1.4 Research itinerary**

The study is organised in such a way as to arrive at a better understanding of how the Law is understood and used in the Lutheran Church of Uganda. Because they are Lutherans, the Church of Uganda's understanding does not stand on its own but it is built from Luther and other western Lutheran theologians. For this reason, therefore, Chapter 2 is dedicated to present the Western Lutheran understanding of the Law. This understanding is arrived at by presenting how Luther got to this understanding, and what influenced him to make such conclusions about the Law.

Luther was somehow influenced by the writings of the church fathers like Augustine. It would be fair if the study presented the views of Augustine. A small portion of Chapter 2 describes Augustine's understanding and interpretation of the Law. Also it would not be fair to talk about the Law without mentioning the Gospel. This is because the Law and the Gospel make up one whole which is the word of God (Walther 2010:2). The Law is therefore, much better understood when talked about in relation to the Gospel. Chapter 2 therefore, describes Walther's book titled *Law and Gospel: How to read and apply the Bible*.

Besides Luther's double use of the Law, the Lutheran confessors added another use which they called the 'third use' of the Law. This use of the Law brought some controversy within Lutheran scholars and theologians. Chapter 2 dedicates substantial portion to discuss this teaching. This is the use of the Law that remains valid even among the believers according to Article VI of the Formula of Concord<sup>5</sup>.

Chapter 3 forms the foundation of this study. It presents the findings of the research conducted in the Lutheran Church of Uganda. This was done by interviewing the

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<sup>5</sup> A document of statements of faith within the Lutheran confessions written after the death of Martin Luther to harmonise Lutheran doctrine within a church that was plagued with many theological controversies.



Church leaders in Uganda with the aim of finding out how they understood and interpreted the Law. Like we have said before, the Lutheran Church of Uganda does not interpret the Law independently but in relation to the general Lutheran teaching described in the Lutheran Confessions. Chapter 3 therefore presents the responses of the participants in the interview, the findings and the outcomes using the phenomenological approach. This Chapter also compares and contrasts the two positions, that is, the Lutheran teaching and the Uganda's teaching of the Law. We find out that although the Lutheran Church of Uganda understands and uses the Law in relation to the Lutheran Confessions, there is an element that is peculiar to the Ugandan Church. The way Lutherans in Uganda understand and apply the Law differs somehow from Luther's and later western Lutheran theologians' understanding.

Chapter 4 discusses the points of agreement, that is, the similarities between the Lutheran Church of Uganda and the Western Lutheran understanding of the Law. In this Chapter we find out that the Lutheran Church of Uganda is generally Lutheran because their understanding and interpretation of the Law conforms to Luther's teaching. For example, there is a proper distinction between Law and Gospel, Law and justification, and faith and good works. The Lutheran Church of Uganda understands the purposes and limitations of the Law. The Law does so much for the Christian but it is limited in matters of justification, an understanding well-grounded in Luther's theology of justification by faith alone (Luther 1963:4-6).

Although they are Lutheran, the Lutheran Church of Uganda differs somehow from what Luther teaches about the Law. There is a discrepancy regarding how a sinner relates to the Law. For example, it was discovered that some congregations with in the Lutheran Church of Uganda impose some kind of punishment unto sinners whose sins have become public. When a Christian commits sin and his or her sin is known to the congregation, certain steps are taken to restore such a sinner to the community of believers. Besides such steps like giving a person an opportunity to repent, the sinner does not go scot-free. He or she pays some kind of compensation which may include stepping down from an office if he or she held one, withholding a sacrament for a limited time, undergoing counselling and others. The reasons for punishing a sinner are not that by such punishment a sinner pays for his or her sins, it is rather to teach others a lesson. The punished sinner acts as an example to

others that such behaviour cannot be tolerated in their community. This understanding is rooted in the philosophy of life among the Bantu-speaking people. It is an African concept integrated into the church. This is discussed in Chapter 5.

Chapter 5 discusses the impact culture has on the spread of Christianity, and on the understanding and interpretation of the Law in this case. It is important that the Law be understood and interpreted within an environment that is familiar to the people. It cannot be preached to the people as an abstract idea but has to be incorporated within the cultural practices of the people. This is not peculiar to the Lutheran Church of Uganda. We find this understanding also in Paul's letters especially to the Galatians. Paul's message of justification without works of the Law meets opposition from Jewish Christians because they had made the Law as a condition to justification. Jews believed that the people of God were only those who possessed the Law, that is, only the nation of Israel were considered the people of God because they possessed the Law. Although they understood salvation as a gift of God through his election, God had given them the Law as a means of living within a covenant he made with Israel. Therefore, any non-Jew who wanted to belong to the people of God must first accept the Law of God, in other words he must first become Jewish. Paul opposes this Jewish self-understanding in his letter to the Galatians. For Paul, the function of the Law to determine the people of God has come to an end with the dawn of a new age, the age of faith (cf. Gl 3:24). The people of God are no longer those who possess the Law, but those of faith in Christ Jesus (Gl 3:28). In other words, what matters now is neither one's descent nor the possession of the Law, but faith in Christ is the new identity of the people of God.

Paul, therefore, had to contextualise the Gospel of Christ. He had to extend it to the gentiles since this was his call (Gl 1:15-16). Does his calling as an apostle to the gentiles make Paul less a Jew? Not exactly! Paul no longer sees his descent as having an advantage over the gentiles. Gentiles as well as Jews are now admitted into the people of God on the same condition, which is faith in Christ (Gl 3:28). By removing the Law as a condition of membership into the people of God, Paul contextualises the Gospel. He allows gentile Galatians to be part of God's people by not making them Jewish proselytes yet at the same time he does not tell his Jewish Christians to abandon their cultures –which was to live within the requirements of the Law (circumcision, dietary laws, and the keeping of the Sabbath). By preaching to

the gentiles Paul does not abandon his ethnicity nor does he allow it to affect his mission. Paul had resolved to become anything for the sake of the Gospel –τοῖς ὑπὸ νόμον ὡς ὑπὸ νόμον... τοῖς ἀνόμοις ὡς ἄνομος (1 Cor 9:20-21).

Chapter 6 consolidates all the work done in all other chapters. This Chapter presents the summary of the study, that is, the findings, outcomes and the way forward. Chapter 6 presents the development of the Law from Jesus to Paul to Luther and to the current debate on the third use of the Law. The aim is to find out 1) how Jesus interpreted the Law, 2) how Jesus' interpretation affects Paul's, and 3) how Paul's interpretation affects Luther and his followers. We also examine the contexts in which Paul and Luther find themselves in in order to determine whether Luther got Paul right especially on the issue of Jewish legalism. In order to understand the Judaism of Paul's days we briefly examine Sanders work on Second Temple Judaism.

The Chapter then summarise the teaching on the third use of the Law in light with the social and cultural context of the people involved. Of course this leads to good works an element of Christianity that is most of the time misunderstood. It is not the Law that encourages good works but the new life of faith, the life of the Spirit of God who dwells among the believer. The Chapter ends with the final conclusion which appeals to preachers, teachers and theologians to consider the social and cultural context of the people involved when interpreting the Law. The Law should be interpreted with in the experiences of the people if it is to be understood, or else it remains foreign and suppresses the Christian, which is a hindrance to the truth of the Gospel according to Paul (cf. Gl 2:14). Nevertheless, this is not to suggest that the context determines the meaning of the text. The text itself takes priority just as Du Toit (2009:112) asserts: 'The text is the final arbiter of meaning. The first and decisive rule of exegesis is respect for the supremacy of the text.'

## **1.5 Conclusion**

Just as with any research, there are some areas that have not been attended to or fully exhausted. This is because of the limited scope of this study. The aim of this study was to find out how the Lutheran Church of Uganda understand and interpret the Law. And because it is a Lutheran Church we have to compare our findings with the general Lutheran teaching on the Law. However, there are divergent views within

Lutherans themselves on certain aspects of the Law. These we could not fully exhaust because they would take a lot of space and somehow become irrelevant to our study. This study only aimed at presenting acceptable general Lutheran teaching on the Law.

Also we had to narrow down our focus on Paul's writings to a specific area. This is why we have tried to focus mainly on Galatians although other Pauline letters are cited. The interest in Galatians is that Paul addresses directly the hurdles he meets when he preaches the Gospel to the gentiles. The problem he meets is the clash of different ethnic groups, Jew and gentile. This fits well with this study because Paul's solution to the problem in Galatia becomes a solution to the discrepancy in the Lutheran Church of Uganda's interpretation of the Law in relation to the Lutheran teaching. Paul in preaching to gentile Galatians contextualise the Gospel without changing its meaning. This is what is done in the Lutheran Church of Uganda. Cultural practices are integrated into the interpretation of the Law without altering its meaning.

## Chapter 2

# The Western Lutheran understanding of the Law

### 2.1 INTRODUCTION

This Chapter discusses the stance of Western Lutherans regarding the Law. In order to present a well-documented Chapter, we start by reviewing what led to this understanding. It should be said that the Lutheran understanding of the Law stems from Luther's treatment of the Law. We start by reviewing how Luther came to this understanding. We then identify what the Law is, that is, differentiating between Law and Gospel. Since the word of God can be divided into two doctrines, that is, Law and Gospel (Luther 1972:105; Walther 2010:11), it is important to identify what each doctrine is and what it does to the hearers. This is dealt with in the subheading 'God's word is Law and Gospel.' After we have described each doctrine, it is now possible to differentiate between Law and Gospel. The Chapter then turns to identifying the use of the Law among Lutheran theologians. This is done by reviewing the position of the church father Augustine, whose interpretation of the Law had an influence on Luther's understanding thereof. Attention is given to Luther's understanding of the Law, as well as the Lutheran church's treatment of the Law. A large part of this Chapter is dedicated to identifying the continuing use of the Law, that is, the use of the Law in the believer's life. This has been a contested topic among Lutheran theologians with some claiming that the Law has no place among believers, while others argue that the Law continues to play a significant role in the lives of believers. A point of disagreement in this regard has been the terminology employed – the so-called 'third use' of the Law. The 'third use' controversy among Lutheran theologians is only discussed partially since the limitations of this study do not allow a full discussion of this controversy.

### 2.2 LUTHER'S BREAKTHROUGH

There is no doubt that Martin Luther has contributed much regarding the study of Paul, especially his interpretation of the Law. Luther came to understand the Law after his reading of Paul's letters. Luther, an Augustinian monk who had struggled but failed to find a gracious God in the monastery, found consolation in Paul's writings (Stendahl 1963:203). At that time the Roman Catholic Church had used the

Gospel of Christ to oppress the conscience of sinners, instead of bringing relief and comfort to them (Luther 1960a:336-337). The Roman Catholic Church had introduced human works alongside faith as a means through which a sinner is justified. Indulgences and living a monastic life (practicing chastity, obedience and poverty) were seen as means of grace. Such a life, they believed, contributed to one's justification before God. The Roman Catholic Church had confused Law and Gospel. The need for the proper distinction between Law and Gospel lies at the heart of the Reformation (Wengert 2013:30). Although Luther had lived as a monk and had done what was expected of him, he felt a guilty conscience before God. He felt crushed by an ungracious God who punishes sinners (Luther 1960a:336-337). The more Luther tried to justify himself before God by his own works, the more the conscience became troubled. Luther describes his monastic life as follows:

When I was a monk, I made a great effort to live according to the requirements of the monastic rule. I made a practice of confessing and reciting all my sins, but always with prior contrition; I went to confession frequently, and I performed the assigned penances faithfully. Nevertheless, my conscience could never achieve certainty but was always in doubt and said: 'You have not done this correctly. You were not contrite enough. You omitted this in your confession.' Therefore the longer I tried to heal my uncertain, weak, and troubled conscience with human traditions, the more uncertain, weak, and troubled I continually made it.  
(Luther 1964:13)

Luther could not find peace in his efforts to justify himself. The more he tried, the more he made it worse. The desire to justify himself yielded nothing but more guilt. His consolation eventually came through the reading of Paul's letters. In Paul he read: 'For in the gospel a righteousness from God is revealed, a righteousness that is by faith from first to last, just as it is written: 'The righteous will live by faith'' (Rm 1:17; cf. Gl 3:11). From this Luther came to the full knowledge of how one becomes justified; not because of his deeds but because of faith. This for Luther was 'the gate to paradise' (Luther 1960a:337), a breakthrough. What he could not find in his pious life in the monastery, he discovered in Paul's writings. From this time forth, Luther understood the truth of the Gospel which the pope had obscured. Luther relates his situation with that of Paul in Galatians. The false brothers had infiltrated Paul's ranks to spy on the freedom they had in Christ (Gl 2:4). But Paul says that they did not give in in order to preserve the truth of the gospel (Gl 2:5). The papacy (Roman Catholic Church) was preaching a wrong gospel alongside faith, a gospel which oppressed

believers with human traditions (indulgences, chastity, obedience and poverty). For Luther, on the contrary, this is the truth of the Gospel:

The truth of the Gospel is this, that our righteousness comes by faith alone, without the works of the Law. The falsification or corruption of the Gospel is this, that we are justified by faith but not without the works of the Law. The false apostles preached the Gospel, but they did so with this condition attached to it. The scholastics do the same thing in our day. They say that we must believe in Christ and that faith is the foundation of salvation, but they say that this faith does not justify unless it is 'formed by love.' This is not the truth of the Gospel; it is falsehood and pretence.

(Luther 1963:88)

This truth of the Gospel set Luther free from all self-righteousness and made him to trust in God as the only source of his justification. No one is justified by observing the Law, but through faith (Gl 2:16). The righteousness of the Law does not declare one just before God, but God works righteousness on those who have faith for the sake of Christ. This is because of his divine mercy and has nothing to do with our worthiness or merits. Justification is God's free gift which he gives to those who have faith in him through Jesus Christ. If one refrains from committing a certain sin, let say murder, whether this is done by natural powers or by fear of punishment or by divine powers, it still does not justify. Although this fulfils the Law that prohibits murder, this work does not justify because justification does not depend on fulfilment of the Law but on faith (Luther 1963:123). To keep the Law and to walk according to its commands are good virtues which are possible by both the unjustified and the justified; however it contributes nothing towards one's justification. Luther rejects the position of the Roman Catholic Church which taught that a good work performed before justification earns the doer a 'merit of congruity',<sup>6</sup> whereas a work performed after justification earns eternal life by the 'merit of condignity.'<sup>7</sup> This doctrine of the Scholastics is unscriptural. If there is a possibility of doing a work that pleases God and merits grace by the merit of congruity, and once the person has received grace does a work that earn eternal life by the merit of condignity, why would they need the

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<sup>6</sup> This was the Scholastic doctrine of merit and grace which taught that God gives grace to man after he has done a good work. Since such a work is not contrary to God's Law but according to the Law of God, God rewards such a work with his grace. Good works were therefore encouraged among people because they would earn them grace before God (Luther 1960a:123).

<sup>7</sup> The 'merit of condignity' was the belief that God rewards eternal life to the person who has been justified because of the good work one does. In this case God is in debt and he is obliged to reward eternal life to the performer. This work performed in grace pleases God and earns him eternal life (Luther 1963:124).

grace, kindness and forgiveness of Christ? Christ has become useless if one has the ability and power to do works that will not only please God, but also earn them eternal life (cf. Gl 2:21; Luther 1963:124-125). If the Law and its works do not merit forgiveness of sins and justification before God, why then was it given? What role does it play?

### **2.3 GOD'S WORD IS LAW AND GOSPEL**

Man, who was created good in the image and likeness of God (Gn 1:26-27), has been corrupted by sin so that man cannot on his own do any work that is pleasing to God. Since the fall of Adam, man is not able to believe, love and trust God above all things (Luther 1963:122). The sin of one man, Adam has affected all creation (Gn 3:14-19; Rm 5:12), and ever since every work that man does is inclined to his sinful nature and pleasing – not to God, but to his flesh, the world and the devil. Even those works we call good do not please God if they are not done in faith (Rm 14:23). All that man does apart from the Spirit of God is inclined to sin. These are the works of the flesh as described in Galatians: 'The acts of the sinful nature are obvious: sexual immorality, impurity and debauchery; idolatry and witchcraft; hatred, discord, jealousy, fits of rage, selfish ambition, dissension, factions and envy; drunkenness, orgies, and the like' (Gl 5:19-21a). It is only with the help of the Spirit that man can do a good work before God. This work, however, does not come from man's ability but from the power of the Spirit who lives in the believer. The Spirit enables the believer to do works pleasing to God. This is only possible because the sinful nature has been crucified with Christ (Gl 5:24), and the new man who is in the Spirit produces fruits of the Spirit: love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control' (Gl 5:22). Therefore, self-righteousness or the righteousness of the Law does not merit grace or justify us before God, but God declares us righteous when we believe that we are received into favour for Christ's sake. This is the righteousness of faith (Luther 1963:122-123; McCain 2006:36).

The righteousness of faith is Christ's righteousness. It does not come from us, but is given to us freely by God because of his mercy and kindness. God gives his righteousness to man when he believes in the redemptive work of Christ, that is, when he believes that Christ's sacrificial death on the cross takes away the sin of the world (Jn 1:29). Human sin was atoned for by the blood of the lamb, who is Christ,



and his righteousness is then counted to those who believe in him. Christ's righteousness becomes the believer's righteousness. Therefore, when God the Father looks at believers, he does not see their sinful nature but Christ's righteousness. The righteousness of faith is not our own making. It is independent of the Law. Although the righteousness of the Law can be achieved, even by unbelievers, it does not justify. Those who observe the civil laws and do humanitarian works are seen as good people and do it for the stability, harmony and peace in a given society. These works, however, do not justify before God. The observance of the civil laws is a responsibility of every citizen. They are to be observed by everyone whose failure leads to punishment. These laws bring peace and preserves God's good creation. However, they have nothing to do with God's righteousness. Justification before God is only through faith (Luther 1963:123-124). This is the same with the Law of God. The Law was given for its purpose. It is for this purpose that the Law should be used. Attributing the Law to a purpose for which it was not given distorts the will of God and confuses God's word. In order for the will of God to be understood properly, there has to be proper distinction between God's imperatives and his indicatives; that is, his commands and his promises – the proper distinction of *Law* and *Gospel*. This distinction can best be understood by identifying what the word of God does when spoken to its hearers (Wengert 2013:30-31).

The word of God is both Law and Gospel (Luther 1972:105; Iwand 2008:39). Walther (2010:11) agrees with Luther that the Holy Scripture is made up of two doctrines, that is, Law and Gospel. In his first thesis on the proper distinction of Law and Gospel, Walther (2010:11) writes: 'The doctrinal contents of all Holy Scripture, both of the Old and the New Testament, consist of two doctrines that differ fundamentally from each other. These two doctrines are Law and Gospel.' Just like Luther, Walther argues that the two doctrines are important, but that the one has to be differentiated from the other if their importance is to be realised; mixing the two could inflict much damage on the hearers. The difference between the two is not that the Gospel is God's doctrine and the Law a human doctrine. Both are included in the Holy Scriptures which is the word of God. The difference between them is also not their final goal, as if the Gospel saves whereas the Law damns, for they both have a common goal which is salvation of the hearer. However, the ability of the Law to save ceased with the fall of man. What the Law does is to prepare hearers for the

Gospel. Again, the difference between Law and Gospel is not that one applies to Christians and the other does not. Even among Christians the Law is still relevant. One has to apply both if he is to remain a true Christian (Walther 2010:11-12).

Whereas the Law requires human works, the Gospel expects faith from us. It is through these two that God's gracious will is accomplished in his good creation. Because these two constitute the word of God, there has to be a correct distinction if God's will is to be understood. Failure to distinguish the Law from the Gospel would lead to an incorrect interpretation of Scripture. On the proper distinction of Law and Gospel, Luther writes: 'Now, I ask you, what good will anyone do in a matter of theology or Holy Writ, who has not yet got as far as knowing what the [L]aw and what the [G]ospel is, or if he knows, disdain to observe the distinction between them? Such a person is bound to confound everything – heaven and hell, life and death – and he will take no pains to know anything at all about Christ' (Luther 1972:132). In these two doctrines God speaks to his people. In the Law God threatens sinners with punishment, wrath, death and condemnation, and in the Gospel God promises grace, forgiveness of sins, life and salvation to undeserving sinners (Pless 2004:11). This distinction, according to Pless, is the best summarised in Paul's letter to the Romans: 'Therefore no one will be declared righteous in his sight by observing the law; rather, through the law we become conscious of sin. But now a righteousness from God, apart from law, has been made known, to which the Law and the Prophets testify. This righteousness from God comes through faith in Jesus Christ to all who believe. There is no difference, for all have sinned and fall short of the glory of God, and are justified freely by his grace through the redemption that came by Christ Jesus. God presented him as a sacrifice of atonement, through faith in his blood' (Rm 3:20-25a).

Distinguishing between Law and Gospel is so important that failure to do so results in dire consequences. Neither of the two doctrines does its work when there is no proper distinction. Although the Gospel gives life, it no longer does its work of giving life once it is mixed with the Law. In the same way the Law no longer does its work if mixed with the Gospel. The person who neither knows the difference between Law and Gospel nor distinguishes between the two knows nothing of Christ and therefore has no salvation. Either Christ is made the second Moses who burdens his people

with all kinds of demands, or the Law is discarded altogether thereby distorting the word of God (Iwand 2008:39). Walther (2010:12) states six differences between Law and Gospel, namely: the difference in the way they were revealed to humans; the difference regarding their contents; the difference regarding the promises contained in each doctrine; the difference regarding their threats; the difference regarding the function and effect of each doctrine; and the difference regarding the persons to whom each doctrine is to be preached. These six differences will now be discussed.

### **2.3.1 The difference in the way Law and Gospel were revealed to humans**

The first difference between Law and Gospel is the way in which each one was revealed to man. At creation, man was made with the Law written in his heart. Even after the fall man still has knowledge of what is right and wrong. When the Law is preached to a sinful man his conscience convicts him of his sin. This is because the Law has been written on his heart (cf. Rm 2:14-15; Walther 2010:12). The Gospel, on the other hand, came to be known through the prophetic writings by the work of the Holy Spirit (Rm 16:25-26). From the beginning it was impossible to understand the Gospel because God had not yet revealed it to human beings. God made it only possible through the Holy Spirit who inspired the writing of Holy Scriptures (Walther 2010:12-13). God, through the revelation of his Holy Spirit, has made the Gospel known to man in which he reconciles the fallen human race to himself through the sacrificial death of his son Jesus Christ. In this way, the Gospel is not from the human heart but from God because he is pleased to justify sinners.

### **2.3.2 The difference regarding the contents of Law and Gospel**

The second difference between Law and Gospel is what constitutes each doctrine. Whereas the Law demands something from us, that is, tells us what to do, the Gospel only offers, that is, it shows us what God is doing. The Law always demands us to do works, but even these works are not without sin. They are tainted with our sinfulness in that they are not pure before God (Pless 2004:13; cf. Elert 1962:36-37). The Gospel always speaks about the great work of God (Walther 2010:14), his gift of grace and the truth in Christ Jesus (Pless 2004:13). When the Law says, 'You have not done this', or 'You need to do this', or 'You have not done this in a right way', the Gospel says to us, 'You do not have to do this because God has done it for you in his son Jesus Christ' (Luther 1964:13). With all its commands and demands, the Law

leads us to despair because we cannot fulfil all that it requires from us (Gl 3:19; Malysz 2004:213). However, we are comforted by the Gospel when it says to us that all the requirements of the Law have been accomplished for us in Christ (Rm 8:1-4; Walther 2010:14; Malysz, 213).

### **2.3.3 The difference regarding the promises contained in each doctrine**

Although the Law promises as much as the Gospel does, its promises are always on condition. The Law promises everlasting life and salvation on condition that we fulfil all its requirements (Walther 2010:14). In the Ten Commandments all good and perfect life is demanded where everyone fears, loves and trusts God above everything else; a world where there is honour for one's parents, and where there is no murder, adultery, theft, lying, or covetousness. This restores God's good creation. It is this perfect world that the Law promises (Pless 2004:13). But where is such perfection? Without this perfection the promises are taken away from us, instead the curse of the Law is inflicted on us (Gl 3:10). The Law demands perfect obedience of all its requirements but such obedience is impossible with humans (see Luther 1963:253). On the contrary, the Gospel promises life eternal and salvation with a sweet and comforting voice without any condition. This is included in Jesus' words in Mark 16:15-16. Jesus says to his disciples: 'Go into all the world and preach the good news to all creation. Whoever believes and is baptized will be saved, but whoever does not believe will be condemned' (Mk 16:15-16). In this regard Paul also states: 'for all have sinned and fall short of the glory of God, and are justified freely by his grace through the redemption that came by Christ Jesus' (Rm 3:23-24). There is no condition attached to the Gospel. It is totally free and comes as a gift of God's grace (Walther 2010:15). The Gospel cannot be earned, but it is given freely to those who believe. 'The Gospel', according to Luther 'is a preaching of the incarnate Son of God, given to us without any merit on our part for salvation and peace. It is a word of salvation, a word of grace, a word of comfort, a word of joy, a voice of the bridegroom and the bride, a good word, a word of peace' (Luther 1957:231). Faith should not be seen as a condition, but as an acceptance of a kind invitation extended to those who do not deserve it (Walther 2010:14). Therefore, the Law demands us to do works if we are to gain its promises. This however, is not possible, since it demands what we can barely achieve. Our imperfection labels us enemies of God and thus achieving the opposite of what the Law demands. The Gospel, on the

other hand, comforts the terrified conscience by removing the guilt and declaring us righteous before God (Luther 1963:124; cf. also Elert 1962:64-65).

### **2.3.4 The difference regarding the threats contained in each doctrine**

The Gospel does not have any threats whatsoever. It is rather full of consolations.

The person who understands this is regenerate because it is only by the power of the Holy Spirit that such truth is revealed. Does this then mean that the Gospel makes people comfortable in their sins because it does not threaten sinners?

Absolutely not! On the contrary, the Gospel motivates the believer to stay out of sin (Walther 2010:16). The Law, on the other hand, is full of threats. The Law threatens with punishment those who do not live up to its commands (Lv 27:26). This is its work: It commands the person what to do whose failure leads to punishment.

### **2.3.5 The difference regarding the function and effect of each doctrine**

The function and effect of each doctrine can be understood by identifying what each doctrine does to the one who hears it. The two doctrines have different effects on the hearer. What then does the Law do when spoken to its hearers? The Law has three effects on its hearers (Walther 2010:18). In the first place, whereas the Law tells us what to do, it does not have the power to motivate us into fulfilling what it commands (Eyer 2000:64-65). On the contrary, it acts against that which it demands from us. Walther puts it in this way: 'the Law prompts in us an unwillingness to keep the Law ... or the most part, once the Law forces its way into a person's heart, that heart tends to strain with all its might *against* God – with that person becoming furious at God for demanding such impossible things of him. In fact, such people will even curse God in their heart. They would slay God if they could. They would thrust God from His throne if that were possible' (Walther 2010:18). In the second place, the Law uncovers a person's sin, accuses him and leads him to despair (Walther 2010:18; Engelbrecht 2011:9; Raabe 2004:64). However, it does not provide remedy for such sins. In the third place, the Law convicts us of sin producing in us remorse, but offers no comfort to a broken heart. The preaching of the Law leaves a sinner with a broken heart and in despair only to die and perish in his sins (Walther, 18-19; Pless 2004:14). The Law reveals sin, produces contrition in a sinner, but leaves the sinner in his own sins (Elert 1962:37). It makes the situation more complicated

because it multiplies sin (Rm 7:7-9) and leads to death. It is the letter that kills (2 Cor 3:6).

The preaching of the Law throughout Holy Scriptures has produced nothing but condemnation, desperation and death. For example, the Israelites trembled when they received the Ten Commandments at Mount Sinai (Ex 20); the young rich man went away 'in sorrow' after hearing the Law (Mt 19:22); the governor Felix could not stand Paul as he talked about 'righteousness, self-control and the judgment to come' (Ac 24:25); and at Pentecost those who heard Peter speak judgment to them 'were cut to the heart' and asked Peter what they would do (Ac 2:37). This is the effect of the Law: it leads sinners to despair but does not offer a solution out of this misery (Elert 1962:36-37). This is only the work of the Gospel. It offers comfort to the broken hearted by giving faith to the sinner to believe and trust in the forgiving word of God. So, when Peter says 'Repent and be baptized, every one of you, in the name of Jesus Christ for the forgiveness of your sins, and you will receive the gift of the Holy Spirit' (Ac 2:38), the hearts of people are comforted in this word of grace.

The Gospel rebukes no one nor does it terrify a sinner; instead it takes away all terror, all anguish and desperation. It makes no mention of our former state, but gladly welcomes us in the newness of life without any condition attached (e.g., the father of the prodigal son; Lk 15:20-24). The Gospel requires no human input whatsoever. It only welcomes the contrite heart with open hands. '[T]he Gospel does not require people to furnish anything good – neither a good heart nor a good disposition nor an improvement of their condition, neither piousness nor love – whether toward God or men. The Gospel issues no orders. Rather, it changes people. It plants love into their heart and makes them capable of all good works. It demands nothing, but gives all' (Walther 2010:20; Pless 2004:15).

### **2.3.6 The difference regarding the persons to whom each doctrine is to be preached**

Law and Gospel are applied to different persons depending on the goal of each doctrine. Whereas the Law is preached to secure sinners, the Gospel is preached to alarmed sinners. The 'secure' sinner is a person who thinks he has done what is required of him as far as God's Law is concerned. According to Gerhard Forde, the

secure sinner is 'addicted either to what is base or to what is high, either to lawlessness or to lawfulness. Theologically there is not any difference since both break the relationship to God, the giver' (Forde 1997:27). On the one hand, people live as if nothing else matters to them. They do as they please paying no attention to what God commands. They live lawlessly as Paul describes them in his letter to Timothy: 'lawbreakers and rebels, the ungodly and sinful, the unholy and irreligious; for those who kill their fathers or mothers, for murderers, for adulterers and perverts, for slave traders and liars and perjurers' (1 Tm 1:9-10). To these the Law must be preached without any 'drop of the Gospel' (Walther 2010:22). These sinners live as if there was no God, as if they are gods to themselves. To these, only the Law must be preached for their sins to be exposed and to be able to realise what is due them, that is, punishment. In this way God's good creation and order is maintained (Wengert 2013:31).

On the other hand, there are those who, like the Pharisee in Luke 18:9-14, trust in their own righteousness. They glory in themselves because they keep the Law of God. They recite the Ten Commandments and think they have fulfilled all its requirements like the rich ruler (Lk 18:18-25), thus deserving God's approval. To such self-righteous and comfortable sinners, the Law must be preached to terrify their comfortable conscience and to put to death the old Adam who glory in himself (Wengert 2013:31).

However, there are those who have been terrified by the preaching of the Law. They are no longer secure in their lawlessness, nor do they indulge in their self-righteousness. They have been driven out of their comfort zone and only see themselves deserving God's wrath and eternal death. To such broken hearted sinners the Law does not apply but the Gospel (Walther 2010:22; Pless 2004:16). In this case the Gospel is not used to improve one's life from sin to righteousness. It is not about anyone's life, because the Gospel neither commands nor demands. It is a word proclaiming God's gift of salvation to the sinner. It is a message of hope and consolation to a terrified conscience. It is the proclamation that sins are forgiven for Christ's sake to everyone who believes (McCain 2006:36). 'The Gospel', according to the *Solid Declaration of the Formula of Concord*, 'is properly the preaching of God's grace and favour for Christ's sake. Through the Gospel the unbelief of the

converted, which previously dwelt in them, and which God's Law reproved, is pardoned and forgiven' (McCain 2006:783).

Does this mean that the Law must be preached only to secure sinners and the Gospel only to alarmed sinners? This is not the case. The Law and the Gospel do not apply exclusively to secure and alarmed sinners respectively. Both Law and Gospel may be preached to all people irrespective of whether they are regenerate or sinners (McCain 2006:662-664). Nevertheless, proper distinction of Law and Gospel must be maintained in order that Holy Scripture may not be misread and misused (Pless 2004:17). The *Formula of Concord* states:

The doctrines of the Law and the Gospel may not be mixed and confused with each other. What belongs to the one may not be applied to the other. When that happens Christ's merits and benefits are easily hidden and the Gospel is again turned into a doctrine of the Law, as happened in the papacy. For then Christians are deprived of the true comfort they have in the Gospel against the Law's terrors, and the door is again opened in God's Church to the papacy. Therefore, the true and proper distinction between the Law and the Gospel must be taught and preserved with all diligence.

(McCain 2006:791)

If the proper distinction of Law and Gospel is not maintained the Holy Scriptures appear to be riddled with contradictions where in one section God condemns sinners and in another he pardons; in one part God's wrath is upon sinners and in another he declares his unfailing love to his enemies; a God who kills and the same God makes alive (Pless 2004:17). However, with the right distinction between the two doctrines it becomes easy to understand what God does in each doctrine, that is, he condemns sin and puts to death the sinful nature through the Law (cf. Gl 2:19), whereas in the Gospel God pardons sinners on the basis of his unfailing love and makes them alive through faith in Christ (Gl 2:20). Luther puts it this way: 'Law is anything that refers to what we are to do. On the other hand, the Gospel or the Creed, is any doctrine or word of God that does not require works from us and does not command us to do something but bids us simply to accept as a gift the gracious forgiveness of our sins and the everlasting bliss offered us' (Walther 2010:23).

To better understand how to distinguish Law and Gospel, Wengert (2013:30) proposes three ways in which this distinction can be made. First of all, people identify the commands with the Law and the promises with the Gospel. Whereas it is



true that the Holy Scripture includes commands and promises, to just say that the command is Law and the promise Gospel, is not enough. That does not fully distinguish Law and Gospel. Secondly, Law and Gospel are spoken of by dividing the books of the Bible. The Old Testament is regarded as Law, and the New Testament as Gospel. Although this might be true and Luther agrees to it, this distinction only works when it is not directed to specific books of the Old and the New Testaments. Luther only uses this distinction to refer to the word of God spoken to the old creature – which is Law, and the new creature – which is the Gospel. The Old Testament has the Gospel in it, and the New Testament has the Law in it. Therefore to just label the Old Testament as Law and the New Testament as Gospel is to miss the mark (see Walther 2010:11). Thirdly, proper distinction of Law and Gospel can best be understood by identifying what the word of God does to its hearers. Proper distinction of Law and Gospel is done by identifying how God uses his commands and promises on his hearers (Wengert 2013:30-31). In the first place, God uses the Law to preserve his good creation by maintaining order and restraining evil. Second, ‘God uses the Law to reveal sin; to terrify the comfortable, self-satisfied person; and to put to death the old creature’ (Wengert 2013:31). It is in light of this second use of the Law that the Gospel is required. Whereas the Law reveals sin, terrifies the comfortable and puts to death, the Gospel forgives sin, comforts the terrified and makes alive (Wengert 2013:31). The *Apology of the Augsburg Confession* states:

God’s two chief works among people are these: to terrify; to justify and to make alive those who have been terrified. Into these works all Scripture has been distributed. The one part is the *Law*, which shows, reproves, and condemns sin. The other part is the *Gospel*, that is, the promise of grace bestowed in Christ. This promise is constantly repeated in the whole of Scripture, first having been delivered to Adam, afterward, to the patriarchs. Then, it was still more clearly proclaimed by the prophets. Lastly, it was preached and set forth among the Jewish people by Christ and then spread out over the entire world by the apostles. All the saints were justified through faith in this promise, and not by their own attrition or contrition.

(McCain 2006:228)

Through these two doctrines God reveals to us what he requires from his creation, which man has not been able to do and thus deserving God’s punishment, and what he continues to do for his created human race, which is, clearing man of all his guilt and declaring him righteous through faith in Christ. The former is the work of the

Law, whereas the latter is the work of the Gospel. Thus Luther states the difference between Law and Gospel:

The law commands and requires us to do certain things. The law is thus directed solely to our behaviour and consists in making requirements. For God speaks through the law saying, 'Do this, avoid that, this is what I expect of you.' The [G]ospel, however, does not preach what we are to do or to avoid. It sets up no requirements but reverses the approach of the law, does the very opposite, and says, 'This is what God has done for you; he has let his Son be made flesh for you, has let him be put to death for your sake'

(Luther 1960b:162)

It is after the distinction between Law and Gospel has been identified that the word of God is appreciated. This, however, is not an easy task. It takes great skill to realise this distinction. Luther confesses to this hard task: '[W]hoever knows well how to distinguish the Gospel from the Law should give thanks to God and know that he is a real theologian' (Luther 1963:115). Having differentiated the two doctrines of Law and Gospel, the next section will focus on how the Law has been interpreted from Augustine through Luther to the present day Lutherans.

## **2.4 THE LAW**

In our discussion above we have seen that the Holy Scriptures have got two doctrines attached to each other but distinguishable from one another. One can say that Law and Gospel are the two sides of the same coin. Though both are God's word spoken to his creation they differ from each other in many ways. What one doctrine does, the other does the opposite. For example the Law terrifies, the Gospel comforts; the Law puts to death, the Gospel makes alive; and the Law demands, the Gospel gives.

### **2.4.1 The Church Fathers**

Luther's understanding of the Law has some imprint of the church fathers. His interpretation of the Law was somehow influenced by those who lived before him, in particular the works of Augustine. In what follows the study will discuss Augustine's interpretation of the Law and how it affected Luther's interpretation.

### 2.4.1.1 Augustine

Augustine believes that God had given Adam and Eve free will at the time of creation. With this free will, Adam and Eve were able not to sin, but instead chose to be independent of God and ate the forbidden fruit. They misused their free will. Ever since the freedom of the will has been inclined to seek what is pleasing to man. They chose the love for themselves rather loving the supreme good, which is God. Love is the eternal law which is written on the human heart. Even with the fall of man, this law has not been removed from human heart. Other laws may change depending on conditions at a given time in a given society, but this eternal law never changes. This is the 'injunction', as Augustine calls it, 'do not do to another what you would not wish to be done to yourself' (Augustine 1995:155). Once this rule is incorporated into the love of God, God's good creation is restored because no one wants to be harmed by anyone.

This eternal law of love, together with the ceremonial laws, are included in the Law of Moses. In response to Jerome, Augustine states that the ceremonial laws were added specifically for Israel to overshadow the coming of Christ, the Messiah. They were signs of the future things which were to be fulfilled in Christ. The ceremonial laws were to be observed until the coming of Christ when their demands would come to an end. However, even after Christ's coming, the Jewish Christians continued to observe them. This was correct because they were divine commands which deserved to be honoured and respected for the sake of the weak believers, but they were to disappear slowly by the preaching of the truth of the grace of Christ in which all justification and salvation is found (Augustine 1886:354-355). These laws, however, did not merit salvation and neither should they be imposed on Christians as if salvation depended on them. Their continued observance would signify that the reality for which they foreshadowed is yet to come (Augustine 1886:356).

The Law of Moses also contains the moral laws which should be observed by Christians (Augustine 1887c:177). Just because Christians are free from the Law it would be unthinkable if they commit murder, adultery, steal, and so forth. Just as Christ summarised the Law into the love command in the Sermon on the Mount, Christians are to love one another and thus fulfil the requirements of the Law (Augustine 1887a:122). Christ did not abolish the Law, but rather fulfilled it. Whereas

the ceremonial laws were fulfilled at the coming of Christ, the moral laws are fulfilled among Christians in the love command with the help of the Holy Spirit (Augustine 1887c:242, 246).

The Mosaic Law did not provide salvation because that was not its intention. Its purpose rather was with its threats, just like a pedagogue (Gal 3:24), to instil fear in the hearts of Israelites (Ex 20:19) in order that they may seek comfort only afforded in the grace of Christ. For if the Law could bring justification Christ died for nothing (Gal 2:21). But Christ did not die for nothing. Since its institution, neither the Law given to Israel nor the natural law in the human heart has been able to redeem man from the burning wrath of the righteous God. Redemption from this anger is only possible through 'faith and the sacrament of the blood of Christ' (Augustine 1992:22-24). The Law brings the knowledge of sin, but does not destroy sin. It discovers the disease in man without providing the cure for it. The malady is rather aggravated by the Law in order that the medicine of grace may be anxiously sought after. This is the work of the Law as a schoolmaster, as described by Paul in Galatians 3:24 (Augustine 1887a:221). By turning to Christ, the burden of the Law is removed, and Christians live under grace although the struggle against sin continues. However, with the help of the Spirit, sin is resisted and the Law fulfilled. This struggle against sin continues until death through which we are made perfect by God and thus live in full and perfect peace in all eternity (Augustine 1887a:196). In demonstrating how this happens, Augustine writes:

Certainly this renewal does not take place in the single moment of conversion itself, as that renewal in baptism takes place in a single moment by the remission of all sins; for not one, be it ever so small, remains unremitted. But as it is one thing to be free from fever, and another to grow strong again from the infirmity which the fever produced; and one thing again to pluck out of the body a weapon thrust into it, and another to heal the wound thereby made by a prosperous cure; so the first cure is to remove the cause of infirmity, and this is wrought by the forgiving of all sins; but the second cure is to heal the infirmity itself, and this takes place gradually by making progress in the renewal of that image: which two things are plainly shown in the Psalm, where we read, 'Who forgives all thine iniquities,' which takes place in baptism; and then follows, 'and healeth all thine infirmities;' and this takes place by daily additions, while this image is being renewed.

(Augustine 1887b:196)

This is only possible with the help of God, as Jesus testifies in John 15:5, 'Apart from me you can do nothing.' This life will be perfected on the last day among those who will be found faithful (Augustine 1887b:196).

Not everyone, however, misused the Law. There were some who used the Law as it was intended, keeping its requirements while trusting in the promise of the Messiah. They trusted not in its requirements, but looked beyond its earthly promises to eternal promises for which the Law foreshadowed. With the help of the Spirit they fulfilled its requirements but believed in the grace of the Christ as the Psalmist testifies, 'Create in me a clean heart, O God' (Ps 51:10; Augustine 1887a:382, 384). On the other hand, there are those who obeyed the Law and lived under the Law not because of the foreseen realities of the Law but because of fear of its punishment (Augustine 1887a:88). Their outward works are not pleasing to God but to man, as Augustine describes them:

For whoever did even what the law commanded, without the assistance of the Spirit of grace, acted through fear of punishment, not from love of righteousness, and hence in the sight of God that was not in the will, which in the sight of men appeared in the work; and such doers of the law were held rather guilty of that which God knew they would have preferred to commit, if only it had been possible with impunity.

(Augustine 1887a:88)

They aimed at establishing their own righteousness instead of trusting in God. These are the ones Paul refers to in Romans 9:32: '[T]hey pursued it not by faith but as if it were by works.' These did not find salvation because salvation is not found in human efforts as Paul says, '[F]or the letter kills, but the Spirit gives life' (2 Cor 3:6).

According to Augustine, the letter kills if not accompanied by the Spirit. No matter how good the Law may be, its goodness would bring no good but the evil it forbids if there is no Spirit. Without the Spirit the Law ends up bringing to life the very evil it forbids (Augustine 1887a:85). Thus states Augustine:

Attend, then, carefully, to the apostle while in his Epistle to the Romans he explains and clearly enough shows that what he wrote to the Corinthians, 'The letter kills, but the Spirit gives life,' must be understood in the sense which we have already indicated – that the letter of the law, which teaches us not to commit sin, kills, if the life-giving Spirit be absent, forasmuch as it causes sin to be known rather than diminished, because to an evil concupiscence there is now added the transgression of the law.

(Augustine 1887a:86)

Those who fulfil the Law through love are no longer under the obligation of the Law. The Law no longer applies to them (1 Tim 1:9). This however does not mean that they disregard the Law, but that the Law no longer compels them to fulfil its requirements. Only love motivates them to fulfil the Law. Therefore, it is through grace that the Law is fulfilled (Augustine 1887a:448-449). Augustine refutes the Pelagians who taught that human works, that is, works done in fulfilment of the Law, merit God's grace and forgiveness of sins (see Augustine 1887a:448-449).

#### **2.4.1.2 What then is the purpose of the Law?**

According to Augustine (1887a:221), the Law helps us to feel the need for grace. By revealing our sins the Law enables us to look for cure in the grace of God. By discovering the disease in us without providing the cure for this disease, the sinner is driven to find cure which is only found in the grace of Christ (Augustine 1887a:220). The Law points to grace in order that what it demands may be fulfilled since the demands of the Law cannot be fulfilled through the Law but through grace. When sinners have received grace, they are able to fulfil what the Law demands through love because love fulfils all the Law (Augustine 1887a:221). The Law commands us to love one another which is not possible according to the Law, but grace says to us that God is love and he has given us this love through the Holy Spirit in order that we might fulfil that which God demands in his Law (Augustine 1992:202).

#### **2.4.1.3 Conclusion**

According to Augustine, Christians are justified by faith apart from any works performed; however, God rewards works done in faith with eternal life. Before faith, works done according to the Law are evil and damnable because they are done only in fear of punishment and without love for righteousness (Augustine 1887a:88). Through faith the Holy Spirit enables believers to perform works which are pleasing to God. The Holy Spirit enables believers to love God and one another in which all the Law is fulfilled. When believers love God and their neighbour they do it not out of their own powers but out of God's grace with the help of the Spirit (Augustine 1887a:221).

The ceremonial laws of Moses were the shadows of the coming of Christ and their requirement ended with the coming of Christ. Christians no longer need to observe them since such observance would signify that the things they foreshadowed are still yet to come. The moral demands of the Law, on the other hand help us to recognise our inability to fulfil the Law, thus pointing us to the physician who is Christ. By discovering the disease in us without providing the cure, we are left with no other option but to seek remedy from the grace of God given to us in Christ. The justified observe the Law, not because of its compulsion, but because of the free grace given to them. The Holy Spirit implants love into the hearts of believers which help them to fulfil the Law. With the love of God, believers start to fulfil the Law. For the Law cannot be fulfilled through the Law but through the grace of God.

#### **2.4.2 Luther**

According to Luther, faith and not good works is essential for our relationship with God (see Luther 1963:122-123). Our righteousness before God is only possible by his grace through faith when we believe that we are received into favour for Christ's sake. It is a passive righteousness, that is, it is freely given to us. It does not come from within us but comes from outside of us. It is God's righteousness imparted to all who put their faith in his son Christ Jesus. It is passive and not active, in the sense that we do not work for it but receive it; nor do we have it but accept it when the Holy Spirit grants it to us through Jesus Christ (Luther 1963:4-6). Since the fall no one is able to do works pleasing to God, leave alone works which lead to one's justification. People are capable of moral deeds (Luther 1963:123) but they are only for the stability of society and not to justify one before God (Luther 1963:124).

Luther identifies the Law in three types; the civil law (the Second Table of the Ten Commandments which govern one's relationship with the neighbour), the ceremonial laws (for example circumcision, food laws and observance of certain holy days), and the Decalogue which is the Ten Commandments given to the Israelites through Moses (Luther 1963:122). He believes that neither of these is able to justify one before God. Therefore when Paul talks of justification by the Law or by works of the Law, he means the whole Law and not only a part of the Law. With this understanding, Luther refutes the position of Jerome who argued that Paul, in Galatians, is talking about the ceremonial law and not the Decalogue. He believes

that the Law is the same whether ceremonial or the Decalogue because they were all commanded by God (Luther 1963:123). None of these laws justifies sinners before God. Luther argues that even works done in the fulfilment of the First Commandment cannot justify one before God (Luther 1963:122). Luther writes: 'Therefore even if you were to do the work of the Law, according to the commandment, 'You shall love the Lord your God with all your heart, etc.' (Mt. 22:37), you still would not be justified in the sight of God; for a man is not justified by works of the Law' (Luther 1963:122). No works of man can make him acceptable to God or deserving his grace. Luther continues:

For if in a state of mortal sin I can do any tiny work that is not only pleasing before God externally and of itself but can even deserve grace 'by congruity'; and if, once I have received grace, I am able to perform works according to grace, that is, according to love, and receive eternal life by a right – then what need do I have of the grace of God, the forgiveness of sins, the promise, and the death and victory of Christ? Then Christ has become altogether useless to me; for I have free will and the power to perform good works, and through this I merit grace 'by congruity' and eventually eternal life 'by condignity'

(Luther 1963:124-125)

For Luther nothing that man does can make him acceptable before God. All works of the flesh, that is, whatever man does in his mortal flesh is in contempt of the will of God, only inclined to evil and the desires of the flesh. If the Law does not justify sinners before God, why then was it given? In what follows, Luther's understanding of the purpose of the Law is discussed.

#### **2.4.2.1 The purpose of the Law**

There is a two-fold use of the Law, according to Luther. The first use of the Law is to restrain the wicked and uncivilised by threatening them with punishment (Luther 1963:274-275). This is the civil use of the Law; the law found in the Magistrate Court which is designed to maintain peace and to preserve order in a given society. This law is used to restrain the wicked and threaten those who wish to break it. Those who wish to break it are kept at bay, not by their own powers, but because of fear of punishment. People are kept away from theft, murder, and other sins because they are afraid of the sword of the Law. This however does not justify before God. It is civil righteousness that helps us to have respect for one another and to live in peace and harmony with one another (Luther 1963:308-309).



The second use of the Law is theological. This serves to increase transgressions in the human conscience. On the one hand, the Law multiplies sin thereby burdening the human conscience with God's judgment and condemnation. The Law reveals man's misery, unrighteousness, shamefulness, wickedness and contempt of God, deserving nothing else but God's wrath and punishment (Luther 1963:309). The Law reveals to man his inability to do any good works. For through the Law the wickedness of man is revealed. The Law shows to man that he has not carried out that which it demands and therefore deserves God's punishment. With its terrors the Law humbles sinners and prepares such sinners for justification which is only to be sought in Christ. The Law drives us to seek mercy from Christ (Luther 1963:126). This is similar to what Paul says in Galatians: 'So the Law was our custodian until Christ came in order that we might be justified by faith' (Gal 3:24). The Law as a custodian helped to teach, instruct and chastise the Israelites until Christ came. By its whipping, the Law trained and educated the Israelites so that they may enjoy liberty when the promised Seed should come (Gal 3:19). This treatment of the Law by Luther is thus similar to that of Augustine.

On the other hand, those who claim self-righteousness because they do not kill, do not steal, do not commit adultery and so on are driven out of their comfort zones by the Law. Just as the Israelites were summoned out of their tents to Mount Sinai where they received the Law in a terrifying situation of thunder, lightning, smoke and the burning mountain, even those who claim self-righteousness because they think they have kept the Law of God (Ex 19:8) are brought to trembling and despair by the Law. After such a terrifying encounter with God on the mountain, even those who claimed to be holy and righteous were terrified that they drew back and requested Moses to speak to God on their behalf: 'Speak to us yourself and we will listen. But do not have God speak to us or we will die' (Ex 20:18). They could not endure the sight of God because God is a consuming fire (Heb 12:29); he does not tolerate any unrighteousness. This is the function of the Law: to terrify, threaten with God's anger and to hammer all self-righteousness, driving them out of their comfort zone to seek mercy from Christ (Luther 1963:309-311).

These are the two functions of the Law according to Luther: to restrain the wicked and to multiply transgressions driving the sinner to find comfort in Christ. The Law

was not given as a means through which justification could be earned. The Law has no place in matters of justification. It only makes the situation worse for those who try to justify themselves before God. Justification is only by faith apart from any works of the Law (Luther 1960a:114). The Law was not given in order that salvation might be earned through it. It was rather given to prepare Israel for the coming of the Messiah in whom salvation is found. Once the Messiah has come, the purpose of the Law as a custodian has come to an end, as Paul writes in Galatians 2:19: 'For through the Law I died to the Law so that I might live for God.' The requirements of the Law are no longer binding on Christians because Christians first of all have put their faith in Christ and are therefore justified on the account of this faith. Second, the time of the Law as a custodian has come to an end with the coming of the promised Seed (Luther 1963:316-317). Do we then abrogate the Law since its purpose ended with the coming of Christ?

Luther argues that the Law is not to be abolished altogether on the account of faith. For the Law does a good job in humbling a sinner and preparing them to yearn for God's grace (Luther 1963:328). Once a sinner has realised how sinful he is, he is forced by the Law to confess that nothing good dwells in him. In this way the Law has done a good job in preparing for the grace of God to take over. The Law, therefore, is not opposed to the promises of God but prepares sinners to receive these promises with thanksgiving (Luther 1963:329). The Law also does not stand in the way of the promises of God because these promises do not depend on our worthiness but on the truth of God (Luther 1963:329).

For Luther the Law is still important, even among believers. In one of his sermons on Exodus, titled *How Christians should regard Moses*, Luther proposes three points why the Law should continue to be preached among Christians. Firstly, although the Law given to Moses was temporal and its function applied only to Israel, it is still a good example of how a government should rule. Moses represents a good government of which the civil government can borrow a leaf on how a just government exercises its powers. The Mosaic Law also contains the natural laws which are good precepts. For all that Moses commands in the Law are natural laws which God has implanted into the human heart. To honour God, not to steal, not to murder and others are good laws everyone needs to observe for good governance.

Therefore, it is worthwhile to keep the Law of Moses (Luther 1960b:169). Second, the Law of Moses contains pledges and promises of God about Christ (Luther 1960b:169). These promises cannot be found in the laws of nature but only in the Law of Moses. In the Law God promises his son to be born and die for the sins of the world. This is the comforting news of the Gospel which strengthens a weak faith (Luther 1960b:169). Third, the Law contains ‘beautiful examples of faith, love, and of the cross, as shown by the fathers.’ From these examples we learn to trust and love God, and also what happened with the unfaithful like Cain, Esau and how God punished them for their sins. In these examples we are taught what to expect of our actions – punishment or blessings (Luther 1960b:173). Although the Law does not justify us before God, there are good lessons we can learn from it which are helpful to our lives both as good citizens as well as good Christians. For these reasons, therefore, the Law must be preached among believers.

### **2.4.3 Common views in Augustine and Luther**

Augustine and Luther can be said to have common views on the Law. Their interpretation of the Law is quite identical in many ways. In both Augustine and Luther:

- The Law does not merit justification *coram Deo* because that is not the purpose for which the Law was given. It is by faith that sinners are declared righteous.
- Works done apart from faith cannot please God since their performance is not from the love of God but from fear of punishment.
- It is only after we have been received into God’s grace that we are able to do works which are pleasing to God. The Holy Spirit enables the performance of God-pleasing works.
- Ceremonial laws were only binding to the Israelites and their observance ended with the coming of Christ since they were shadows of the things to come.
- Moral laws or the laws of nature reveal man’s inability to fulfil what God commands. They accuse us of having disobeyed the Law of God. They diagnose the disease in us but do not provide the cure. The more we try to

fulfil them the more we transgress them, thus leading us to seek mercy in God's grace. The Law points us to Christ.

The difference in Augustine's and Luther's interpretation of the Law is on the reward God gives to those who do good works. Although good works do not merit justification, Augustine believes that God rewards good works done in faith with eternal life. These good works are in no way possible by human powers. They are only possible because they are a product of God and the activity of the Holy Spirit. Thus, when God rewards these works with eternal life he in fact rewards his own gifts.

Luther, on the other hand, believes that God does not reward good works with eternal life but he rewards civil righteousness – which is possible even among the unconverted – with temporal blessings (Luther 2008:60). By civil righteousness Luther means human works, for example helping one's neighbour in his or her need, becoming good citizens accountable to the authority, and many others. Luther believes that God rewards such good behaviour with temporal blessings like riches, good health, good neighbours, but God does not reward such behaviour with eternal life. Eternal life is only merited through faith in Christ. According to Luther, faith honours God when it trusts in the promises of God. When this is done, God's will has been assented to because there is nothing else that fulfils what God commands than obedience. This obedience, however, is not possible by human works but by faith alone (Luther 2008:60-61). Faith must be active and bear witness by doing good works. These works are out of spontaneous love, which seeks to serve God through service to neighbour. Christians do not live for themselves but in Christ and the neighbour – in Christ through faith and in the neighbour through love (Luther 2008:73, 88). Augustine and Luther have the same line of thought on the Law, but Augustine's differs from Luther's because Augustine is of the opinion that works done in faith are rewarded by God with eternal life. Luther does not go beyond the fact that good works are a result of faith.

## **2.5 THE 'THIRD USE' OF THE LAW**

In addition to the two uses of the Law described by Luther, the Lutheran confessors added another use of the Law to the Lutheran Confessions. This is the Sixth Article

of the *Formula of Concord* titled, 'the third use of the Law.' This use of the Law is concerned with the role the Law plays in Christian life. The introduction of the 'third use' has brought with it a lot of controversy among Lutheran scholars and theologians. This has been mainly because of the fact that Luther neither taught the third use nor employed the terminology *triplex usus legis* in his works (Ebeling 1963:62-65). Others believe that Christians are without the Law since their lives are directed by the Spirit. Since the development and the differences in the third use of the Law are beyond the scope of this study, it will suffice to mention in passing the opposition this use of the Law has faced in Lutheran theology. However, it should be mentioned beforehand that the third use is still the teaching of the Lutheran theology despite the controversies surrounding it.

Werner Elert and Gerhard Forde are some of the Lutheran scholars who independently dispute the third use of the Law. Gerhard Forde (1969:232) argues that the Law has no place in a Christian life because it demands something that the Christian has already fulfilled. When believers have faith in Christ the Law no longer demands anything from them. The Law has come to an end with faith in Christ. For Forde, the Law comes into effect once a person has failed to comply with God's will. The person has then fallen away from the command of God and therefore in need of God's Law. But as long as the person remains faithful to God's will, he does not need the Law. In his *Law-Gospel Debate* Forde cites Luther: 'Where sin ceases, there the law ceases, and to the degree that sin ceases, to that degree law ceases, so that in the future life the law ought to completely cease, because then it will be fulfilled' (Forde 1969:182). According to Forde, the Law has come to an end when it is fulfilled. This is possible when the person has been received into the grace of God, for grace fulfils the Law. Then those who have been received into God's grace do not need to fulfil the Law because it has already been fulfilled. The third use of the Law, according to Forde, is a result of labelling the Law as eternal, *lex aeterna*, which was misinterpreted from Luther. The use of the Law in this regard only imposes 'a new kind of legalism' onto Christians (Forde 1969:226-227).

Elert also insists that the third use of the Law should be abolished in Lutheran theology because Luther did not teach it. Elert denies the use of the Law as a guide to Christians, arguing that the new man does good works because of the new

obedience. For Elert (1967:11) the Law always accuses (*lex semper accusat*). The Law informs man that God gives mercy to those who fulfil it; however, this fulfilment is impossible (Elert 1962:36). Man escapes this daunting task of the Law when he or she seeks refuge in the risen Lord Jesus Christ who transforms the old person into a new being. God's 'responsible creature' and 'divine image' is restored in the risen Christ. The Law has come to an end and the only use that remains is the accusative force which is the imperative to avoid evil. The Christian enjoys freedom in Christ and does the good works out of new obedience. Although the Christian remains saint and sinner, insecure, anxious and fearful because he is still in this life, he overcomes these fears of the wrath of God with the 'word and reality of forgiveness and freedom' (Elert 1957:285, 291). The Law only convicts the new person of his sin in order to drive him back to Christ and not as a positive guide to do good works. 'There is no situation imaginable, so long as the Law reigns over us, where it would not exercise this accusatory function' (Elert 1967:13). This is the only usefulness of the Law. It has no function in the life of the Christian. Only the Gospel builds up the life of the Christian (Elert 1967:36).

Elert and Forde's arguments, although containing some truth, fall short of the confessional Lutheran teaching regarding the Law, especially on the 'third use'. The Law does not only represent the accusing power of God, but it is also God's immutable will which must be maintained not only among the unregenerate and impenitent, but also among the converted Christians.

*Epitome of the Formula of Concord* states:

We believe, teach, and confess that, even though people who are truly believing in Christ and truly converted to God have been freed and exempted from the curse and coercion of the Law, they are still not without the Law on this account. They have been redeemed by God's Son in order that they may exercise themselves in the Law day and night (Psalm 1:2; Psalm 119). Even our first parents before the fall did not live without the Law. They had God's Law written into their hearts, because they were created in God's image (Genesis 1:26-27; 2:16-17; 3:3).

(McCain 2006:662-663)

The Law is God's unchangeable will. The difference lies in the person to which it is applied. To those who are unregenerate the Law requires obedience out of

constraint and compulsion; however the regenerate obeys the Law not by compulsion but out of the free and willing Spirit (McCain 2006:664). There has also been a disagreement on the terminology of the ‘third use’ of the Law among Lutherans. This is because of the fact that Luther does not employ this term in his works. However, it must be said that Luther does teach the importance of the Law to Christians. In his theses *Against the Antinomians* Luther writes:

For who could know what and why Christ suffered for us without knowing what sin or law is? Therefore the law must be preached wherever Christ is to be preached, even if the word ‘law’ is not mentioned, so that the conscience is nevertheless frightened by the law when it hears that Christ had to fulfil the law for us at so great a price. Why, then, should one wish to abolish the law, which cannot be abolished, yes, which is only intensified by such an attempt? For the law terrifies me more when I hear that Christ, the Son of God, had to fulfil it for me than it would were it preached to me without the mention of Christ and of such great torment suffered by God’s Son, but were accompanied only by threats. For in the Son of God I behold the wrath of God in action, while the law of God shows it to me with words and with lesser deeds.

(Luther 1971:113)

For Luther, the Law must be preached where Christ is preached. Since Christ is preached to believers and unbelievers, the Law must be preached to both of them because it is through the Law that the work of Christ is revealed. The Law must be preached to Christians because Christians are at the same time saints and sinners, that is, *simul iustus et peccator*. Though Christians have been redeemed from the Law by faith in Christ, they still live in this sinful world. Christians are not without sin, but they are counted righteous because of faith in Christ (Westerholm 1988:10; cf. also Mattes 2005:272, 274-276). While the new man believes, loves and trusts in God, the sinful nature desires things of the flesh, of the world and of the devil. A Christian therefore needs the Law to restrain this human nature, and to reveal the need for Christ (Althaus 2007:16-17; see Luther 1957:360-364).

Again, Lutherans believe that a Christian life must be guided by the principle of love towards the neighbour. Even though justification is only by God’s grace through faith without works, a justified life is manifested in the works of love towards the neighbour (Luther 1964:30; cf. also Althaus 2007:17). Because justification is a free gift given to believers, they are not to sit and be idle. Believers must reflect God’s gift of free grace by their works. The *Apology of the Augsburg Confession* states:

Therefore, when we have been justified by faith and regenerated, we begin to fear and love God, to pray to Him, to expect aid from Him, to give thanks and praise Him, and to obey Him in times of suffering. We also begin to love our neighbours, because our hearts have spiritual and holy movements.

(McCain 2006:124-125)

After Christians have been justified they are enabled by the Holy Spirit to do works which are pleasing to God. These include loving, fearing and trusting in God above all things, and also loving the neighbour. It is through these works that the Law of God is fulfilled (Rm 13:10; Mk 12:29-31). This is possible at this point because of the Spirit who dwells among believers. The Holy Spirit creates faith, renews the hearts of believers and also enables believers to fulfil the Law of God. In his treatise *Freedom of a Christian*, Luther describes a Christian life in a paradox:

A Christian is a perfectly free lord of all, subject to none.  
A Christian is a perfectly dutiful servant of all, subject to all.

(Luther 1957:344)

Luther deduces these theses from Paul's words in 1 Corinthians and Romans. Paul says, 'Though I am free and belong to no man, I make myself a slave to everyone, to win as many as possible' (1 Cor 9:19). He again says in Romans 13:8: 'Let no debt remain outstanding, except the continuing debt to love one another, for he who loves his fellowman has fulfilled the law.' In this paradox Luther depicts the life of a Christian whose being is made up of two opposing beings; the inner or spiritual being, and the outer or sinful being. In the first place, a Christian is free in the sense that he is not required to do anything regarding his salvation. All that salvation requires has been accomplished for him in Christ who sacrificed himself on behalf of man. Christ has therefore put an end to all that was required of man (sacrifices and the keeping of the law) to sustain his relationship with God. Only faith in Christ justifies. Paul writes, 'Christ is the end of the law so that there may be righteousness for everyone who believes' (Rm 10:4). He also says, 'The righteous will live by faith' (Gal 3:11). Therefore, what a believer requires is faith alone, not his works or deeds if he is to be justified before God (Luther 1957:344-346).

In the second place, a Christian is a servant of all because he is still in his mortal body and lives in a sinful world. A Christian strives to discipline his flesh and to restrain his outer, sinful being so that it may live in harmony with the inner, spiritual being. While the inner, spiritual being believes and depends on the free gift of God's



grace for his justification, he meets opposition from the outer, sinful being (Rm 7:22-23) who desires to serve his own interests. A Christian therefore needs to do all good works in order to subject himself to God's good will (Scaer 2011:330). This is done out of spontaneous love and obedience to God. These works do not merit God's grace but flow out of faith. Just like a good tree produces good fruits (Mt 7:15-20) so also faith produces good works. A Christian does not need good works or the Law to justify him since he is freely justified through faith. However, he does good works because *first of all*, they are fruits of faith and *second*, the neighbour needs them (McCain 2006:47, 656-658; see Luther 1957:358-368).

Ebeling (1985:249), in his work *The Truth of the Gospel*, states that faith forms part of Christian living. Faith is not only Christian's standing before God but it also has consequences before the world which it manifests through action. Faith must be lived and take action in life as Paul writes in Galatians 5:6, 'faith expressing itself in love.' Faith which frees a Christian from the Law expresses itself in love and service to the neighbour. To love one another does not limit Christian freedom but fulfils it. Therefore, when Paul says 'Carry each other's burdens, and in this way you will fulfil the law of Christ' (Gl 6:2), he does neither limit freedom of a Christian nor does he reintroduce the Law whose Christ is the end (Rm 10:4). On the contrary, Christ is the end of the Law in the sense that he fulfilled it not only for himself but also for those who believe in him, and Christians serve one another based on Christ's fulfilment of the Law with the help of the Spirit. Christian love towards the neighbour is the gratitude that life and righteousness have been given on the account of grace without any merit (Ebeling 1985:249-254). Vogel (2005), in his article *A Third Use of the Law*, identifies one part of the Law that remains applicable throughout all ages. Despite the cessation of other laws (the ceremonial laws), this one law has remained throughout history, namely the natural law. Vogel quotes Luther's *Lectures on Galatians* in establishing his argument in which he states that the natural law is the foundation for Luther's theology of the Law. Luther says:

No less carefully must one understand that very popular distinction which is made among natural law, the written law, and the law of the Gospel. For when the apostle says here that they all come together and are summed up in one, certainly love is the end of every law, as he says in 1 Tim. 1:5. But in Matt. 7:12 Christ, too, expressly equates that natural law, as they call it – "Whatever you wish that men would do to you, do so to them" – with the Law and the prophets

when he says: “For this is the Law and the prophets.” Since he himself, however, teaches the Gospel, it is clear that these three laws differ not so much in their function as in the interpretation of those who falsely understand them. Consequently, this written law, “You shall love your neighbour as yourself,” says exactly what the natural law says, namely, “Whatever you wish that men would do to you [this, of course, is to love oneself], do so to them [as is clear, this certainly means to love others as oneself].” But what else does the entire Gospel teach? Therefore there is one law which runs through all ages, is known to all men, is written in the hearts of all people, and leaves no one from beginning to end with an excuse, although for the Jews ceremonies were added and the other nations had their own laws, which were not binding upon the whole world, but only this one, which the Holy Spirit dictates unceasingly in the hearts of all.

(Luther 1964:354-355)

According to Vogel, Luther clarifies the confusion that remains regarding the Law of Moses, the law of Christ, and the law of community. This natural law demonstrates that Christ’s demands are no more than what God commands from the beginning of creation, which is to love God and the neighbour (Vogel 2005:208). The *Solid Declaration of the Formula of Concord* also affirms the importance of the natural law which continues to impact Christian life from the beginning to the end of time. Article VI of the *Solid Declaration* states:

‘The law is not laid for the just’ as the apostle testifies [1 Timothy 1:9], but for the unrighteous. Yet this is not to be understood in a simplistic way, as though the justified are to live without Law. God’s Law has been written in their heart [Romans 2:15]. Also a law was given to the first man immediately after his creation [Genesis 2:15-17]: He was to conduct himself according to this law. What St. Paul means is that the curse of the Law cannot burden those who have been reconciled to God through Christ. Nor must the Law confuse the regenerate with its coercion, for they have pleasure in God’s Law in the inner man [Romans 7:22].

(McCain 2006:793)

Piotr Malysz, in his article *The Third Use of the Law in light of creation and the fall*, describes the continuing role of the Law in the Christian life:

Even a cursory glance at the New Testament will reveal a strong emphasis on Christian living. Believers are encouraged to ‘live a life worthy of the calling you have received’ (Eph 4:1). As God’s beloved children, they are to be ‘imitators of God,’ living ‘a life of love, just as Christ loved us and gave himself up for us as a fragrant offering and sacrifice to God’ (Eph 5:1-2). The richness of expression is quite staggering. For the most part, however, the emphasis is conveyed through admonitions whose sense of immediacy reflects the crucial link between Christian life and Christ’s atoning sacrifice on the cross as its source and driving force.

(Malysz 2004:212)

Christian living is not independent of God's calling. It is a life that fulfils and reflects God's good will which he has revealed to us through the sacrifice of his son Jesus Christ. Just as God loved us and sent his son Jesus Christ to die on behalf of human race, Christians too are to reflect this love in their lives. This is done in their love (Gl 5:6) and service to one another which fulfils the Law of Christ (Gl 6:2).

David Scaer, in his article *Walther, the Third Use of the Law, and contemporary issues*, relates the current moral degeneration among Christians to failure to recognise that the Law is 'the unchanging will of God, according to which human beings are to conduct themselves in this life.' Scaer (2011:331-332) attributes this failure to 'unintended consequences' caused by Walther's description of Law and Gospel as God's No and God's Yes respectively (cf. Walther 2010). According to Scaer (2011:338), Walther's description labels the Gospel as God's final word giving way to Gospel reductionism which has resulted into antinomianism. Scaer supports his argument by depicting the structure of the American Lutheranism in which libertinism has become the order of the day. The denial of the third use of the Law among Christians has led to ordination of women, the blessing of same sex marriages and the legalization of abortion. The denial of the Law's role in Christian living has led to individual libertinism in which the golden rule is not to infringe on one's autonomy as you would not want yours to be infringed on. With this belief social culture has prevailed over the church and the Christian church cannot condemn the ill behaviours of the people because it would infringe on their rights. Where the Law of God is abrogated ethical matters are up for grabs. Scaer relates the contemporary situation with Adam's situation at the beginning of creation (Gn 2). Adam defied the natural law which was given to him by God and instead listened to the serpent. Although God's love for man surpassed his command, Adam's defiance did not go without punishment. Adam's action was a transgression against God and he had to suffer the consequences. Therefore, Christians must conduct themselves according to unchanging will of God as God intended. Christian life may not be perfect in this world but it will come to perfection in eternity, where Law and Gospel will no longer be God's No and God's Yes, but God's Yes and Yes (Scaer 2011:340-342).

Scott Murray also argues in the same vein as David Scaer. In his book, *Law, life, and the living God*, Murray (2002:13) argues that the Law is as much needed as the Gospel in the Christian life. Preaching the Gospel without the Law leads to moral laxity just as preaching the Law without Gospel leads to despair. Law and Gospel must be preached in order to avoid both extremes. The important thing is to know when either of the two is needed in the Christian life. Citing the *Formula of Concord*, Murray states three reasons why the Law must be preached. First, the Law is the immutable will of God to his people; second, because believers are not perfect in this life and they still struggle with the desires of the flesh; and third, Christians need to hear the Law so that they may not fall into self-righteousness and idol worship. Nevertheless, Christians as long as they are renewed, must do good works with a cheerful heart and free Spirit without compulsion of the Law (Murray 2002:25). The Christian needs to hear both Law and Gospel because he is made up of the two beings, the old Adam and the new man. As long as the old Adam still clings to him, the Christian must hear the Law; but the new man does not need to hear the Law but the Gospel. In disputing Lazareth's argument that the placement of the Ten Commandments before the Creed in Luther's catechisms signifies the Christian's break with the Law, Murray argues that Luther's explanation of the Ten Commandments is for the benefit of the Christian. For the words to fear, love and trust in God above all things in the First Commandment are only possible among believers. Unbelievers are not able to do what Luther describes in the First Commandment. These words are not only in preparation of the Gospel, but continue to be relevant for the believer. Luther's *Small Catechism* does not only start with the Ten Commandments, but also ends with ethical admonitions to Christians (Murray 2002:170, 171). The denial of the third use of the Law by the church would lead to moral laxity which may result into an antinomianism worse than that encountered in the 16<sup>th</sup> century that led to the inclusion of the Sixth Article in the Formula of Concord. The *simul iustus et peccator* should provide the guidance that Law and Gospel need to be preached to the Christian as long as he remains on this earth. This kind of preaching ceases only when the Christian dies. He is then free from the Law because he is perfectly renewed and the old Adam no longer bothers the new man with all fleshly desires. It should, however, be stated that the 'third use' does not empty the Law of its accusing function. The *semper* of the Law continues even among the believers. 'As the Christian lives in the *simul* the Law always accuses,

condemning the old Adam while instructing and delighting the new Adam with God's eternal will' (Murray 2002:217-218).

Timothy Wengert, on the other hand, describes the third use of the Law as the first and the second use applied to Christians (Wengert 2013:39). For Wengert, the third use of the Law should be understood in its historical context:

For Melanchthon and later Lutherans, however, the third use of the law was simply the first and second use applied to Christians. Believers are at the same time saint and sinner, believer and unbeliever, and thus they still need the law – first, to restrain them and reveal God's good and gracious will and order for humanity and for all of God's creation, second, to kill the old creature and drive it back to the [G]ospel, faith, and God-pleasing works and away from works-righteousness and 'self-chosen spirituality.'

(Wengert 2013:39)

Christ is the end of the Law as long as justification is concerned but the Law still has a significant role in shaping the life of Christians (Althaus 2007:16-17; Engelbrecht 2011:105-106; see Luther 1957:360-364).

### 2.5.1 Summary

The disagreement on the third use of the Law did not start yesterday nor is it a last century controversy. It has existed since the 16<sup>th</sup> century among the Reformers and it seems not to be solved yet. The third use controversy is a matter of the terminology employed. It is a double-faceted problem. Firstly, those who deny the third use claim that Luther never used this terminology in his writing. Secondly, the problem seems to be attributing another use to the Law in addition to the civil and the theological uses. Although it is difficult to trace the terminology *tertius usus legis* in Luther's writings, it cannot be denied that he did teach this use among the Christians. On the other hand, even those who deny the third use do not deny the importance of good works among believers. The argument that a Christian life is motivated by the indwelling Spirit cannot be denied, however, it must be said that the Spirit enables the believer to fulfil the Law. What the Spirit does in the life of the believer is nothing more or less than what is commanded in the Law. For the Law can never be fulfilled by human efforts in this life. The Law is God's immutable will which will be perfected in the life to come. When believers have been rescued from this life and are wholly renewed which is only possible in the life to come, then the

Law will no longer be binding to them because God's will (Law) will be perfected. God's good creation will be restored just like it was at the time of creation. Despite the disagreement on the third use of the Law, the following is true of the Lutheran teaching regarding the Law.

First, the Law does not justify man before God. A person is justified before God by grace through faith when he or she believes that his or her sins are forgiven for Christ's sake. No human works, no matter how great they are can merit forgiveness of sins. Even the works we call good are sins if they are not done in faith. This, however, does not mean that Christians are not to do good works because they do not justify. Once believers have been received into the grace of Christ, they are enabled by the Spirit to do works which are pleasing to God. These works are the fruits of faith described in Galatians 5:22-23. Second, the Law was given for a purpose:

- (1) To restrain the wicked and uncivilised by threatening them with punishment. In this case those who observe the Law do it because of fear of punishment. This is the civil use of the Law.
- (2) The second use is to reveal man's sinfulness. The Law convicts us of our inability to keep it. With its demands the Law shows to humans that they have not done that which it demands. The Law says 'You were to do this, but you did not do it; you therefore deserve punishment.' The Law, however, does not save us from this wretchedness. It diagnoses the disease but does not provide cure for it. The Law drives us to Christ. This is the theological use of the Law.
- (3) The Law still has a valuable role among believers. Although the ceremonial part of the Law ceased with the coming of Christ, the moral aspect also called the natural Law is still the responsibility of the Christian. The Law is God's immutable will which continues to be maintained even among believers. However, its perfection cannot be realised until when believers are fully renewed in God's eternal kingdom. This is the third use of the Law.

## **2.6. CONCLUSION**

The doctrine of the Law is an important part of Lutheran theology. This is because Lutherans understand the word of God to be Law and Gospel (Walther 2010:2). These two doctrines are very important for the understanding of the word of God.

Misunderstanding one of these doctrines overshadows the message of God in his word. That is why it is so important for Lutherans to understand what the Law is and what the Gospel is. Until he understood what God says in his word, Luther lived a miserable life in the monastery. Prior to this knowledge Luther had struggled to please God by his works in order that he might be justified. His striving and toiling however yielded no good, instead it piled more misery on him. This is when he came to understand by reading Paul's letters especially Galatians that people are not justified or put right with God by their own works but by putting their faith in Christ Jesus. Confessing Christ as the saviour is the only means by which a person is justified.

For people to come to this understanding they must be aware of the two doctrines of Scripture, Law and Gospel. These two doctrines although both are the word of God differ significantly from each other in the way they were revealed, the content contained in each doctrine, the promises each doctrine makes, the threats of each doctrine, the function and effect of each doctrine, and the person to whom each doctrine applies. Proper distinction therefore needs to be observed for the proper understanding of the word of God. Where this distinction is lacking the people of God will be in danger of becoming hypocrites or despairing of their insufficient works to save themselves. This opposes the will of God to save his people by his grace offered to humanity in his son Jesus Christ. Salvation is not found in our works and merits but in faith in Christ Jesus. This, however, does not render the Law useless since it demands our works, rather the Law has its own purpose to restrain the wicked and uncivilised to live a desired life within society; to reveal to people their sins so that they may seek mercy from Christ; and to guide Christians to live a godly life pleasing to God. For even though the Law does not save it still remains God's will intended for his people.

## Chapter 3

# The Law in the Lutheran Church of Uganda: Phenomenological study

### 3.1 INTRODUCTION

This Chapter aims to establish how the Lutheran Church of Uganda understands and interprets the Law. The way the Law is understood defines who we are, especially as Lutherans. The understanding, interpretation and application of the Law differentiates one Christian group from the other. As we have seen from Chapter 2, Lutherans have an understanding of the Law that was shaped by the Reformation leader Martin Luther's interpretation of Paul. In this Chapter we will empirically investigate if the Law in the Lutheran Church of Uganda is understood along the same lines as those of the Reformer. We will especially seek to indicate if there is a difference between the Lutheran Church of Uganda and Luther's understanding and interpretation of the Law. If differences can be indicated, the question will be asked if these possible differences are caused by the Lutheran Church of Uganda's cultural context or not.

### 3.2 DATA COLLECTION

The respondents were approached and asked whether they were willing to participate in the study. It was explained to them that participation was voluntary however, they were encouraged to participate as the study would help establish the identity of Lutherans in Uganda. It was also explained that their participation would not invade their privacy since all responses would be treated as anonymous and confidential. Respondents were informed that their responses would be recorded.

The study was conducted in the form of a one-on-one interview and all the respondents were asked the same questions (see questionnaire in Appendix 1). The questionnaire was strictly followed so that the interviewer and the respondents would not stray from the topic (The understanding of the Law in the Lutheran Church of Uganda). The study targeted leaders in the church, that is, pastors, evangelists and



congregational chairmen. These persons are responsible for preaching and teaching of the word of God in their respective congregations.

### **3.3 DATA ANALYSIS**

The interviews of the fifteen subjects were transcribed and the significant statements were identified (see § 3.4.1). Although many answers given were the same, similar answers were only recorded once to avoid repetition. The meaning of the significant statements were written out and are presented in § 3.4.2. This was done by reading and rereading the significant statements and also by going back to the original transcriptions in order to present the original meaning of these statements according to the respondents.

Once the meanings of the significant statements were formulated, these meanings were organised into themes (see § 3.4.3). Themes were identified by identifying the common answers given by the respondents. The themes were compared to the original material to see if there are any unrepresented or misrepresented ideas. This was done in order to avoid any inclusion of the materials that were not in the original transcriptions or elimination of important materials in the original.

A description of the themes was written for all of the eight identified themes (see § 3.5). All the materials from the original transcriptions to significant statements to their meanings to themes were consulted. This exhaustive description of the Law presents the description as given by the respondents.

#### **3.3.1 Significant statements**

- Law goes hand in hand with the Gospel.
- I preach Law in every sermon because I need to show people their sins.
- I preach the Law to reprimand sin.
- Law is a mirror which shows sins to the people.
- When people do not come to church I preach Law.
- I start with Law to prepare my congregation to receive the Gospel.
- When people repent, I preach the Gospel.

- After people have been frustrated by the Law, they need the Gospel to nourish their faith and give them courage in Christ Jesus.
- After people are convicted of their sins they need to know that there is help from Jesus Christ, which is the Gospel.
- I preach the Gospel after the Law in order for Christians to appreciate what Christ did for their sins.
- I preach Law in every preaching because I preach Law and Gospel.
- Every verse has Law and Gospel.
- I preach the Gospel because people need the grace.
- Every time I preach, I preach Law.
- The Law orders the congregation.
- The Law tells people what to do and what not to do.
- In every sermon there must be Law.
- When there are public sins committed.
- Leadership laws like, one wife, exemplary.
- Order of the divine service.
- Congregation laws, like attending catechism classes, giving offerings, service to one another, church activities, and time management.
- Moral laws like no drinking, one wife.
- Call sinners to repentance according to Christ's instruction.
- Bring a sinner to church discipline in order that he/she may repent.
- Denying a sinner the Sacrament of the Altar.
- Excommunicate a sinner according to Lutheran Confessions in order to repent and be forgiven.
- Call a sinner before the church council to repent.
- Deny him the sacraments.
- Counsel those who sin publicly.
- Punishment to the sinner.
- We try to correct a brother.
- Punish them without using a harsh hand.
- If the steps taken to bring a sinner to repentance do not work, he is treated as a nonbeliever.

- Deny their children baptism.
- Denying them office in the church (in case of leaders).
- Withdraw sacraments until he/she repents.
- According to Lutheran Confessions Law acts as a mirror, curb and guide.
- Lutheran Confessions talk about the Third Use of the Law.
- The Law is holy and it is the word of God.
- The Law is necessary to crush the sinner to see need for Christ.
- Sin brings guilt.
- The Law brings punishment.
- The Law is helpful because it gives us direction.
- The Law does not save but condemns us.
- The Law prepares us to receive the Gospel.
- The Law leads us to believe in Christ.
- When a sinner is given punishment because of his sin, his fellow Christians will fear and not do the same.
- Law reveals true man to his God.
- Law brings fear and leads to repentance.
- Law keeps people away from sinning.
- Repentance is the goal of punishment.
- Punishment brings humiliation which leads to abstaining from committing sins.
- Punishment may not necessarily lead to repentance.

### **3.3.2 Meanings of the significant statements**

- The Law is preached whenever the Gospel is preached because Law goes hand in hand with Gospel.
- The Law must be preached in every sermon in order that people may recognise their sins because the Law is a mirror which shows people their sins.
- The Law is preached at the beginning of the sermon or at least before the Gospel so that people may repent and be prepared to receive the Gospel.
- After people have been frustrated by the Law and are convicted of their sins they need the comfort of the Gospel which creates faith and encourage them to believe in Christ Jesus.

- The Gospel is preached after the Law in order that Christians may appreciate what Christ did for their sins.
- The Law needs to be preached as much as the Gospel because God's word is Law and Gospel.
- The Law is helpful because it tells Christians what to do and what not to do. The Law brings order in the congregation.
- The Law is preached to rebuke public sins committed in the congregation.
- There are other laws in the congregations which govern the day-to-day running of the congregations. For example leadership laws, order of the divine services, moral laws and others.
- Sinners are called to repentance according to Christ's instruction.
- Church discipline is exercised to those whose sins are known by the congregation.
- Denial of sacraments, counselling, punishments, forbidding a sinner to take up offices, and excommunication are ways of dealing with sinners in the congregations.
- The third use of the Law needs to be taught as described in the Lutheran Confessions.
- The Law is holy and it is the word of God.
- The Law is necessary to crush the sinner in order that he may not rely on him/herself but see the need for Christ.
- The Law brings guilt and condemnation by revealing the sin in a believer.
- The Law does not save but leads Christians to receive the Gospel which is believing in Christ.
- The punishment of the Law creates fear among believers and therefore keeps them away from committing sin.
- Because the Law's punishment brings fear among believers, it leads them to repentance.
- Because of the fear of the Law's punishment, believers tend to keep away from sin.
- Punishment, however, does not necessarily bring repentance.
- The main goal of punishment is repentance.

### 3.3.3 Common themes

#### 1. Use of the Law

- The Law is useful in the sense that it acts as a mirror revealing the sins of those to whom it is preached. It brings self-awareness to whoever it is preached.
- The Law tells Christians what to do and what they should not do. The Law brings order in a Christian life.
- The Law is necessary to crush the sinner in order that he/she may not rely on him/herself but look to Christ for help.
- The Law brings guilt and condemnation driving a sinner to find refuge in Christ.
- The Law instils fear and discipline.
- The Law condemns sin.

#### 2. Use of the Gospel

- The Gospel comforts the crushed Spirit.
- The Gospel encourages Christians to put their trust in Christ.
- The Gospel tells Christians what Christ has done for them, that is, delivering them from guilt and condemnation of the Law.

#### 3. Criteria for preaching the Law

- The Law is preached before the Gospel in order that the sins of people may be revealed and be prepared to receive the comforting news of the Gospel.
- After listeners have been frustrated by the threatening of the Law and are convicted of their sins, they are ready to receive the comfort of the Gospel which creates faith and encourages them to trust in Christ Jesus for the forgiveness of their sins.
- The preaching of the Gospel after the Law is to make listeners appreciate what Christ has done for them.

#### 4. How often the Law is needed

- The Law is preached whenever God's word is spoken. The Law is part of God's word as much as the Gospel is, therefore both Law and Gospel must be preached every time preaching takes place.
  - The Law is to be preached as much as the Gospel because God's word is Law and Gospel.
5. Circumstances which compel the preaching of the Law
- The Law is preached to reprimand sin, to rebuke public sins committed by the congregants.
  - The Law is preached in order to reveal a Christian's relationship with his God.
6. The need for other laws in the congregation
- Other laws govern the day-to-day smooth running of the congregation.
  - These laws bring order in the congregation.
7. Punishing sinners
- Sinners are brought to repentance according to Christ's instruction.
  - Church discipline is exercised to those whose sins are known.
  - Sinners are denied the sacraments, undergo counselling, are forbidden to take up offices, and sometimes are excommunicated with the intention of bringing them to repentance.
8. Attitude towards the Law's punishment
- The Law is holy.
  - The Law is good.
  - The Law is God's word.
  - The Law is important in the congregation.
  - Although the Law's punishment may at times not yield repentance, this is its main goal.

### **3.4 DESCRIPTION OF THE COMMON THEMES**

The Law's understanding in the Lutheran Church of Uganda can be described under the following themes: use of the Law, use of the Gospel, criteria for preaching the Law, how often the Law is needed, circumstances which compel the preaching of the Law, the need for other laws, punishing sinners, and attitude towards the Law's punishment.

#### **3.4.1 Use of the Law**

From the survey conducted it is clear that the Law plays an important role in the Lutheran Church of Uganda. All the respondents acknowledged the usefulness of the Law in their congregations. It was discovered that every one of the respondents preaches the Law every time he prepares his sermon. The Law is not a question of choice, but of urgency which cannot be avoided. The Law has to be expected whenever there is preaching of the word of God. There would be no sermon or God's word would not be preached to its expectation if the Law is not included in the sermon.

The following are the reasons why the Law is very important in the Lutheran Church of Uganda: First, the Law is a mirror which reveals the sinfulness of believers. Believers become aware that they are sinners when they hear the Law. This self-awareness does not come by itself, but by the Law. It reveals what deeds, how and in what ways a believer has transgressed God's will. This use of the Law was acknowledged by all the respondents. Among the uses of the Law mentioned, this use was the most important one. Everyone talked about how important the Law is in this regard.

Second, the Law is seen as a guide. The Law describes what and what not a Christian should do. It describes a Christian life which all believers ought to live. Without the Law Christians would be lost because they would not know what they should do and what they should not do. This is only found in the Law. The Law therefore shapes the behaviour of believers. One is able to identify a Christian by the life he or she lives. Christians are expected to live a certain kind of lifestyle different from the rest of the world. They are also considered to be the role model, living a life desired by unbelievers. This is because they have the Law as their guide.

Third, the Law is necessary to crush the sinner in order that he or she may not rely on himself or herself but seek help from Christ. When the Law is preached and sins are exposed, the sinner feels guilty and condemned and sees nothing good in himself or herself but deserving punishment. This guilt drives them to look for an outward help which is only found in the comforting words of the Gospel. This is the work of the Law; to produce guilt and condemnation in the sinner so that he or she may repent and come to believe in Christ. Escape from this condemnation can only be found in Christ. The Law, because of its threats, drives a sinner to find refuge in Christ Jesus. The Law instils fear, fear brings discipline and the person stays away from committing sin because of the fear of the Law's condemnation. This was termed by some respondents as the use of the Law as a curb. The Law as a curb builds a fence around a believer and keeps him or her away from sin. The fence created by the Law cannot be crossed by the believer because he or she knows what to expect if this line is crossed. He or she is aware that punishment awaits those who jumps out of the fence. The Law therefore keeps them at bay.

### **3.4.2 Use of the Gospel**

After sinners have been crushed by the Law and are devastated by the punishment that awaits them because of their sin, the Gospel brings comfort and consolation by reminding them of what Christ has done for them. They are reminded of the forgiving grace found in Christ by believing that Christ has done all that is required of them by the Law. They therefore stand acquitted on the account of Jesus Christ. The Gospel encourages them to put their trust in Christ because he has delivered them from the guilt and condemnation of the Law.

### **3.4.3 Criteria for preaching the Law**

According to the respondents, the Law is preached before the Gospel. This is because people need to know that they are sinners in need of God's grace. The preaching of the Law brings about self-awareness of how unclean and sinful they are. This prepares them to yearn for the comforting news of the Gospel. Once sins of the people are revealed by the Law, they need to hear the good news that Christ forgives them and takes away their sins.



After listeners have been frustrated by the threat and punishment of the Law and are convicted because of their sins, they are ready to hear the Gospel which brings consolation to the troubled conscience. They appreciate the comfort of the Gospel because it saves them from judgment and condemnation. The Law must be preached before the Gospel in order that people may receive the good news with thanksgiving. Preaching the Gospel before the Law would not bring about this appreciation. Listeners would not be aware of how much Christ has done for them. It would not make much sense and the preaching of God's word might not fulfil its purpose. The bad news should come first so that the good news would neutralize the unpleasant feeling. People should be aware of the situation they are in first before they can look for the way out. They should recognise that they have done wrong and need to be rescued from their misery. However, they would not know how miserable they are unless the Law is preached to them. They should be aware that they need help. This is what the Law does. It brings about the awareness of sin.

#### **3.4.4 How often the Law is needed**

It appears that the preaching of the Law is needed as much as the word of God, that is, whenever there is preaching of the word of God the Law must be preached also. Whenever people are to hear what God says to them they must hear the Law. This is because Law is God's word. Because God's word is Law and Gospel one cannot say he has preached God's word if the Law is not included. Each one of the respondents acknowledged to have preached Law in every sermon he had delivered. Also, because there is Law in every verse, there is no way one can avoid talking about it.

The Law is preached as many times as possible because it is a guideline by which the congregation runs. The Law guides the congregation and defines the identity of believers. The Law defines those deeds expected from the congregation. It tells the congregation what's expected of the believer. It is therefore necessary that the congregation hears the Law time and again. There is not a time when the Law is not important.

#### **3.4.5 Circumstances which compel the preaching of the Law**

The Law is important when there are public sins in the congregation. Sinners need to hear the wrath of God because of sins committed. They need to hear how sinful they

are and the punishment they deserve. Until they have acknowledged that they are sinners, Law must be preached. Sin must be condemned and this can only happen in the preaching of the Law.

The Law also reveals the sinful human nature. It shows us that there is nothing good in us except rebellion against God. All of human will is inclined to satisfying fleshly desires. Whatever man does, he does it for his own benefit. This inclination to the self does not do what God wants of his creation. This is sin because it does not fulfil God's desire for his creation. This deficiency is revealed to us in the Law. The Law therefore must be preached to reveal this sickness in human beings.

#### **3.4.6 The need for other laws in the congregation**

Apart from the Law of God found in the Holy Scriptures, it was discovered that individual congregations have other laws that govern them. These laws are for purposes of administration, creating order in the divine services, preventing moral degeneration among believers and so on. These laws are necessary for creating order in the congregation. They define who a member of a certain congregation is, how leadership structures are put in place, what qualities a leader should possess, how the activities of the church are carried out, who does what and when, and others. They are for creating order and responsibility in a given congregation.

#### **3.4.7 Retribution or punishing sinners**

Sinners are punished for whatever wrong they committed. This is the belief of almost all the respondents, with the exception of a few respondents who stated that there were no kind of punishment given to the wrong doer. However, they later conceded that punishing wrong doers was a right thing to do. The importance of punishing sinners is to a) bring them to repentance, and b) to teach a lesson to others.

Nevertheless, the majority of the respondents admitted that sinners are brought to repentance according to what Jesus says in Matthew 18:

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them, tell it to

the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.

(Mt 18:15-17)

This was, according to the respondents, the correct way of dealing with sinners. The pastor takes the initiative. It is the work of a pastor to approach the one who has erred in a brotherly manner. The response of the sinner would dictate what follows next. If he or she is remorseful and repents of his or her wrong doing, the matter would be resolved at once. However, failure to recognise his or her sins would lead to involving the whole congregation. The congregation then decides what to do with the unrepentant sinner in this case suspension or excommunication from the church follows.

Another way of dealing with sinners is to exercise church discipline. Church discipline includes measures taken to restore the sinner to God's grace. This includes withholding the administration of sacraments, forbidding them to take up offices in the congregation, and undergoing counselling. The expectation of the church discipline is that a person may come to know his or her sin and ask for forgiveness and thus be restored into God's people. Although most of the respondents acknowledged that church discipline helps in restoration of a sinner, there were reservations from a few that punishing a sinner may not necessarily bring about repentance.

#### **3.4.8 Attitude towards the Law's punishment**

The Law is good and holy and its punishment is just; the Law does not punish a righteous person, but a sinner. Anyone who fails to do what he or she ought to do and does what is contrary to the Law is punished. The aim of this punishment is not to push the sinner further away from the right way but to make him or her be aware of the wrong they have committed. The Law's punishment helps in correcting the wrong. People need to be aware of the Law in order that they might not be excused when punishment is to be applied.

The Law is also God's word and his intentions of giving the Law were good. For the Law helps Christians to remain within the limits of God's divine will. Therefore,

Christians must conduct themselves according to the Law of God. However, this is not in human will. To do what the Law says is not human will but one is compelled to obey the Law because of fear of punishment. When a Christian in the congregation sins and receives punishment because of their sin, the rest of the congregation will learn from their fellow Christian and refrain from such sins. This is because the punishment of the Law has instilled fear among them. Punishment needs to be given to those who have sinned in order that other Christians may learn from the mistake of their fellow brother or sister.

All the respondents seemed happy with the Law in their congregations. Their reasons ranged from the use of the Law discussed above to instilling fear in the congregants to ordering the desired lives of Christians.

### **3.5 DISCREPANCIES AMONG THE RESPONDENTS**

From the interviews it became clear that not all the respondents have a common understanding and interpretation of the Law. There were some differences in the understanding on the Lutheran teaching on the Law. Although most of the respondents understood what Lutherans teach regarding the Law, some of them did not quite understand this. Knowledge of the Lutheran teaching on the Law is present among the trained pastors, that is, those who have gone through formal training in seminaries. Others, who did not have seminary training, really struggled to describe what the Lutheran church teaches with regards to the Law. This however, does not mean that their interpretation of the Law is wrong. The informal training they had received, and their experiences, guided them to an acceptable understanding and interpretation of the Law. However, they did not match their trained counterparts.

Another differing point is the issue of retribution. Whereas many subjects acknowledged that some kind of punishment existed in their congregations, others stated that such punishments did not exist. A third of the respondents stated that sinners were brought to repentance without having given them punishment, whereas two-thirds stated that punishment was another way of bringing back a Christian who has erred. This view is present among trained and untrained pastors. The latter's education did not play a role in this judgment.

### **3.6 SUMMARY OF THE STUDY**

The phenomenological analysis was chosen as an appropriate method of interpretation because it aims at discovering how a phenomenon is lived, experienced and interpreted by those who live in it (Creswell 1998:31, 51; Bloomberg 2012:32). Since the Law is so much part of everyday Christian life, this method fits well with the research question investigated. It should also be noted that the findings of this study are reflective. The researcher tried to be objective and faithful to the outcomes of the research. There is no influence whatsoever of the researcher in the research findings.

Throughout the study it is seen that the Law plays a vital role in a Christian life. The Law forms part of the Christian living and there is no such life without the Law. This was discovered especially by the frequent use of 'both Law and Gospel' in the responses of the subjects. They frequently referred to the word of God as both Law and Gospel which must be spoken to Christians as often as every preaching of the sermon. Preaching of the word of God is nothing else but the preaching of both Law and Gospel. The Law is imbedded in the word of God and cannot be avoided when the word is to be spoken. Christians need to hear the Law especially those who have sinned. The reasons given were that the Law reveals sin; the Law prepares Christians to receive the Gospel; the Law helps Christians to appreciate what Christ has done for them; the Law is a curb which keeps Christians away from sinning; the Law is a guide which directs a Christian life by telling them what they should do and what they should not do; and that the Law brings repentance by convicting people of their sins. These are the reasons why the Law was preached in every sermon in different congregations.

Although there were some discrepancies among the responses of the subjects, especially in understanding what the Lutheran Church teaches with regards to the Law, it should be acknowledged that the respondents understood and interpreted the Law almost in a similar manner. The way the Law was interpreted and applied in one individual congregation has no big difference from the rest of the congregations. For example, although there were mixed reactions on the giving of punishment to sinners, all the subjects agreed that punishment was needed. They agreed that punishing sinners would instil fear in the rest of the Christians and thus prevent them

from committing sin. When one Christian sins and they are given punishment the rest of the congregation learn from what has happened to their brother and they would not do the same but try to keep as far away as possible. Therefore, it suffices to say that retribution is necessary in the church.

## Chapter 4

# Western Lutheranism in the Lutheran Church of Uganda

The position of the Western Lutheran understanding of the Law was presented in Chapter 2. In Chapter 3 we presented the findings of the Lutheran Church of Uganda's understanding and interpretation of the Law. In this Chapter we present the similar views (points of agreement) between Chapters 2 and 3. In this Chapter we find out how much influence Western Lutheran theology has had on the Lutheran Church of Uganda. The points of agreement can be categorised as follows: Law and justification, faith and good works, the use of the Law, the third use of the Law, the relationship between Law and Gospel.

### 4.1 LAW AND JUSTIFICATION

Since the days of the Reformation in the sixteenth century Lutherans have always stressed that the Law has nothing to do with matters of justification. The Law does not and cannot yield justification before God. The Law by definition according to Luther is 'whatever is not grace' (Luther 1963:122). In other words anything that demands instead of giving freely is Law. Therefore, a person's act cannot merit justification before God.

During the time of Martin Luther, the Catholic Church had imposed human laws onto their believers in the guise that people are justified by these laws. However, this was not the case. These laws do not make the conscience clear but burden it more (Luther 1964:13). This is because being right with God does not happen because we obey the laws whether God's Law or human laws. Being right with God is out of reach for us humans. It is not our work but God's. Although God gave Moses his Law on Mount Sinai it was not that man might be justified by these commands. God had given his Law to man in order that he might live by it and conduct himself according to God's will. The same can be said of the other instances before the giving of the Law at Sinai. For example at the time of creation God made man and put him in the Garden of Eden (Gn 2:7-8) before he gave him an order to 'not eat from the tree of

the knowledge of good and evil' (Gn 2:17; NIV). God's grace preceded his command. God did not choose Adam and gave him this beautiful garden because of his (Adam) obedience to God's command, rather God gave Adam this command in order that he might live by it in this garden which he has freely and graciously given him. Also Abraham the father of all believers was not reckoned righteous because of his obedience but because he believed what the Lord had told him (Gn 15:4-6). It was after believing, that is, after he had been reckoned righteous that God made a covenant with him with the terms of the covenant being circumcision. Again here the command of circumcision preceded God's election of Abraham as his chosen nation. In both instances God is the subject of his gracious actions. He made Adam and put him in the Garden of Eden without any prior work on the side of Adam. He also called Abraham out of his own people and chose him to bear his chosen nation of Israel. Abraham's righteousness was reckoned to him because he believed God's message and not because he obeyed God's command.

Paul says the same thing in his letter to the Galatians. While dealing with the issue of 'false brothers' who were opposed to his message of free grace Paul writes, 'know that a man is not justified by works of the Law except through faith in Jesus Christ' (Gal 2:15). With this declaration Paul sets the record straight: justification does not depend on human achievement. It is not by fulfilling the Law that we are saved but by faith in Jesus Christ. Luther in his argument on justification by faith alone asserts that even the fulfilment of the First Commandment does not justify a person before God (Luther 1963:122). This of course does not mean that we are not to love God above all things just as the Lord commands us in his Law (Mt 22:37). We are to love God with all our heart, mind and soul but any fulfilment of this command with the intention that we might be justified before God is sin. This is because justification does not depend on our human capability to do what the Law requires but on faith (Luther 1963:123). God bestows righteousness on those of faith for the sake of his son Jesus Christ. To do what the Law requires is good because that is why God gave it. He gave the Law in order that we might do what it commands but to expect our obedience to merit favour or forgiveness of sins is to miss the mark. Luther therefore opposes the teaching by the Roman Catholic Church of the 'merit of congruity' and the 'merit of condignity' (Luther 1960a:123). Human works done either before being declared righteous or after justification do not merit any favour before



God. Justification is not about God rewarding the good and pious while punishing the bad and the wicked. Justification cannot be conceived in terms of human works. It is rather God's justification which he reveals to human beings in his son Jesus Christ<sup>8</sup>. In Christ Jesus God does not give to every person what is due him on the contrary 'he lays our sins on his Son and gives us his Son's righteousness. He reckons to us what is not ours (*imputatio*), namely, a foreign righteousness and he does not reckon to us that which is ours, namely, our own sins (*non imputatio*)' (Iwand 2008:71)<sup>9</sup>.

This is what the Lutheran Church of Uganda teaches. Justification is independent of one's doing of the Law. Christians do not make their way into heaven. There is nothing a Christian can do which will earn him favour before God. Justification is only by God's grace when Christians put their faith in Christ Jesus. Christians empty themselves of the power to earn God's favour and their hope rests entirely on the promises God gives to his people in his son Jesus Christ. No amount of work or any kind of obedience is able to save man from his plight. Even perfect obedience if it were possible<sup>10</sup>, cannot save man from his predicament. This is why the Gospel, that is, the good news of Christ's free-saving grace must be proclaimed time and again. Christians need to hear that their sins are forgiven and are truly accepted before God on account of their faith in Christ and not on the account of their doing what the Law requires. The consciences of the people are not to be burdened by the Law as if

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<sup>8</sup>Luther says, 'It follows now that the man who is righteous through faith does not through himself give to anyone what is his; he does this through Another, namely, Jesus Christ, who alone is so righteous as to render to all what should be rendered them. As a matter of fact, they owe everything to Him. But he who believes in Christ and by the spirit of faith has become one with Him not only renders satisfaction now to all but also brings it about that they owe everything to him, since he has all things in common with Christ. His sins are no longer his; they are Christ's. But in Christ sins are unable to overcome righteousness. In fact, they themselves are overcome. Hence they are destroyed in him. Again, Christ's righteousness now belongs not only to Christ; it belongs to His Christian' (Luther 1964:241).

<sup>9</sup> In his argument on *The Disputation Concerning Justification* Luther states that in declaring us righteous God does not look at our own holiness but on Christ's holiness. 'We truly thank God, because his imputation is greater than our impurity. And sin, which in substance is not removed, shall be imputed as having been removed and shall be absorbed by the goodness of God who conceals it on account of Christ who overshadows it, although it remains in nature and substance' (Luther 1960a:166-167).

<sup>10</sup> Luther believes that perfect obedience of the Law is not possible. God demands perfect obedience of all he has commanded, however this is not possible with humans because of the fall of Adam. Ever since the fall humanity cannot love and trust God above all things. Without the Holy Spirit human desire is inclined only to do evil (Luther 1963:273-274).

justification depended on it. The Law does not justify and thus it does not save. We are justified by faith alone in Christ just as our *Confessions* state:

Our churches teach that people cannot be justified before God by their own strength, merit, or works. People are freely justified for Christ's sake, through faith, when they believe that they are received into favour and that their sins are forgiven for Christ's sake. By His death, Christ made satisfaction for our sins. God counts this faith for righteousness in His sight.

(McCain 2006:36)

The Law must be kept as far away as possible when matters of justification are concerned. For by doing the Law no one will be justified (Gal 3:11; 2:16).

## 4.2 FAITH AND GOOD WORKS

Having distanced works and the Law from justification one wonders if there is any relationship between them. The question arises if faith or justification can stand together without opposing each other. Lutherans have been understood to oppose good works with their doctrine of justification by faith alone. This Lutheran teaching has been seen as opposed to good works. Paul is also said to be against good works especially the way he disparages the Law and its works in Galatians. However, this is a misconception. Neither Paul nor the Lutheran teaching of justification by faith alone is opposed to good works. The Lutherans are against the teaching that by our works we merit justification before God. This is what the Lutheran Confessions teach:

[O]ur works cannot reconcile God or merit grace and forgiveness of sins, but we obtain this only by faith when we believe that we are received into grace on account of Christ, who alone has been appointed mediator and atoning sacrifice through whom the Father is reconciled. Therefore, all who trust that they merit grace by works despise the merit and grace of Christ and seek a way to God without Christ through human powers, since Christ has said about himself [Jn 14:16a]: 'I am the way, and the truth, and the life.'

(Kolb & Wengert 2000:55)

This teaching does not oppose the doing of good works. It does not prohibit good works but outlines what is necessary for justification before God. It is meant to dispute those who believe that salvation can be achieved by doing the Law and its works. The Scripture testifies to this teaching. For example St. Paul writes in

Ephesians 2:8-9 (NIV): 'For it is by grace you have been saved, through faith –and this is not from yourselves, it is the gift of God –not by works, so that no one can boast.'

The church fathers support this teaching also. For example in discussing the Law Augustine states that the Law does not merit salvation; therefore, it should not be imposed on Christians as if salvation depended on it. The Law does not save because that is not its purpose for which it was given. Neither the Law of Moses nor the natural law as written in human heart is able to redeem man from the burning wrath of the righteous God. Redemption from this anger is only possible through 'faith and the sacrament of the blood of Christ' (Augustine 1992:22-24).<sup>11</sup> The Law should not be observed in order that it may justify. For the keeping of the Law or doing of works does not comfort consciences. Only faith is able to calm troubled consciences when they hear that they have a gracious God who has reconciled them to himself in Christ Jesus (Kolb & Wengert 2000:55). This does not mean that we do not observe the Law nor do good works. Faith and good works go hand in hand. One is the product of the other just like the Lutheran Confessions teach:

[I]t is necessary to do good works, not that we should count on meriting grace through them but because it is the will of God. It is only by faith that forgiveness of sins and grace are apprehended. Moreover, because the Holy Spirit is received through faith, consequently hearts are renewed and endowed with new affections so as to be able to do good works.

(Kolb & Wengert 2000:57)

From this statement it is clear that we are to do good works. This, however, does not happen because of our human will. We are enabled to do good works by the Holy Spirit who dwells in us. Without the Spirit of God we are unable to do any work which is good. This is because the human will and desire is inclined to do what is pleasing to human heart. Since the fall of Adam no human being is able to do works which are pleasing to God. Our human works are inclined to the satisfaction of our sinful human desires (Luther 1963:123).

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<sup>11</sup> Augustine extensively deals with the issue of justification by faith alone in his book *On the Spirit and the Letter*. Augustine by citing the example of St. Paul argues that salvation is by grace alone which is a gift of God. As a gift of God 'salvation accrues to those who are the children of the promise, children of the divine goodness, children of grace and mercy, children of the new covenant' (Augustine 1887a:87).

#### 4.2.1 From what fountain [do] good works flow?<sup>12</sup>

Good works flow from him who is the fountain and light from whom life flows (Augustine 1887a:87). All good works are God's and there is no human ability to do such unless him who is the fountain enables such doing. Just like Augustine, Luther (1964:29) acknowledges that good works flow from faith which is a gift from God. God's gracious action of justification precedes Christian living (Das 2014:548).<sup>13</sup> According to Luther love (good works) is the tool through which faith works (Luther 1964:29). Faith must not be idle but ought to manifest itself through love. This is what a Christian living is: 'inwardly it is faith toward God, and outwardly it is love or works toward one's neighbour' (Luther 1964:30). A Christian having been justified is not to sit and fold their arms but their faith ought to manifest itself in good works. This is because:

- 1) Believers still live in this world and they are not completely holy. The flesh<sup>14</sup> in which they live in opposes the Spirit forcing them to serve the desires of the flesh and of the world. He or she needs to do works which will put the body under control and subject it to the will of the Spirit. In other words the Spirit, without the compulsion of the Law, provides sufficient value to do God-pleasing behaviour against the desires of the flesh (Barclay 1988:96). These works do not justify but they are done in spontaneity with love and obedience to God (Luther 1957:358-359);
- 2) Believers have been redeemed from eternal death and have become new creation. They ought to live a life worthy of their calling (Eph 4:1). Believers ought to do works which are pleasing to God. This, however, is not out of their own powers and strength but by the power and help of God. These works become good and acceptable to God because the believer has been renewed and lives in the newness of life. It is not the works which make the doer good

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<sup>12</sup> This sub-heading is adopted from Augustine's book *On the Spirit and the Letter* (Augustine 1887a:87).

<sup>13</sup> Das (2014:548) in explaining Paul's advocating for Christian freedom (Gal 5:13) states that Christian living is grounded in God's prior action of saving mankind. God by his grace justifies human beings out of faith without any work and now Christians are to live a changed life in reflection of the freedom they have in Christ, which is to serve one another in love.

<sup>14</sup> 'Flesh' is not to be taken to mean the physical body or matter but the human desire which wills things not of God but of the world and of evil. It is the negative force in humanity which opposes the spirit of God. This was as a result of the fall of man in Garden of Eden (see Das 2014:549).

but the believer after they have been justified now do works which are good and thus acceptable to God. Therefore, 'good works do not make a good man, but a good man does good works; evil works do not make a wicked man, but a wicked man does evil works' (Luther 1957:361). Luther appeals to what Jesus says in Matthew 7:18 (NIV): 'Likewise every good tree bears good fruit, but a bad tree bears bad fruit.' The fruits do not produce the tree neither does the tree grow on fruits, but the tree produces fruits and the fruits grow on a tree (Luther 1957:361).

By this Luther explains that it is not by our works that we are justified but by faith in Christ Jesus. Also after they have been justified believers do good works which flow spontaneously out of faith. Therefore, faith justifies and also does good works (Luther 1957:361). Das (2014:553) on Paul's fulfilment of the whole Law (Gal 5:13-15) argues that the works of a Christian become acceptable as the fulfilment of the Law of Moses only in Christ and in the power of the Spirit. For any behaviour to be recognised as Christian it must flow from Christ and the Spirit. Being led by the Spirit as the Galatians are (Gal 5:18), good works automatically follow, which are the fruits of the Spirit (Gal 5:22-23). This love brought about by the Spirit is the same love of Christ which now expresses itself in the believer's life (Gal 2:20). This love is now possible in the believer's life because they are no longer led by the flesh but by the Spirit. On the contrary, those who try to live a godly life or try to do the Law without the Spirit sin against the Spirit just as it is written, 'everything that does not come from faith is sin' (Rom 14:23; NIV); for such life is only possible by the Spirit of God (Das 2014:553-554; Iwand 2008:59). Therefore, good works flow neither from our ability, power or strength to do them, nor from the Law, but from the fountain, the source of all goodness –Christ Jesus –through faith.

#### **4.2.2 Why do we do good works?**

As we have said earlier good works are fruits of faith. They flow from faith and there is no such thing as good works when they are not done out of faith. This is the teaching of the Lutheran Church of Uganda. People are to be converted first before they can do good works. Otherwise these works cannot be considered good since their performance is motivated by their human needs and not by the Spirit of God. Although good works are not necessary for salvation, Christians ought to do them because:

- 1) God commands Christians to do good works (Kolb & Wengert 2000:575). Believers after they have been justified should walk and conduct themselves according to God's will, order and command (Eph 2:10). Although they may be impure and imperfect God accepts our works as good because of faith in Christ. A person who does not do good works is an unbeliever because they have rejected God's word and command (Kolb & Wengert 2000:576). Faith is living and active and manifests itself in good works. Thus says Luther:

Faith, however, is a divine work in us which changes us and makes us to be born anew of God, [Jn 1:12-13]. It kills the old Adam and makes us altogether different men, 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. It does not ask whether good works are to be done, but before the question is asked, it has already done them, and is constantly doing them. Whoever does not do such works, however, is an unbeliever.

(Luther 1960b:370)

It is therefore, out of order for one to be called a believer and yet they do not do good works. Faith and good works cannot be separated. Where there is faith there also are good works. These works are not done out of coercion or compulsion but because it is God's unchangeable will done spontaneously by the free and merry Spirit (Kolb & Wengert 2000:577). Therefore, doing good works is not a matter of choice of the believer whether to do them or to refrain from doing them. For to refrain from doing good works is to deny God's will a sign of the absence of faith (Kolb & Wengert 2000:577; Luther 1960b:371).

- 2) Our neighbour needs good works. As Christians we are encouraged to serve one another in love (Morris 1996:165). A Christian 'does not live for himself alone in this mortal body to work for it alone, but he lives also for all men on earth' (Luther 1957:364) just as St. Paul in Romans 14:7-8 (NIV): 'For none of us lives to himself alone and none of us dies to himself alone. If we live, we live to the Lord; and if we die, we die to the Lord. So, whether we live or die, we belong to the Lord.' A Christian does not live for himself but lives to serve and benefit others in all that he or she does. A Christian works to serve not only his bodily needs but also the needs of others (Eph 4:28). As Christians we live to care and serve one another in love, bearing one another's burden (Morris 1996:179) and as such fulfil the Law of Christ (Gal 6:2). This is a

Christian life, a life of faith (Gl 5:6; Phlp 2:1-4; Luther 1957:365; Das 2014:606). Luther cites an example of Christ (Phlp 2:5-8) in explaining his argument. Christ was God and had equality with God. He had control over all things in heaven and on earth. Nevertheless he emptied himself, humbled himself, and took on the form of a servant in order that he might serve humanity not that he was compelled to do it but he freely offered himself. Therefore, although being free, a Christian 'ought in this liberty to empty himself, take upon himself the form of a servant, be made in the likeness of men, be found in human form, and to serve, help, and in every way deal with his neighbour as he sees that God through Christ has dealt and still deal with him. This he should do freely, having regard for nothing but divine approval' (Luther 1957:366).

- 3) Good works keep the body in check. Being in this world and not wholly spiritual, a Christian must do works which will keep the fleshly desires in check so that it does not wear down the spiritual being. Having been justified a Christian does not become dormant and give freedom to the flesh. Rather, 'he must indeed take care to discipline his body by fastings, watchings, labours, and other discipline and to subject it to the Spirit' (Luther 1957:358). Keeping the body busy reduces its desires and evil lusts and subjects it to the Spirit. The aim of these works is to restrain the human desire (fleshly being) and aid the spiritual being in producing works of faith which are pleasing to God. Das (2014:622) acknowledges that salvation is by God's unmerited grace but Christians can forfeit what they have received by giving in to the desires of the flesh (Gl 5:24). A Christian needs to be '*active* in self-sacrifice' by the power of the Spirit and in doing so he is sowing to the Spirit (Das 2014:622; emphasis in original).

All in all Christians are to do good works not by compulsion but by the impulse of the Spirit which we have received because of the new life of faith. Christians do not choose to do these works rather they flow freely from faith. By these works Christians witness to the world the new life they live in the Spirit.

### 4.3 USE OF THE LAW

There is not any difference between the Lutheran Church of Uganda use of the Law and that of the Lutheran teaching. Although the Law does not save, both the Lutheran Church of Uganda and the Lutheran teaching understand that the Law was given for a purpose. However, the Law should be used for the purpose it was given otherwise it becomes peril to the Christian. The Law should not be applied to matters that are beyond it for example justification. The Law commands us what to do and justification does not depend on what one has done but on the grace of God. The teaching of justification is independent of the Law. Justification is alien to humanity. Justification is solely God's work. The work of man is to carry out that which is commanded in God's Law although this is also too much for him bear. The Law therefore, was given for these purposes: as a mirror, curb, and guide.

#### 4.3.1 The Law as a mirror (the theological use)

Just as a person looks into the mirror and sees their reflection so the Law works in the same way. By looking into the mirror the people know how they look and decide what to change on their looks. They may decide to change clothes or apply some make up so as to look good and acceptable. In this way the mirror helps them to see what needs to be changed in order to look presentable. In the same way the Law works. In the Law God has commanded people what they must do. God has expressed his expectation of humanity in his Law. Whatever they do must be measured on this gauge that God has given his people which is his Law. For this reason the Law must be heard by people as many times as possible. This is because when the Law is preached Christians know that they have not done what was expected of them. Luther calls this function 'the theological use of the Law' (Luther 1963:309).

On the one hand, the Law as a mirror reveals to a person his or her sins (Rm 3:20). The Law reveals to a person that he or she has not done what is expected of him or her and thus deserving punishment (Luther 1963:126). By the Law's compulsion a person 'understands how deeply sin and evil are rooted in him [or her]' (Luther 1972:240). This knowledge comes by the Law. For the Law says you are not to do this and that just as St. Paul writes, 'I would not have known what sin was except through the [L]aw. For I would not have known what coveting really was if the [L]aw



had not said, ‘Do not covet’ (Rm 7:7; NIV). This is the ‘true function and the chief and proper use of the Law’ (Luther 1963:309). The Law threatens a person with punishment and he or she despairs. He or she sees nothing good in himself or herself thus compelling him or her to find mercy from the Lord (Luther 1963:131-132).

On the other hand, those who claim to be righteous because of their obedience to the Law are crushed by the hammer of the Law as it is written in Jeremiah 23:29 (NIV): “Is not my word like fire’, declares the Lord, ‘and like a hammer that breaks a rock in pieces?’”. Those who claim self-righteousness because they do not steal, kill, commit adultery and so on are driven out of their comfort zone by the rumblings of the Law (Luther 1963:310). This is what happened on Mount Sinai. At God’s giving of the Law, the Israelites were summoned out of their tents by lightning, thunder, smoke and the burning mountain. Even those who claimed to be righteous were terrified (Ex 20:18). They recognised that they were unworthy to stand before a righteous God the reason they asked Moses to speak to God on their behalf: ‘... Speak to us yourself and we will listen. But do not have God speak to us or we will die’ (Ex 20:18; NIV). They could not endure the sight of God because God is a consuming fire (Heb 12:29). Self-righteousness cannot stand before God. The Law, therefore, with its terror and frightening threats the unrighteous person, driving him or her out of his or her comfort zone to seek mercy from God. The Law terrifies, threatens a person with the wrath of God in order that he or she might seek refuge in the saving power of God in Christ Jesus which is offered to humans in the Gospel (Luther 1963:311). For this reason the Law precedes the Gospel in the Lutheran Church of Uganda so that having been terrified and crushed by the Law, consciences might be consoled and comforted with the good news of Christ<sup>15</sup>. In the Gospel Christ speaks to these troubled consciences and comforts them. He says to them, ‘I have done all that is required of you. You are not to do anything, but trust and believe in me and you will be saved.’

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<sup>15</sup> Walther in his book *Law and Gospel: How to read and apply the Bible* states clearly the importance of preaching the Law before the Gospel. In his Thesis VII Walther states: ‘You are not rightly distinguishing Law and Gospel in the Word of God if you first preach the Gospel and then the Law, or first sanctification and the justification, or first faith and then repentance, or first good works and then grace’ (Walther 2010:101). Walther emphasizes the importance of proper sequence in distinguishing the word of God. This sequence must be maintained among preachers if the word of God is to be properly understood.

Augustine holds the same understanding of this use of the Law just like Luther. Augustine (1887a:221) believes that the Law helps us to feel the need for grace. The Law points to grace in order that the Law might be fulfilled by grace since fulfilment of the Law is not possible with human powers but with the help of the grace of God in Christ Jesus. The Law according to Augustine discovers the disease in the human heart, however, it does not provide the cure. The cure is only found in the grace of God given to us in Christ (Augustine 1887a:220).

#### **4.3.2 The Law as curb (the political use)**

This use of the Law is sometimes called the ‘political use’ (Forde 1969:194) or ‘civic use’ (Luther 1963:308). This use of the Law is to restrain the wicked and uncivilised by threatening them with punishment. By this use of the Law external discipline is maintained among the ‘unruly and the disobedient’ (Kolb & Wengert 2000:502). Luther (1963:308-309) describes this use as ‘a chain that prevents a lion or a bear from ravaging something that comes along.’ The Law as a curb helps to restrain the wicked and immoral people, shaping their behaviour. This is for peace and order in the society. Those who wish to commit sin are afraid because the Law threatens them with a sword. This use of the Law applies to unregenerate and unconverted. They refrain from sin not because they are holy and righteous but because they are afraid of the consequences that come with the disobedience of the Law. These unregenerate must be subjected to the Law so that they do not ‘wilfully implement their wickedness’ (Luther 1962:90). This use of the Law belongs to the ‘temporal government’ that God ordained to be carried out by princes, magistrates, parents, teachers and other authorities. They hold the sword in their hands so that outward indiscipline might be stopped and outward peace maintained otherwise this world would be reduced to chaos considering that the whole world is evil (Luther 1962:91). Because of the fear of punishment outward discipline is maintained. Those who wish to sin are kept at bay by the Law because of the sword that awaits them.

#### **4.3.3 The Law as a guide (the third use of the Law)**

Unlike the Law as a curb which does not apply to Christians, this use of the Law does. The Law as a guide is the life of a Christian. This use of the Law reflects everyday life of a Christian. According to the Lutheran Church of Uganda, there is no Christian life unless this use of the Law is present among Christians (Eyer 2000:64-

65). In other words, a person is said to be a Christian if they use the Law as a guide. This is because the Law is and still remains God's immutable will. Having been justified by faith the believer uses the Law of God as his guide in his everyday life. Christians begin to love and trust God above all things and also to love their neighbour as themselves. They begin to live a life as God intended it at the time of creation. They live according to God's immutable will. They are guided by the Law of God for the Law describes what kind of life God wants for his people. Having been justified Christians live their lives according to the Law of God. This however, does not justify. They are justified freely by God's grace through faith and now live according to God's will which is described in his Law. This use of the Law is only possible because people have been justified and are now under the Spirit of God which motivates them to fulfil what God requires of his people. It is not by one's power and strength that he is able to fulfil the Law, rather it is because of the Spirit of God which now dwells in the believer's heart. It is this Spirit that motivates a Christian to bring about the good fruits of his life of faith (Saarinen 2006:74-76). This use of the Law is also known as the 'third use' of the Law.

The third use of the Law is in accord with Scripture and the Lutheran Confessions.

The *Formula of Concord* states:

We believe, teach, and confess that, although people who truly believe in Christ and are genuinely converted to God have been liberated and set free from the curse and compulsion of the [L]aw through Christ, they indeed are not for that reason without the [L]aw. Instead, they have been redeemed by the Son of God so that they may practice the [L]aw day and night (Ps 119:1). For our first parents did not live without the [L]aw even before the fall. This [L]aw of God was written into their hearts, for they were created in the image of God. We believe, teach, and confess that the proclamation of the [L]aw is to be diligently impressed not only upon unbelievers and the unrepentant but also upon those who believe in Christ and are truly converted, reborn, and justified through faith.

(Kolb & Wengert 2000:502)

Christians are not without the Law on the contrary they live and walk in the Law. This is because Christians although have been justified and reborn they still live in their sinful flesh. They are not perfectly renewed because the flesh still clings to them and brings about its sinful desires. Christians therefore need the Law to guide their way and show them what is pleasing to God (Kolb & Wengert 2000:502). Also because they are reborn the Spirit of God enables God-pleasing works among Christians which are done without any command or compulsion, threat or reward. They are

done out of the willingness of the Spirit because now Christians ‘as the children of God live in the [L]aw and walk according to the [L]aw of God.’ This is what St. Paul in Galatians 6:2 calls the [L]aw of Christ. Yet Christians are ‘not under the [L]aw, but under grace’ (Rm 8:14; 6:14; Kolb & Wengert 2000:503).

The third use of the Law remains the teaching of the Lutheran Church despite of disagreements among Lutheran scholars. The Lutheran Church of Uganda teaches the third use to their member congregations. Although people are not justified by the Law but by faith alone the Law still remains God’s will which must be proclaimed even among believers. God’s word is Law and Gospel and one doctrine cannot be done away with but must be preached alongside each other. Where the word of God is preached both doctrines must be preached because they constitute the word of God. Luther also supports this preaching of the Law among believers. Luther (1971:113) believes that the Law must be preached where Christ is preached. Such preaching according to Luther makes one appreciate even more what Christ did for humanity because it reveals the magnitude of the price Christ paid for us believers. This is not to guilt-trap Christians but to make them appreciate the sacrifice Jesus offered on our behalf and also to encourage Christians to live according to the new life of faith. This is evident throughout the New Testament especially in Paul’s letters to Galatians and Ephesians. For example Paul in Ephesians 4:1 (NIV) says, ‘... I urge you to live a life worthy of the calling you received’; and also, ‘Be imitators of God, therefore, as dearly children and live a life of love, just as Christ loved us and gave himself up for us as a fragrant offering and sacrifice to God’ (Eph 5:1-2; NIV). Malysz (2004:212) believes that with these admonitions Paul emphasises the ‘crucial link between Christian life and Christ’s atoning sacrifice.’

David Scaer (2011) and Scott Murray (2002) argue in favour of the third use of the Law in Christian living. Scaer (2011:340) for example attributes moral degeneration among American Christians to the denial of the third use of the Law. This is because denying the role of the Law in the Christian life promotes individual libertinism which leads to autonomy. The Christian church therefore has no say because it does not want to infringe on the right of the individual (Scaer 2011:341-342). This is the same reason the Lutheran Church of Uganda still emphasises the preaching of the Law among its members. The Church does not want its members to fall into moral laxity. Christians must always be reminded of the will of God, that is, what ways are

pleasing to God. This has to be preached to them as often as possible since the flesh always drives the believer to do the work that pleases it. This is also what Murray says in his book *Law, life, and the living God*. Murray (2002:13) argues that Christians need to hear the Law as much as the Gospel for preaching the Gospel without the Law leads to moral laxity just like preaching the Law without the Gospel would lead to despair. Law and Gospel must be preached to Christians although it is important to know when either of the two doctrines is needed in the life of the Christian. Murray (2002:171) disputes Lazareth<sup>16</sup> who claims that Luther's placement of the Ten Commandment before the Creed in the catechisms signify the accusing function rather than the use of the Law as a guide. Murray argues that 'the terms to fear, love, and trust in God above everything are characteristics that both Luther and Melancthon attribute to believers alone.' For these virtues are not possible among unbelievers. Therefore, Luther's explanation to the Ten Commandments applies to Christians and not unbelievers. Again Luther does not only start the Small Catechism with the Ten Commandments but also ends it with ethical instructions to believers. This is evidence enough to show that Luther writes these for Christians (Murray 2002:171). In so far as Christians are still on this earth they need the Law because they are at the same time saints and sinners (*simul iustus et peccator*). The *simul iustus et peccator* needs the guidance of both the Law and Gospel until Christians are taken out of this world. They are then renewed completely and the old Adam clings to them no longer because the fleshly desires are done away with. Although the *semper* of the Law does not go away, the Law still acts as a guide to the Christian. 'As the Christian in the *simul* the Law always accuses, condemning the old Adam while instructing and delighting the new Adam with God's eternal will' (Murray 2002:217-218).

This paragraph from the *Formula of Concord* concludes everything we have talked about regarding the Law:

Therefore, for both the repentant and unrepentant, for the reborn and those not reborn, the [L]aw is and remains one single [L]aw, the unchangeable will of God. In terms of obedience to it there is a difference only in that those people who are not yet reborn do what the [L]aw demands unwillingly, because they are coerced (as is also the case with the reborn in respect to the flesh). Believers, however,

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<sup>16</sup> Lazareth does not agree that the Law applies to Christians and cites Luther's catechisms in favour of his argument. Lazareth (1978:51) states: 'Luther treats the Decalogue before, rather than after, the Creed. Why? –because the Law's function is to accuse us before our confession of Christ, not to guide us after our confession of Christ.'

do without coercion, with a willing Spirit, insofar as they are born anew, what no threat of the [L]aw could ever force them.

(Kolb & Wengert 2000:503)

#### 4.4 THE RELATIONSHIP BETWEEN LAW AND GOSPEL

From the study of Chapter 3 we discovered that the Lutheran Church of Uganda understands the word of God to be Law and Gospel. Law goes hand in hand with the Gospel and as such there is no preaching of God's word except these two doctrines are properly and effectively proclaimed. For this reason Law and Gospel have to be preached in every sermon. This is similar to what the Lutheran theology teaches. The first thesis of Walther on Law and Gospel states:

The doctrinal contents of all Holy Scripture, both of the Old and the New Testament, consist of two doctrines that differ fundamentally from each other. These two doctrines are Law and Gospel.

(Walther 2010:2)

Law and Gospel are the two doctrines of the Holy Scriptures which every Christian, preacher, pastor or theologian needs to identify if the word of God is to be understood. This is, however, not only about identifying these two doctrines but also being able to 'rightly distinguish Law and Gospel' (Walther 2010:35). This is one of the highest art of Christian teaching as Luther confesses, 'Distinguishing between the Law and the Gospel is the highest art in Christendom, one that every person who values the name Christian ought to recognise, know and possess' (Luther 1992:153). 'Therefore whoever knows well how to distinguish the Gospel from the Law should give thanks to God and know that he is a real theologian' (Luther 1963:115). It is important that the two doctrines be properly distinguished and not mingled otherwise the correct teaching of each doctrine will be lost. Although both are the word of God, they are two distinct doctrines having unique and different offices. For example the Law 'gives instruction regarding what is right and God-pleasing and condemns everything that is sin and contrary to God's will' (Kolb & Wengert 2000:500). The Gospel on the other hand reveals what a condemned human being should believe, that is, 'that Christ atoned and paid for all sins', has won for us righteousness and eternal life without any human achievement (Kolb & Wengert 2000:500). The Law terrifies the unbelieving driving them to Christ whereas the Gospel proclaims the forgiveness of sins to the troubled consciences. The Law demands and takes from us

whereas the Gospel invites us to come to Christ in order that we might freely receive God's gift of his grace (Luther 1992:154, 157).

Although the Law and the Gospel are two distinct doctrines with distinct offices and functions, both doctrines constitute the word of God. There is no word of God without Law and Gospel. Law and Gospel are the two sides of the same coin. These two go hand in hand and as such preaching of God's word must clearly describe these two doctrines. They are joined together with the result that there cannot be a separation of the two.<sup>17</sup> For Luther, 'nothing is more closely joined together than fear and trust, Law and Gospel, sin and grace; they are so joined together that each is swallowed up by the other' (Luther 1963:343). However, a distinction must be maintained if each one of them is to do its intended purpose. For example, the Law must precede the Gospel in order that after the consciences of the peoples have been terrified and troubled by the demands of the Law, they are soothed and comforted by the good news of the Gospel which declares that Christ has fulfilled all the requirements of the Law and has paid the debt they owed. The troubled consciences are then encouraged to trust in him who freely forgives all unrighteousness. For salvation is found in the Gospel and not in the Law. These two doctrines, therefore, need each other. Preaching the Law without the Gospel results into two eventualities, namely, on the one hand people may think that they are saved by their works and then try hard to do all the demands of the Law –which is impossible –making them to be hypocrites because of their self-righteousness (Kolb & Wengert 2000:501; Luther 1963:344). On the other hand those who hear that they have not been able to do what God demands in his Law and that they deserve nothing else but death and condemnation may lose hope and despair just like Judas (Kolb & Wengert 2000:501; Luther 1963:343).

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<sup>17</sup> Harless equates the relationship between Law and Gospel to the relationship between remorse for sin and faith in Christ. In describing how this relationship works Harless writes: 'Both teach unitedly into each other and are inseparable, if it shall really bring salvation. For when I yield my will unto the full will of God in Law and Gospel, I can only yield myself in remorse and faith. Therefore nothing other than sorrow and faith can be named as fundamental token of conversion, in which Law and Gospel fall together into a bringing of salvation. Remorse moves me unto faith which brings salvation, faith conditions the saving nature of remorse and makes me certain of its saving nature. Only in faith and not in remorse do I receive the power of life; but one does not come to faith without remorse, in which I become aware of the neediness for grace and the needfulness of its appropriation in faith' (Harless 1865:247-248).

Also preaching the Gospel without the Law has its own problems. Preaching only the Gospel leads to moral laxity (Murray 2002:13) and the good news of Christ saving humanity by his grace is not appreciated. Christians do not recognise how big a price Christ had to pay for their sins if only the Gospel is preached. But when the Law is preached and reveals the sinful nature of humanity and what punishment they deserve, people come to Christ with much trembling and sincerity and appreciate what God has done for them in Christ Jesus. This is similar to what Luther says in his thesis *Against the Antinomians*:

For who could know what and why Christ suffered for us without knowing what sin and [L]aw is? Therefore the [L]aw must be preached wherever Christ is to be preached, even if the word '[L]aw' is not mentioned, so that the conscience is nevertheless frightened by the [L]aw when it hears that Christ had to fulfil the [L]aw for us at such a price.

(Luther 1971:113)

In these words Luther shows to us that Christians appreciate more what Christ did for them if they first hear how much trouble they were in and how much debt they owed before Christ intervened. Otherwise Christians would take for granted the grace God has given to us in his son Jesus Christ. For without the Law, the Gospel cannot be understood (Scaer 2008:23). Therefore, Law and Gospel should never be preached independently but should be taken together in day today preaching of the word of God<sup>18</sup>. Scaer makes a good explanation on this point. He states:

God did not first decide that the [L]aw should be preached as a *separate* or *autonomous message* and then later command the [G]ospel to be preached as an act of mercy not intended at first. Rather, from the beginning God made man's salvation His ultimate goal and so the [L]aw is preached so that men can find Him in the [G]ospel. Preaching the [L]aw serves the proclamation of the [G]ospel and so both must be preached *side by side*.'

(Scaer 2008:27; emphasis added)

Both Law and Gospel constitute the word of God (Walther 2010:2) which he has revealed in different ways to his people but having the same goal for both, which is to bring his people to salvation in his son Christ Jesus. God did not institute the Law so

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<sup>18</sup> It is not the scope of this study to determine which of the two doctrines is more important than the other as some theologians do. For example Francis Pieper draws a distinction between what is more important than the other. Pieper (1950:232) asserts that the Gospel is more important and higher than the Law. For Pieper this distinction forms part of the proper distinction between Law and Gospel. He states: 'It is therefore a part of the proper distinction between Law and Gospel that the Gospel be recognized as the 'higher Word,' which is to be God's final Word for the terrified sinner' (Pieper 1950:232).



that he might drive his people away from him and bring them to damnation, but that through the Law they might find refuge in his saving grace which he offers to humanity in his son Christ Jesus. It is for this same reason that the Lutheran Church of Uganda proclaims both Law and Gospel in every sermon. Nevertheless, proper distinction must be maintained for each doctrine to do its work otherwise ‘consciences must perish in blindness and error’ (Luther 1992:154).

#### **4.5 SUMMARY**

This Chapter is titled ‘Western Lutheranism in the Lutheran Church of Uganda’ because it aimed at establishing the influence Western Lutheran theologians have had on the Lutheran Church of Uganda in as far as the Law’s understanding and interpretation is concerned. The objective of this Chapter was to establish the relationship between the Western Lutheran understanding of the Law and that of the Lutheran Church of Uganda. In other words we wanted to find out how much influence Western Lutheran theologians have had on the Lutheran Church of Uganda. It is not surprising that Lutherans in Uganda understand and interpret the Law in almost the same way as their Western counterparts after all Christianity and the Lutheran Church in particular came to Africa through Western missionaries. Africans and Ugandan Lutherans in particular received Christianity and more so the understanding and interpretation of the Law in its western garment for that is how white missionaries imported it into Africa. The Lutherans in Uganda were not able to strip the Lutheran teaching of its western garment and apply this teaching to their social and cultural context. The western missionary who brought this teaching also had to provide its understanding and interpretation just as LeMarquand says, ‘[t]he missionary who came with the Bible also came as an interpreter of the Bible’ (LeMarquand 2001:74). The western missionaries did not allow African culture to play a role in understanding and interpretation of the Bible. This is because African cultural practices were labelled evil by the first missionaries. The first missionaries conceived Africans as a people who did not know God but worshipped evil spirits. This, however, is not true. Africans have always been religious even before the western world. A glance in the New Testament and the early shows that Africans were worshippers of God. Examples include the Ethiopian eunuch in Acts 8:27-38 who had travelled from Ethiopia to Jerusalem to worship. Also Christianity had spread to parts of North Africa by the first century and many Africans played a

prominent role both in theology and in the spread of Christian. Such men like Augustine of Hippo, Tertullian, Clement and Origen of Alexandria, Cyprian, and Athanasius played an important role in the development of early Christianity. It is therefore untrue that Africans were unreligious before the coming of white missionaries.

It is very sad that even in this twenty first century some western Christians continue to label Africans and their cultures primitive and unreligious. There are many example we could point out here but let this one suffice. In one of the Lutheran Churches in Africa a certain western couple was opposed to the beating of drums and clapping of hands in church worship because that is how Africans used to worship their ancestral spirits before the truth of the gospel<sup>19</sup> dawned on them through a white man. This is very unfortunate. If people cannot relate a new idea to their environment then they are yet to understand it. To understand a concept is to relate it to your immediate environment. It is like what Apostle John says in his first epistle about love: 'If someone says 'I love God' and hates his brother, he is a liar. For he who does not love his brother whom he has seen, is not able to love God whom he has not seen' (1 Jn 4:20; my translation). These words of John echo what Jesus says in the Gospel of John, 'A new command I give to you, that you must love one another; just as I loved you, you also must love one another. In this all people will know that you are my disciples if you have love for one another' (Jn 13:34-35; my translation). To love God is to first love your brother for it is through the love for a brother that we reflect the love we have for God thus Jesus' words, 'all people will know that you are my disciples if you have love for one another.' How can you claim to love God whom you have never seen and hate your brother whom you know? It is impossible. A human mind is set to learn from known to unknown. The love for God can only be qualified if we love one another. You do not introduce an abstract idea to a class when the class is yet to understand a concrete idea.

Therefore, to deny an African to relate Christianity to his immediate environment is to deny him to understand it. To introduce Christianity to an African while denying him

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<sup>19</sup> This is a borrowed verbiage from Paul (Gl 2:14). I chose this phrase because here Paul blasts Peter and his companions for having done what is contrary to the truth of the gospel they were preaching. This western couple in one of the Lutheran Churches in Africa expected Africans to stop their Africanism and adopt a culture that is distinctively not theirs because African culture had been misused before.

or her the opportunity to relate it to his or her culture is incomprehensible. It is like a Runyankore<sup>20</sup> folklore which talks about a man, a head of the house who having brought home meat instructed his wife not to boil nor to roast the meat, but it should be ready when he (the husband) comes back from the bar. How on earth is the meat to be ready if it is neither boiled nor roasted? The same can be spoken of Christianity if it does not consider the cultural context of the people. Christianity will only be and remain an abstract idea unless it is incorporated into the culture of the local people. Let an African beat his drum, let him clap his hands after all the Scriptures encourage us to make a joyful noise to our Lord with different instruments (Ps 98; 100:1; 147:7). To be a Christian does not mean that an African must abandon his culture or better put, to become less African does not make one become more Christian (LeMarquand 2001:74).

Nevertheless a warning should be sounded here that caution needs to be taken; while considering the cultural and social context of the people we should not fall into syncretism. Our attempt to enculturate Christianity should not result into syncretism. We must be careful not to apply the Bible text to qualify our evil doing. This is what happened in apartheid South Africa when the Dutch settlers identified themselves with the people of Israel and equating the local population to the Canaanites. The Afrikaners saw themselves as the elect people of God who had the responsibility of doing whatever that was necessary to possess the land. For by eliminating black Africans they were cleansing the land of the pagans (LeMarquand 2001:80).<sup>21</sup> This was a wrong interpretation and application of the Biblical text.

This Chapter did not however concentrate only on the Law. It also brought in the aspect of the Gospel. This is because of the fact that the Law cannot be spoken of itself just as Law without mentioning the Gospel. It makes more sense when the Law

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<sup>20</sup> Runyankore is one of the local languages spoken by the Banyankore, a tribe in the South-Western region of Uganda.

<sup>21</sup> The Afrikaners went ahead to make a vow to God before they went to war against the Zulus in 1838. In their vow they had promised to elevate the day as a day of thanksgiving to God if victory was given to them against the Zulus. This is the prayer they prayed before they went to war: 'My brethren and fellow countrymen, at this moment we stand before the holy God of heaven and earth, to make a promise, if He will be with us and protect us and deliver the enemy into our hands so that we may triumph over him, that we shall observe the day and the date as an anniversary in each year and a day of thanksgiving like the Sabbath, in His honour, and that we shall enjoin our children that they must take part with us in this, for a remembrance even for our prosperity; and if anyone sees a difficulty in this, let him return from this place. For the honour of His name shall be joyfully exalted, and to him the fame and honour of the victory must be given' (Akenson 1991:47).

and the Gospel are put side by side because the two are closely related to one another (Luther 1972:105; Walther 2010:11). For the Law is not only the opposite of the Gospel but also a constituent of the word of God. Does it mean that the Law is opposed to the Gospel? Definitely not! We have said that the Law and the Gospel are two sides of the same coin. They are two independent sides representing different things, but they make up the one whole coin. This means that in order for one to be called a coin it must have these two sides, the head and the tail. This is same thing with the Law and the Gospel. They are two sides having different representations but both make up the one whole thing, which is the word of God. The two cannot be separated from each other, however, they must be recognised as two independent entities. Therefore, in order for the Law to make sense, it must be compared and contrasted with the Gospel. This is what we have done in this Chapter.

The Law is God's word which he gave to his people as his command in order that they might carry out that which it commands. For example at the time of creation God gave a command to Adam not to eat the forbidden fruit (Gn 2:16); the Ten Commandments given to Moses at Sinai (Ex 20); and also the whole Pentateuch prescribes a kind of life God wants his people to live. This is the life God desired for his people. What is included in all this is nothing else but the will of God. However, these laws did not save the ones to whom they were given. The giving of the commands in all circumstances followed God's gracious election of his people (cf. Das 2014:548). For example, God's command to Adam came after he had been created and put in the beautiful Garden of Eden (Gn 2:8-15); the giving of the Ten Commandments followed God's gracious deliverance of his people from Egypt and after God had designated Israel as his chosen nation (Gn 15; 28:10-15; 46:3-4). In all this God's election of his people depended on his grace and not on the works of the people. Therefore, justification before God depends solely on God's grace apart from the human activity.

Does this mean that we are not to pay attention to God's Law because it does not save? Of course not! God gave the Law to his people in order that they may live a life pleasing to him. The Law is God's will. It is what God desires for his people. Therefore, the people of God are to cherish and conduct themselves according to his good and gracious will. God had good intentions for giving the Law. In the Law God

should not be seen as a wicked and a tyrant god who burdens his people with the commands that are impossible to fulfil, but should be seen as a good and gracious God who desires that his people come to know him and recognise him as their gracious Father. In his Law God wants his people to believe and trust in him. When this fails the Law becomes a tyrant monster which threatens us with the wrath of God. Even this threat is for our own good because it drives us to seek mercy from our heavenly Father (Luther 1963:131)<sup>22</sup>. The Law makes us realise that we are nothing by ourselves. The Law reveals to us our human incapability to save ourselves and helps us to run to our compassionate Father who has been revealed to us in his son Jesus Christ. While in this life of redemption we do not do what our flesh and the world desire, but we do that which pleases God –the Law. Even this doing of the Law is not attributed to our human capability, but to the work of the Spirit of God who dwells in the converted hearts (Das 2014:553; Eyer 2000:65). This doing of the Law has come to be known as the ‘third use of the Law’ –the Law as a guide (Kolb & Wengert 2000:503) in Lutheran theology.

Regarding the relationship between the Law and the Gospel, both doctrines are to be preached side by side. The two doctrines complement each other in the sense that the Law with its threats leads to despair driving the sinner to seek refuge in Christ where there is relief and comfort. Just as St. Paul says that he would not have known sin if it was not for the Law (Rm 7:7), people would have no need of Christ if the Law did not condemn their unrighteousness. The Law, therefore, must be preached before the Gospel in order that having been condemned of their ungodliness, people might acknowledge the need for Christ and come to him for their forgiveness of sins.

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<sup>22</sup> Luther in describing Paul’s justification by faith alone states: ‘First, a man must be taught by the Law to know himself, so that he may learn to sing: ‘All have sinned and fall short of the glory of God’ (Rm 3:23); again: ‘None is righteous, no, not one; no one understands, no one seeks for God. All have turned aside’ (Rm 3:10-12);... Now once a man has thus been humbled by the Law and brought to the knowledge of himself, then he becomes truly repentant; for true repentance begins with fear and with the judgment of God.... Now he begins to sigh: ‘Then who can come to my aid?’ Terrified by the Law, he despairs of his own strength; he looks about and sighs for the help of the Mediator and Saviour’ (Luther 1963:131).

## Chapter 5

# Africanism in the Lutheran Church of Uganda

### 5.1 INTRODUCTION

Chapter 4 presented the points of agreements between the Lutheran teaching on the Law and the Uganda Lutheran Church's understanding and interpretation of the Law. From what has been presented, it has been noted that the Law is an important part of Christian living and there cannot be such a thing as a Christian life without the Law. It suffices to say that the Law is a foundation on which the Christian living is built, and also a guide which continues to give direction in which Christians ought to go. Having established the common views between the Lutheran understanding and the Church of Uganda's interpretation of the Law, this Chapter now deals with the differences between the two bodies. Are there any differences between the Lutheran Church of Uganda and the Lutheran understanding of the Law? And what are the causes of these differences? This comparison is done by first identifying those beliefs or statements which present different opinions or unmatched arguments between the two parties. This Chapter takes into account the cultural and social context of the people in order to identify the cause of these differences. It is a question of whether culture plays a role in the interpretation of Scriptures. These are some of the questions that guide this Chapter: How is Luther's interpretation of Scripture in the sixteenth century, especially on the Law, different from the twenty first century interpretation? What role has culture played in the Law's interpretation, if any? Is African interpretation different from the West? Should culture be allowed to influence scriptural interpretation?

### 5.2 DIFFERENCES BETWEEN LUTHER AND THE LUTHERAN CHURCH OF UGANDA'S UNDERSTANDING OF THE LAW

From what has been presented in Chapter 4, the following differences can be identified between Luther's and the Lutheran Church of Uganda's understanding and interpretation of the Law.

#### 5.2.1 Punishing sinners

Whereas the Lutheran understanding of the Law does not provide for punishment to sinners, the Lutheran Church of Uganda does. Sinners are encouraged to forsake their wrong ways by admonishing them according to Christ's command and instruction as indicated in Matthew 18:15 (NIV):

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that 'every matter may be established by the testimony of two or three witnesses.' If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.

This is the first step that is taken in restoring a fallen Christian. Besides following what Christ says in these words, it was discovered that Christians need to undergo some kind of punishment for their sins committed. This is not to be understood as paying for what one has done wrong. Punishment does not correct the wrong committed nor does it earn favour before God. It is a way of making a sinner realise that what he/she has done is wrong and cannot be accepted by the church. The other implication of punishing a sinner is that he/she may be an example to the rest of the congregation so that even those who had thoughts of doing the same might be frightened by the punishment given to their fellow Christian. Therefore, the two main reasons why punishment is given to sinners are to show the wrong a person has committed in order that they may repent of their wrongdoing, and to instil fear among other Christians in order that they may refrain from committing similar sins.

This is not provided for in the Western Lutheran understanding of the Law. However, these two reasons for punishing sinners are somehow similar to some of the reasons why the Law is preached in the church. According to the Western Lutheran understanding of the Law, the Law is preached for three reasons: 1) 'that by the Law outward discipline might be maintained against wild, disobedient people' (i.e., the Law as a curb; 2) 'that people may be led to the knowledge of their sins by the Law (i.e., the Law as a mirror; and 3) 'that after they are regenerate and much of the flesh still cleaves to them, they might on this account have a fixed rule according to which they are to regulate and direct their whole life' (i.e., the Law as a guide; McCain 2006:662). From this understanding, the revealing of sin and instilling fear among Christians are provided for in the preaching of the Law itself. This, however, is not enough for the Lutheran Church of Uganda. Although Christians are well aware of

the Law and its use, they continue to disobey its preaching and the role it plays in the church. It is therefore necessary that the church improvises its own rule and implications to deal with the abrogation of God's Law. The one who disobeys the Law needs to be well aware of the consequences of his actions. He who disobeys the Law and is punished is an example and a warning to the whole congregation.

### 5.3 CULTURAL INFLUENCE

This understanding is grounded in the African concept of life. Punishing a person who disregards the cultural rule and norm of society is imbedded in the African concept of dealing with crime and punishment. Every society has got its own rule of law by which community members have to conduct themselves. A certain class of individuals in that community are tasked with making sure that the rule of law is maintained in a community, in this case the elders (see Hangmann 2007:31). Elders are considered as having a high rank in society and are tasked with maintaining peace and justice in a society. If any abrogation of the community law happens, the elders are responsible for restoring the culprit to society. In most cases, this does not just happen. It must follow specific procedures laid out by the same community. For example, if the culprit has trespassed against his neighbour, he must appease his neighbour not only by apologising but also by paying some kind of compensation to his neighbour.

A transgression by one individual affects the whole community. It is not about the culprit and the victim or the culprit's family and the victim's family, but the whole community gets affected by what an individual has done. This is because of the fact that there is no thing such as individualism in African culture. Africans, especially the Bantu-speaking people in Eastern, Central and Southern Africa, practice what is called *Ubuntu*. The concept of *Ubuntu* is that 'a person is a person through others' (Murithi 2006:17). Everyone is connected to everyone else, and what happens to one person affects his neighbour and everyone else in the community. *Ubuntu* practices communal life. Desmond Tutu defines *Ubuntu* as follows:

Ubuntu is very difficult to render into a Western language. It speaks of the very essence of being human. When you want to give high praise to someone we say, 'Yu, u nobuntu'; 'Hey, he or she has Ubuntu.' This means they are generous, hospitable, friendly, caring, and compassionate. They share what they have. It also means my humanity is caught up, is inextricably bound up, in theirs. We belong in a bundle of life. We say, 'a person is a person through other people.' It



is not ‘I think therefore I am.’ It says rather: ‘I am human because I belong.’ I participate, I share. A person with Ubuntu is open and available to others, affirming of others, does not feel threatened that others are able and good; for he or she has a proper self-assurance that comes with knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are.

(Tutu 1999:34-35)

The concept of *Ubuntu* ensures social cohesion where everyone in the community cannot exist by him/herself but co-exists with one another in the whole community. *Ubuntu* creates harmony, law and order in a given community. This is because everyone is responsible for everything that happens in the community. When one person infringes on another person’s rights the whole community is affected because *Ubuntu* emphasises communal life. The community therefore must be involved in all matters affecting the community (Murithi 2006:18-19).

Resolving conflict in the African context involves the whole community where every member of a given community is given a chance to comment and give their views on the social problem in discussion. Public participation is an important component of the concept of *Ubuntu* because everyone in the society is as important as the other although there might be some differences in the social standing. Public participation ensures general satisfaction as everyone’s opinion is taken into consideration. In conflict resolution certain procedures are followed to ensure all the parties are satisfied. For example, the public ensures that the culprit takes responsibility for what he or she has done; the culprit is encouraged to show genuine remorse and also repent of their wrong doing; the culprit must ask for forgiveness and the victim is encouraged to forgive; the culprit is required to pay compensation to the victim; and then reconciliation between the two parties begins. Throughout this process the elders play an important role because they are the ones tasked with ensuring peace and harmony in the community. Many communities in Africa have and continue to apply this peace making process. This process, for example, has been used in Rwanda to resolve tension between the Hutus and Tutsis. The *Gacaca*, as it is known, is a traditional justice system used to try the perpetrators of the 1994 Rwanda genocide. In this peace process the community encourages the culprits to accept responsibility for their actions and the victims are involved in determining the

kind of compensation the culprits can pay in order that they might be restored in the community (Murithi 2006:16).

Similar process has been followed in Northern Uganda to restore peace and harmony among the victims of the political instability by the Lord's Resistance Army. *Mato Oput*, as the Acholi call it, is a conflict resolution process where the community is involved in finding solutions to end conflict and to promote peace and social solidarity. The *Mato Oput* is headed by the Council of Elders composed of both male and female and it involves the whole community whenever there is an issue to be resolved. It is believed that everyone in a community is somehow related to either of the parties in the dispute. Therefore, in order to have social consensus the whole community needs to be involved in finding solutions to the problem the community faces (Murithi 2006:24).

This is because African culture is an inclusive society, that is, there is no individualism. Every individual is connected to the whole community. What affects one person affects everyone in the community also. The person who does wrong cannot be left to walk free as if nothing had happened. He/she must take responsibility for what he/she has done, and the victim must receive some kind of compensation. This is how the concept of *Ubuntu* works. There must be responsibility for every action committed.

The concept of *Ubuntu*, however, does not favour community over the individual. It does not stress the importance of the community to the extent that an individual is alienated. *Ubuntu* values every individual. Khoza (2011:446) explains the position of *Ubuntu* in a given society:

Ubuntu as a life orientation is opposed to rugged individualism. Neither is it comfortable with collectivism where the latter stresses the importance of social unit (group, community, society) to the point of depersonalising the individual. Ubuntu respects the individual. Ubuntu places great importance on working for the common good, on belonging to a group, an association, a corporate –in fact on every human being as an integral member of the human race and its institutions.

(Khoza 2011:446)

The practice of punishing law breakers is associated with the African way of dealing with matters in a society. He who has committed sin must take responsibility of what he has done and also pay some kind of compensation. Taking responsibility means one has acknowledged that he/she has done wrong and therefore deserve punishment. This is the beginning and the most important part in restoring or bringing a sinner to repentance.

However, only taking responsibility of the wrong committed is not enough. This is because the action of the sinner does not only affect him but also affects everyone in a given society. This is evident in the concept of *Ubuntu* which states that 'a person is a person through others' (Murithi 2006:17). He or she is not autonomous and their sins affect the whole group. In this case the sinner needs to be penalised. Accepting the punishment is a sign to show that he or she repents of the wrong he/she has committed and is sorry to have brought the whole group into disrepute. This is especially the case where the sin committed is public and even known among non-Christians.

The sinner therefore must be penalised to show that the community does not approve of its member's behaviour. It should however be noted that punishment is not aimed at alienating the member who has committed sin. Punishment is aimed at restoring the sinner to a community in such a way that both the community and the sinner are satisfied. Throughout the process of restoration all parties must be satisfied, that is, the sinner acknowledges responsibility and repents of his/her wrongdoing and the community identifies a kind of compensation to be paid by the sinner.

In the case of the Lutheran Church of Uganda, the sinner compensates the congregation in the following ways:

- 1) Church discipline is exercised to those whose sins are known;
- 2) Sinners are denied the sacraments, undergo counselling, and are forbidden to take up offices;
- 3) In cases where a sinner is not willing to accept responsibility and to repent of their sins, the congregation excommunicates him or her. Excommunication means that a person's membership of a certain congregation is suspended

until the person is willing to make amends, that is, the willingness to accept responsibility for their actions and to repent of their wrongdoing.

The intention of excommunication is not to altogether get rid of the person. Excommunication gives a sinner time to reflect on his life, what he or she has done wrong, and whether they are willing to accept responsibility and to ask for forgiveness. The decision remains his or hers wholly. However, the congregation continues to pray for them in order that the Holy Spirit might help them to come to the truth and be brought back to the community in which they belonged.

Just like in the concept of *Ubuntu*, where both parties must be satisfied, the congregation and the sinner also must be satisfied with the outcomes of the restoration process. It should also be noted that excommunication is not the first step in restoring a sinner, but rather a last resort. Excommunication is reached upon when the steps taken to bring back the sinner yielded no good results. The congregation then decides to give the sinner all the time they need to decide on what to do with their lives (see Mt 18:15-17).

Where is justification by faith alone in all this? What justifies? Faith or punishment and compensation? The Lutheran Church of Uganda believes and teaches the same doctrine as all other Lutherans based on what is written in the fourth Article of the Augsburg Confession.

Our churches teach that people cannot be justified before God by their own strength, merits, or works. People are freely justified for Christ's sake, through faith, when they believe that they are received into favour and that their sins are forgiven for Christ's sake. By his death, Christ made satisfaction for our sins. God counts this faith for righteousness in his sight (Romans 3 and 4 [3:21-26; 4:5]).  
(McCain 2006:36)

The Lutheran Church of Uganda believes and teaches that justification is totally beyond human capability. Justification is the work of God apart from human works. Although God's Law must be obeyed by all Christians, it is not this obedience of the Law that saves. The good news of Christ must be preached so as to deliver sinners from the condemnation of the Law. This is why the Law and Gospel must be preached in every sermon. After people have been frustrated by the demands and

condemnation of the Law, they need to hear the comforting news of the Gospel of Christ that Christ bears the condemnation of the Law for all who believe in him. It is this faith in Christ that saves Christians from sin and death. As soon as a sinner acknowledges his sin and repents, his sins are forgiven without any condition. Christ grants forgiveness to all who come to him without counting how heavy their sin is. There is therefore nothing else left for a Christian to do before God.

However, a Christian is still on earth living with his fellow Christians in a community of believers. The Christian must live in peace and harmony with others. This is where the issue of compensation comes in. The Christian is expected to live a godly life of respect for God and his neighbours. It is both a vertical and horizontal relation. One cannot maintain a vertical relationship without a horizontal relationship. Both relationships are needed for a Christian life. If he or she transgresses the Law of God both relationships are destroyed. Both relationships must be mended if the former state of being is to be restored. It is for this reason that a Christian needs to pay some kind of compensation<sup>23</sup>.

As discussed above, the compensation paid is not to justify the sinner before God but to restore a broken relationship with his community. Compensation is not only an assurance for the community that the person is sorry for the wrong committed and is willing to make amends, but also a warning to the rest of the community that such behaviours will not be tolerated in the community. Punishing sinners in the Lutheran Church of Uganda has nothing to do with justification before God, but to restore a broken relationship between the sinner and the rest of the congregation.

#### **5.4 THE LAW IN PAUL**

It suffices to say that the understanding of the Law we have today is the result of how we understand and interpret Paul. Nowhere else in the Scriptures is the Law described and interpreted at such length more than what Paul does in his letters, especially Romans and Galatians. No one can better understand and interpret the Law unless he approaches it from Paul's perspective.

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<sup>23</sup> This language is adopted from the African culture where a culprit is encouraged to pay some kind of compensation or reparation to the victim of the crime in order to restore a broken relationship (Murithi 2006:21).

However, Paul's theology of the Law is not without problems. Paul seems to present contradicting statements on the Law, speaking positively on one side, and negatively on the other. Sanders (1983:4), for example, states that Paul's treatment of the Law in his different writings, 'when set alongside one another, do not form a logical whole.' Räisänen (1983:10-11) sees the same problem in Paul. Paul presents the Law in diverse and contradicting ways. In order to find the solution to Paul's differing and various tensions in his position on the Law, Räisänen suggests that 'contradictions and tensions have to be *accepted* as *constant* features of Paul's theology of the [L]aw' (Räisänen 1983:11; emphasis in the original). Despite these tensions and contradictions in his understanding of the Law, Paul plays a big role in interpreting and understanding what the Law is and for what reason it was given. The tensions and contradictions can be resolved by understanding the context in which Paul finds himself when he makes such statements (Dunn 1990:215).

In this part of the Chapter we discuss how Paul uses and interprets the Law. The reason for going back to Paul is to address the inconsistencies between Luther's understanding of the Law and that of the Lutheran Church of Uganda. From the presentation of the Lutheran Church of Uganda's interpretation it has been indicated that culture plays a role in the Law's interpretation. Paul seems to be faced with a problem of cultural differences, especially in his letter to the Galatians with regard to the Law's interpretation. The social context Paul finds himself in dictates his interpretation of the Law (Dunn 1990:216). He seems to be faced with a problem of Jewish culture *vis-a-vis* gentile culture. Some Jewish Christians wanted gentiles to practice Jewish culture if they were to be recognised as God's people. Will Paul bow to the demands of his fellow Jews and force gentiles to *judaize*? Will Paul overrule gentile culture and impose Jewish culture on his converts? This is the situation Paul faced. He had to decide whether Jewish culture dominate other cultures. And if he allowed Jewish culture to dominate other cultures it meant that there is no salvation outside the Jewish nation. It means that God's saving grace is only limited to Jews by nature, thus rendering useless the promise God made to Abraham that all nations (τὰ ἔθνη) would be blessed through him (Gl 3:8; Gn 12:3). Does Paul's interpretation of the Law restrict God's salvation to just one cultural group? Does Paul allow culture

to affect the Law's interpretation? These are some of the questions that will be at the back of our mind as we discuss Paul and his interpretation of the Law.

#### 5.4.1 The argument of Paul in Galatians 2:16

In his letter to the Galatians Paul is faced with a problem of certain Jews who insisted that gentiles must abide by the Law if they were to be included in the people of God. They insisted that gentiles must undergo the initiation process just like Jews if they were to be wholly accepted into the holy nation of Israel. The controversy seemed to be centred especially on the ceremonial laws of circumcision and the eating of clean and unclean foods. This group of some high ranking Jews (at least who had come from a reputable group of Jewish leaders) has discredited the gospel Paul had preached among the gentile Galatians. Paul approaches the problem from within. He starts his argument from his ancestral decent. He wishes to show his fellow Jews that he knows what he is doing. He explains to them the reason why they themselves as Jews and not gentile sinners<sup>24</sup> had come to believe in Christ. Paul states, 'We Jews by birth and not of gentiles sinners know that a man is not justified by (out of) works of the [L]aw (ἐξ ἔργων νόμου), except through faith in Jesus Christ, even we ourselves believed in Christ Jesus in order that we might be justified by faith in Christ and not by works of the [L]aw, because by works of the [L]aw all flesh shall not be justified' (Gal 2:15-16; my translation).

In this statement Paul testifies before his fellow 'righteous Jews' (in relation to gentile sinners) that justification before God does not come by doing the 'works of the Law.' Paul is not saying that Jews are justified by the Law while gentiles by faith in Christ Jesus as some scholars have suggested<sup>25</sup>. He does not limit faith in Christ to the

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<sup>24</sup> Paul contrasts Jews and Gentiles by calling the later sinners because those outside the nation of Israel by birth were considered sinners destined for destruction. This is because they did not have the Law of Moses nor did they obey it. Gentiles were not expected to observe Jewish ceremonial laws of clean and unclean foods (Dt 14:21), Passover observance (Ex 12:43-48), and others. It was no sin if Gentiles or non-Jews did not obey these laws (Das 2014:239-240). Therefore, just as Jews are by birth Jews, Gentiles are cursed from birth because they live outside the Law which promised righteousness before God. Gentiles are sinners by nature irrespective of what they do or what they do not do (Ebeling 1985:120).

<sup>25</sup> Gaston believes that Paul's use of the personal pronoun 'we' in Galatians 2:15-16 is not to identify himself with Jews, but with Gentiles to whom he has received the calling to serve. The justification through faith of Christ applies to Gentiles and not Jews. The distinction between Jews and Gentiles must be maintained. Jews are in the covenant of grace as instituted on Mount Sinai and are therefore justified by the faithfulness of God and election of Israel, whereas Gentiles are justified by the

gentiles (Das 2014:241). Paul seems to be saying that no man as long as he is in flesh (πᾶσα σὰρξ) can be declared righteous before God on account of doing what the Law requires. This is common knowledge among the Jews, Paul seems to say so, otherwise they (Jews) would not have believed in Christ. They had the Law and had done what the Law requires of them. They would have been justified by these works of the Law if indeed the Law justifies. However, that is not the case. The works of the Law do not justify. They had to look for that which justifies and in this case, faith in Christ Jesus. Faith in Christ Jesus is the only means through which all people are justified, Jews themselves included (Das 2014:241).

Das recognises that Paul, in disparaging works of the Law, he does not label his fellow Jews legalists. Paul 'is not confronting some legalistic mind-set on the part of Jewish Law observers as if they are people trying to earn their way into heaven. He is speaking more generally: observing God's Law and living according to its principles does not render one right before God. God's favour may be enjoyed solely on the basis of faith in Christ and not on the basis of the observance of the Law' (Das 2014:246). He recognises that the Jews in Paul's days knew that God had elected and chosen them as his own people who will share in the world to come. Even those who fall short of the required life God has provided repentance and atoning sacrifices as means of restoring this broken relationship. By quoting the Dead Sea Scrolls, Das affirms the point that Jews recognised that only God enabled the observance of the Law which is not possible according to human will (Das 2014:247).

But I know that justice [righteousness] does not belong to man nor the perfect path to the son of man. To God Most High belong all the facts of justice [righteousness], and the path of man is not secure except by the Spirit which God creates for him... for I have remembered my faults ... I said "For my sin I have been barred from your covenants." But when I remembered the strength of your hand and the abundance of your compassion I remained resolute. ... For you have supported me by your kindness and by your abundant compassion. Because you atone for my sin and cle[anse man] of his faults through your justice [righteousness].

(1QH XII [=IV], in García Martínez 1994:30-31, 34-37)

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righteousness and saving power of God which now extends to them in Christ Jesus (Gaston 1987:69-71).



The mercies of God shall be my salvation always; ... he will draw me near in his mercies, and by kindnesses set in motion my judgment; he will judge me in the justice [righteousness] of his truth, and in his plentiful goodness always atone for all my sins, in his justice [righteousness] he will cleanse me from the uncleanness of the human being and from the sins of the son of man, so that I can extol God for his justice [righteousness].

(1QS XI, in García Martínez 1994:12-15)

From these quotations it can be concluded that Jews recognised that being the people of God was not because they were righteous in themselves but because God had chosen and elected them out of his grace and mercy. Even when they fall short of what the Lord requires of them in the Law and break the relationship, the work of restoring this relationship is God's. He provides repentance and atoning sacrifices as means of restoring the fallen to his mercy.

Paul's opponents seem to have managed to convince the Galatians that the 'works of the Law' were the basic requirements for entry into God's people. They may have urged that God had commanded these 'works of the Law.' One could not belong to the chosen people of God and fail to do what God commands, that is, a believer ought to be circumcised, practice dietary laws and observe days and festivals just like the rest of the Jews (Westerholm 2004:367). Paul's opponents in Galatia believed that the Jewish way of life as described in the Law of Moses shaped the way God's people must live. The only way to belong to the people of God was by Judaizing, that is, being circumcised, observing dietary laws and keeping the Sabbath. To the *judaizers* these were the most important qualities everyone who belonged to the people of God must possess. God's favour could only be found within the boundaries of the Jewish laws. For the *judaizers*, the coming of the Messiah did not cancel the covenant God had made with his people nor did it invalidate its laws (Westerholm 2004:368-369). This is wrong according to Paul. The righteousness of God cannot be found in fulfilment of the Law let alone the Jewish way of life. Gentiles, just like Jews, are declared righteous before God by faith in Christ apart from the 'works of the Law.' Therefore, the Jewish practices of circumcision, dietary laws and the Sabbath cannot be imposed on gentiles. The gospel that Paul preached was that God offers his righteousness to all people who

face condemnation on account of his grace though faith in Christ Jesus (Westerholm 2004:441-42).

Dunn (2008:106) argues that Paul is appealing to a position that is more acceptable to Jews. 'Being justified' is something peculiar to the Jews, according to Dunn. It is a covenant language that every Jew understood which separated Jews from gentiles. Nations outside Israel are considered sinners because they do not know the Law nor do they abide by it. To be justified is firmly grounded in Israel's election as God's chosen people. 'God's justification is God's recognition of Israel as his people, his verdict in favour of Israel on grounds of his covenant with Israel' (Dunn 2008:107). According to Dunn, when Paul speaks of being justified he is not distinctively speaking of the initial act of God accepting a person into the covenant. 'God's justification is rather God's acknowledgment that someone is in the covenant – whether that is an initial acknowledgment, or a repeated action of God (God's saving acts), or his final vindication of his people' (Dunn 2008:107). It is not surprising for Dunn, therefore, that the second reference to being justified implies to the future and the third reference is in the future tense. To be justified therefore cannot be treated as an initial entry into the people of God, nor can it be distinguished between Paul's usage and the Jewish covenant usage (Dunn 2008:107-108).

What then is Paul reacting against? Dunn argues that denying that justification is by 'works of the Law', Paul is referring to those works which are done in accordance to the requirements of the covenant. Paul denies that justification depends on circumcision or observance of food laws. These observances were important to the Jews because they acted as boundary markers. They were badges of the covenant and therefore distinguished Israel as the people of the covenant from the rest of nations. For Jews there would be no participation in the covenant of God without practicing these works of the Law. Every member of the covenant could be identified by these practices. For any pious Jew of Paul's time, 'it would be virtually impossible to conceive participation in God's covenant, and so in God's covenant righteousness, apart from these observances, these works of the [L]aw' (Dunn 2008:110). Dunn continues and likens circumcision, dietary laws and the Sabbath

with baptism and the Lord's Supper in today's Christianity<sup>26</sup>. For Dunn, these 'works of the Law' played the same role of identifying the people of God's covenant just like the sacraments identify Christians of today. When Paul therefore denies justification by 'works of the Law', he is denying that God's acknowledgment of one's status in the covenant is dependent on these works. God's approval of one's status in the covenant does not depend on the fulfilment of these works. For Paul God's righteousness is not limited to those who practice these works (Dunn 2008:112).

We agree with Dunn, that the new covenant which is faith in Christ expands the nationalistic distinctions and allows everyone to be accepted in this new covenant by faith whether Jew or Gentile. Faith in Christ is the 'primary identity marker' for the new people of God and all other identity markers are now useless in regard to God's righteousness. The people of God in this new covenant can no longer be identified by Jewish practices of circumcision, dietary laws and the Sabbath but by faith in Christ Jesus (Dunn 2008:113). In other words, Paul argues against limiting the grace of God to a certain ethnicity<sup>27</sup>. Paul argues against cultural imperialism –regarding Jewish identity and Jewish customs as the essential tokens of membership in the people of God (Barclay 1988:239).

According to Dunn, it is the stubbornness of the Jews, that is, not recognising that faith in Christ is the only badge of the new covenant, which made Paul to contrast being justified by 'works of Law' with justification by faith in Christ. The insistence of Jewish Christians that gentiles practice Jewish practices to maintain their status in the covenant, made Paul to develop another answer: the coming of Christ is the time of fulfilment of his covenant in which gentiles would be blessed through Abraham (Gl 3:8; Gn 12:3; 18:18). The covenant is no longer an exclusive Jewish privilege but has been expanded to include gentiles on the basis on faith. The barriers that kept gentiles from the covenant have been abolished and they are now freely admitted

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<sup>26</sup> According to Dunn, circumcision, laws on clean and unclean foods, and the Sabbath played a very important role in identifying Jews as the covenant people of God and marking them off from the rest of other nations the same way baptism and the Lord's Supper define who a Christian is. Just as it would be a contradiction to call unbaptised person a Christian, even so it was a contradiction of terms to call someone a Jew who did not practice circumcision, dietary laws and the Sabbath (Dunn 2008:110-11).

<sup>27</sup> Ethnicity, according to Cromhout (2007:82), is 'a form of social identity, referring to a collectivity of individuals who ascribe to themselves and/or by others, a sense of belonging and a common cultural tradition.'

into the grace of God on account of faith without practicing circumcision, dietary laws and the Sabbath (Dunn 2008:114). It is for this reason that Paul came to faith in Christ Jesus. In this faith Paul received a 'new identity' (Gl 2:16) by which everyone is saved apart from the Law (Van Eck 2009:75). The message that Paul proclaims is a message of inclusivity of all people regardless of their ethnicity:

Paul, in continuity with Jesus, proclaimed the same message without exception: ethnicity is replaced by faith in God (Phlp 1:1; 2:1), and true circumcision is the privilege to worship God through the Spirit (Phlp 3:3). To boast in ethnicity as a criterion is to live in the flesh (2 Cor 10:2); it leads to pretentiousness (2 Cor 10:4-5) and breaks down the congregation (and the church) instead of building it up (2 Cor 10:8). The descendant of Abraham is not ethnic Israel, but Christ himself, and whoever believes in Christ (as Abraham believed), is a child of Abraham. For this reason it does not matter whether someone is a Jew or a Greek; all are one in Christ (Gl 3:28).

(Van Eck 2009:79)

#### **5.4.2 Is ἔργων νόμου referring to identity markers?**

When this text (Gl 2:15-16) is taken to be the continuation of the preceding passage, it seems to be obvious that Paul here is very much concerned with the discussions at Jerusalem and Antioch. Paul seems to be responding to these two situations. Paul had faced opposition at Jerusalem from some Jewish Christians regarding Titus an uncircumcised gentile. Though Paul does not elaborate what the problem was all about, it can be said that these ψευδαδελφούς were concerned for having Titus, an uncircumcised gentile, among them. They faulted Paul for having admitted Titus to the gospel without being circumcised first. At Antioch the issue was about table fellowship. Eating with gentiles had not been an issue for Peter and Barnabas until certain men from James arrived. On the arrival of the so-called group of circumcision (τοὺς ἐκ περιτομῆς) Peter withdrew from table fellowship with gentiles because of fear of this group. Paul rebukes Peter and blames him of hypocrisy together with other Jews. For Paul they were in the wrong and not walking uprightly according to the truth of the gospel. These two concerns of circumcision and table fellowship are issues up to this point. When in the next verses Paul speaks of ἔργων νόμου it becomes easy for one to assume that Paul is referring to those practices commanded in the Mosaic Law which identified Jews from other nations. It is on this observation that Dunn's argument flows.

Dunn (2008:108) argues that the immediate context plays a decisive role in interpreting the phrase ἔργων νόμου. The phrase follows directly after the debates at Jerusalem and Antioch. Paul's denial that justification depends on 'works of the Law' is the denial that justification depends on the issues discussed at Jerusalem and Antioch which are circumcision and dietary laws. Paul's usage of ἔργων νόμου is intended for his readers to think precisely of 'particular observances of the [L]aw' in this case circumcision and dietary laws. Dunn appeals to the Greco-Roman literature of Paul's days in support of his argument. Circumcision, dietary laws and the Sabbath were 'characteristically and distinctively Jewish'. They marked their practitioners as Jewish and marked them off from other nations. They were 'identity markers.' These practices were highly regarded as Jewish because they identified their practitioners as Jewish and as the people of the covenant. (These are some of the features of ethnicity according to Duling 2009: 4-7). They were the fundamental observances of the covenant people of God. These religious customs distinguished Judeans from other people (Cohen 1999:28). A member of the covenant could be identified by these practices (Dunn 2008:109). By quoting Genesis 17<sup>28</sup> Dunn depicts how important circumcision was for Jews as the covenant people of God. Foods laws also had become a symbol for Jewish self-understanding at time of the Maccabees<sup>29</sup>, while the Sabbath was one of the fundamental laws of covenant loyalty. Dunn thus concludes: 'when Paul denies the possibility of 'being justified by works of the [L]aw' it is precisely this basic Jewish self-understanding which Paul is attacking – the idea that God's acknowledgment of covenant status is bound up with, even dependent upon, observance of these *particular regulations* – the idea that God's verdict of acquittal hangs to any extent on the individual's having declared his

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<sup>28</sup> 'Then God said to Abraham, 'As for you, you must keep my covenant, you and your descendants after you for the generations to come. This is my covenant with you and your descendants after you, the covenant you are to keep: Every male among you shall be circumcised. You are to undergo circumcision, and it will be the sign of the covenant between me and you. For the generations to come every male among you who is eight days old must be circumcised, including those born in your household or bought with money from a foreigner –those who are not your offspring. Whether born in your household or bought with your money, they must be circumcised. My covenant in your flesh is to be an everlasting covenant. Any uncircumcised male, who has not been circumcised in the flesh, will be cut off from his people; he has broken my covenant' (Gn 17:9-14; NIV). Dunn emphasizes how important circumcision was not only to Jewish identity but also to the identity of the people of God.

<sup>29</sup> 'But many people in Israel firmly resisted the king's decree and refused to eat food that was ritually unclean. They preferred to die rather than break the holy covenant and eat unclean food –and many did die' (1 Macc. 1:62-63; Good News Translation).

membership of the covenant people by embracing these *distinctively* Jewish rites' (Dun 2008:111; emphasis added).

Dunn (2008:214), however, has revised his interpretation of the phrase ἔργων νόμου. He later acknowledges that the phrase cannot be strictly applied to circumcision, dietary laws and the Sabbath. He states that the phrase is to be understood in reference to 'covenantal nomism'<sup>30</sup> –where one's membership in the covenant is maintained by his keeping of the requirements of the Law. Circumcision and dietary laws take centre stage because they were the most important aspects of the covenant at the time of Paul. However, even with such a revised position Dunn insists that the boundary markers of circumcision and dietary laws remain the primary focus when Paul speaks of being justified by 'works of the Law' in Galatians 2:16 (Dunn 2008:214, 215).

Sanders (1983:18) makes no distinction between the social requirements of the Law and the Law in general. Sanders argues that Paul's use of being justified by 'works of the Law' should not be understood in the sense of whether one's good works can earn him salvation before God. Rather, the argument is on what conditions are gentiles to be admitted into the people of God. Paul's opponents had argued that gentiles can only be admitted into the people of God after they have been circumcised and accepted the Law. The Law was a condition for membership into the covenant. This is what Paul is fighting against. Gentiles do not need to be circumcised nor to accept the Law of Moses in order to be part of the people of God. 'Gentiles were to be brought into the people of God without being required to accept the [L]aw of Moses, but by faith in Christ alone, and it was his mission to bring them in' (Sanders 1983:19). Faith in Christ is all that gentiles need in order to be counted among the people of God. Circumcision and doing the Law, however, is not what is wrong according to Paul. It is rather the requirement that gentiles abide by these practices as a basic requirement for entry into the covenant people of God (Sanders

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<sup>30</sup> 'Covenantal nomism', a term coined by Sanders to describe the relationship between Law and God's election of Israel, 'is the view that one's place in God's plan is established on the basis of the covenant and that the covenant requires as the proper response of man his obedience to its commandments, while providing means of atonement for transgression ... Obedience maintains one's position in the covenant, but it does not earn God's grace as such' (Sanders 1977:75, 420).

1983:20). From what Sanders says, we can conclude that he treats the phrase 'works of the Law' as referring to the whole Law and not a particular part of the Law.

Räsänen (1992:114) agrees with Sanders and Dunn in stating that Palestinian Judaism understood the Law in relation to covenantal nomism, that is, that the keeping of the Law was in response to God's election of Israel. He denies the traditional Lutheran understanding of legalism. He also acknowledges that Dunn's point of 'identity marker' in Galatians 2:16 may have been the starting point for Paul. Identity markers are the primary concern for Paul at this point. Räsänen, however, argues that Paul's theology of the Law cannot be limited to identity markers. It is not just this attitude to the Law that Paul is attacking. The context does not support a restricted sense of the Law but the Law as whole. In Galatians 2:19, for example, Paul could not have died to a particular attitude to the Law nor does Galatians 3 support such a limited sense. 'What entered the stage of *Heilsgeschichte* 430 years after Abraham was the [L]aw, the whole [L]aw and nothing but the [L]aw (3:17). It was not any 'attitude' that entered the world in the Sinai event, in order to be valid for a certain period of time (until the coming of the 'seed') for a particular purpose. As surely the 'identity marker' of circumcision is not in focus in *this* passage, for circumcision was as old as Abraham and did *not* appear centuries after him' (Räsänen 1992:122; *emphasis in the original*). Paul's highlight of the Law in a negative sense takes the entire Law in context and not just 'identity markers', although 'identity markers' may have been Paul's starting point (Räsänen 1992:122).

Moises Silva (2004:221) also differs from Dunn. He acknowledges that the incident at Antioch must be taken into consideration if the term ἔργων νόμου is to be understood. This is because the phrase follows directly unto that incident and seems to address directly the events that happened there. He, however, sounds a warning that it would be a mistake to conclude that identity markers is the specific issue to which the phrase refers.

It seems futile to deny that the ceremonial question in Antioch affects the meaning of the phrase 'law-works' in Galatians 2:16 and colours the subsequent discussion in Chapter 3. It would be a mistake, however, to infer, without further evidence,

that national identification is the specific issue that troubles Paul or even the principal factor he has in mind when he speaks of law-works.

(Silva 2004:221)

Although Paul seems to be concerned with national identifications in Galatians 2:15-17, the whole section from Galatians 2:15-3:29 has no explicit reference to these identifications. Paul's argument is more broad and the reference to the Law in Galatians 3:10 does not limit the phrase to identity markers (Silva 2004:221-222).

Das (2014:248) agrees with Silva's interpretation. He argues that to assume that ἔργων νόμου always refers to identity markers is to 'overextend the evidence.' Das appeals to Paul's usage of the phrase in other places and also its usage in the Qumran community. For example, the phrase can mean the demands of the Law's total obedience (GI 3:10), or the deeds of the kings of Israel (4QMMT C 23). Paul's concern was not that Jews promoted the ceremonial demands of the Law, but that they imposed the Law in its entirety on the gentiles. 'Works of the Law', therefore, refers not only to Jewish identity markers but to those deeds which the whole Law demands (Das 2014:249; also see Das 2001:156-158).

Ebeling (1985:133) argues that the phrase ἔργων νόμου cannot be limited to the ritual regulations of the Law. Paul's message of freedom from the Law would be misunderstood if only one part of the Law is considered. If that was the case, then there would be no problem in establishing the relationship between Jews and gentiles. Those regulations of the Law that separated Jews and gentiles would be repealed and thus remain with those which do not bring division. If this interpretation is maintained, it would mean that faith in Christ has only revised the Law to a more acceptable way appealing to the gentiles. It would also mean that Christ is the new lawgiver, a new Moses. However, 'freedom from the [L]aw through faith in Jesus Christ can be understood correctly in this context only in relationship to ἔργα νόμου (erga nomou, works of the [L]aw) in general, not the ceremonial law alone, with reference to everything that fulfilment of the [L]aw might be expected to gain in terms of one's standing in the eyes of God' (Ebeling 1985:134). Luther (1963:122) states that the phrase 'works of the Law' should 'be taken in the broadest possible sense.' There should be no distinction between different parts of the Law. For Luther, the Law is anything that is opposed to grace. 'Whatever is not grace is Law', whether it is



civil law, ceremonial law or the Decalogue. When Paul says that no one is justified by works of the Law, he does not refer to a specific part of the Law but the works of the entire Law. Paul, according to Luther, is contrasting being justified by faith in Christ and being justified by the Law. With this understanding Luther rejects the position of Jerome who thought that Paul is speaking about the ceremonial law (Luther 1963:122-123).

Gieschen (2004:122), on the other hand, admits that understanding Paul's use of νόμος in his letters is quite complex. Its precise meaning depends on the context, since νόμος can refer to the Torah (Pentateuch or the whole of the Old Testament, Rm 3:10-19), the Mosaic Law (as given at Sinai, Rm 3:21), or the authority or principle (Rm 3:27). However, the most common reference to νόμος is the Mosaic Law which describes how life is to be lived by those who trust in Yahweh (Gieschen 2004:123). Gieschen believes that limiting 'works of the Law' to Jewish identity markers means that Paul was concerned about Jewish laws which prevented gentiles from becoming the people of God. This, however, was not Paul's only concern. Paul was also concerned about the Jewish perception of justification before God which depended on their obedience to the Law. This point can only be clear when the phrase 'works of the Law' is taken into its broadest sense to mean the entire Law (Gieschen 2004:124).

Much has been written about the reference of the phrase ἔργων νόμου. However, it suffices to say that many scholars have come to agree that although Paul may have in mind the issues at Jerusalem and Antioch it would be to miss a point to restrict it to the social distinctions between Jews and gentiles. Circumcision and dietary laws may have been his starting point when Paul first spoke of 'works of the Law', however the context supports the broader meaning which is the entire Law. Justification before God can only be as a result of faith in Christ Jesus and not because of one's obedience to the Law.

This understanding is similar to that of the Lutheran Church of Uganda. Despite giving punishment to sinners they believe that justification is solely dependent on faith apart from any works done. Even doing works which are prescribed by the congregation for the sake of compensation do not earn favour before God. These

works are for the horizontal relationship with one another and not for gaining favour from God. The question however remains: What was at stake for Paul? Why is he so relentless in his message? In what follows we will try to answer these questions.

### **5.4.3 Contextualisation of the Gospel**

We have so far discussed the argument of Paul in Galatians 2:16 and have seen what was at stake. It can be said that Paul's gospel to the gentiles was at stake. His free gospel of grace through faith in Christ Jesus had met opposition from possibly Jewish Christians who wanted to turn Galatian believers into Jewish proselytes. They thought that the people of God can only be those who practice 'works of the Law' – circumcision, dietary laws and the Law of Moses as given at Sinai. In other words, Paul's opponents thought that salvation could only be found in Jewish ethnicity. One could not be a member of the people of God and disregard what has been given by God in the Law. This position threatened Paul's mission to the gentiles. It meant that there was no salvation outside the boundaries of Israel. Paul, therefore, felt compelled to defend his mission and thus responds in a way he does here in his argument. However, one thing remains unclear, or at least Paul does not explain it. It is the question whether Jews should abandon their Jewish practices because of faith in Christ. This question has to do with whether Jews who believed in Christ abandoned those practices that distinguished them from other nations, practices like circumcision, and dietary laws. Or did Paul tell them to forsake their practices because they were interfering with his gospel to the gentiles? These questions will answer what role culture plays in the gospel. This is also related to the question whether Paul remained an observant Jew after his commission to preach the good news to the gentiles. We will discuss Paul's break with Judaism in brief in what follows.

#### **5.4.3.1 Paul's break with Judaism**

There is disagreement among scholars on this question on Paul. Some say that he broke away from Judaism while others suggest that there is a line of continuity between Paul a Pharisee and Paul an apostle to the gentiles. The main concern of the scholarship in this regard is on the matters of faith. Those who argue for Paul's continuity, for example Dunn (2008:286), believes that Paul's gospel is consistent with and the continuation of his Jewish heritage. For example, Paul's use of 'the

righteousness of God' is derived from the Old Testament Psalms and Isaiah 2, and his use of Genesis 15:6 and Habakkuk 2:4 as key texts in his gospel testifies to this continuity. Abraham is a model of faith (Gl 3; Rm 4), and he also makes sure that the gospel preached to the gentiles does not contradict God's faithfulness to Israel (Rm 3:1-8, 21-26; 9-11). For Dunn Paul was converted from the keeping of the Law of God so as to separate Jews from gentiles. Paul now believes that the gospel has been extended to gentiles also (Gl 1:15-16). The work of the Law as a hedge to separate Jews from gentiles has come to end. The use of the Law as a boundary marker has been superseded by faith in Christ (Dunn 2008:289-290; Van Eck 2009:78-79). Stendahl (1976:7) supports Paul's continuity. He describes Paul's Damascus experience not as a conversion, but a new and special calling in God's service, that is, to bring the good news to the gentiles. Paul had been hand-picked in his mother's womb, and had been set aside to bring the good news to the gentiles (Gl 1:13-16). Paul's calling is synonymous to that of the prophets Isaiah and Jeremiah whose calling was for a specific purpose. Such calling cannot be spoken of as a conversion but a special calling for a specific purpose (Stendahl 1976:8-11).

Sanders (1983:57), however argues in the opposite direction. He speaks of Paul's calling as a conversion.

Christ is, for Paul, universal Lord: he is as much [g]entile saviour as Jewish saviour. The Jews as such are not already in the new creation. They must enter. They have no advantage over [g]entiles with regard to admission. This is why I think it to be accurate to speak of 'conversion.'

(Sanders 1983:57)

For Sanders there is no distinction between Jews and gentiles. Both need faith in Christ to be counted among the people of God. 'Works of the Law' are no longer terms for membership into the covenant but faith in Christ. Both Jews and gentiles are admitted into the covenant on the basis of faith in Christ (Sanders 1983:172, 177-178).

Räsänen (1992:123) states that 'Paul did not remain an observant Jew' otherwise he could not have been τοῖς ἀνόμοις ὡς ἄνομος (1 Cor 9:21). For Räsänen a pious Jew could not speak like Paul for it was believed that Torah observance was

ordained by God. Although Jewish Christians were not required to abandon the Torah, Paul expected exactly that whenever its observance interfered with his gospel to the gentiles. In agreement with Sanders that no Jew will be saved as Jew<sup>31</sup>, Räisänen asserts that ‘Jews as well as [g]entiles must enter the new community’ which is the community of faith in Christ. The old covenant is no longer valid. This shows ‘the degree of discontinuity between Judaism and Paul’ (Räisänen 1992:124). Peter O’Brien, in describing what Paul experienced on the Damascus road, states that Paul had undergone “a paradigm shift” in his life and thought.’ His belief and way of looking at things had changed. Turning from the persecutor of the church (Gl 1:13) to the preacher of faith he once tried to destroy (Gl 1:23) had changed his life as a Pharisee to a new man in Christ. ‘Paul’s own self-consciousness was that of having undergone a conversion’ (O’Brien 2004:370).

#### **5.4.3.2 The social and cultural context**

The sides that support the continuity and discontinuity of Judaism in Paul both argue with respect to faith in Christ. However, they do not consider the social context in which Paul finds himself. Paul finds himself at the crossroads of the two ethnic groups, Jewishness and Gentileness. Some Jewish Christians believed that the people of God were those who practiced Jewish laws of circumcision, dietary laws and the Sabbath. The ‘works of the Law’ like circumcision and dietary laws have become social distinctions identifying their practitioners as Jewish and marking them off from other nations. These had become synonymous with Jewishness. There could be no Jew without circumcision. These constitute Jewish ethnicity (see Barth 1969:14). These were not only religious virtues but also social characteristics (Dunn 2008:114). What Paul was against was on the religious side of things, that is, using the Law to keep gentiles out of God’s grace. Paul, however did not dispute their social function. Paul did not expect Jews to abandon their practices which reflected Jewish identity. Even after coming to faith in Christ Jesus Jews remained Jews and gentiles remained gentiles. Faith in Christ did not remove social boundaries nor did Paul become a gentile after his encounter with the risen Lord and his commission as

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<sup>31</sup> Sanders (1983:29) observes that Paul in Galatians 3 argues for entry for Gentiles into the people of God on account of faith alone without the Law. Paul applies the same principle to Jews. The fact that Jews have the Law does not give them an upper hand over the Gentiles. Both Jews and Gentiles must be entered on the same conditions. Both Jews and Gentiles have the same fate unless they put their faith in Christ.

an apostle to the gentiles. Though remaining a circumcised Jew Paul had to adjust to a different social structure than that which he grew up in. His mission to gentiles had made him to live among gentiles and therefore acclimatize himself with gentile practices as long as they did not interfere with the gospel. So, when he speaks of being τοῖς ἀνόμοις ὡς ἄνομος (1 Cor 9:21) Paul is speaking of the social context in which he finds himself in his mission. Notice that he speaks of the same thing regarding Jews: καὶ ἐγένόμην τοῖς Ἰουδαίοις ὡς Ἰουδαῖος (1 Cor 9:20). Paul had become everything to everyone just for one reason – the same reason he has dismissed ‘works of the Law’ in Galatians 2:16 – ἵνα πάντως τινὰς σώσω (1 Cor 9:22). Paul was concerned with using the social distinctions of a certain community to bar others from accessing the free grace of God which he offers to all who put their faith in his son Christ Jesus. Ethnicity does not play a role in God’s saving of his people. What matters is faith in Christ Jesus (Gal 3:28). The people of God are not to be identified by their ethnicity but by faith in Christ (Nebrada 2009:34-35).

It should also be noted that Paul was not against the Law *per se*. Paul not once argued that the Law is useless and therefore should be done away with. Even when he disparages ‘works of the Law,’ Paul does not dismiss the Law as totally useless. Paul speaks of the Law as having been given because of transgressions until the promised Seed should come (Gal 3:19). He goes ahead to say that the Law was παιδαγωγός until Christ (Gal 3:24). Whether the Law was a way of dealing with transgressions (Dunn 2008:269-270) or functioned in exposing sin as transgression (Das 2014:360-361) cannot be established at this point because of the limitation of this study. What is clear and important though is that the Law does not give life and thus does not justify (Gal 3:21). Does this mean that the Law is useless? Paul does not say that either. On the contrary Paul says that the Law is holy, and the commandment holy, righteous and good (Rom 7:12). Despite the social differences that existed between the circumcised and uncircumcised, the Law remains and should be upheld (Rom 3:30-31). Paul is in fact saying that Jews, although having social differences with gentiles, are justified by the same faith which justifies gentiles. The social differences should not interfere with matters of faith. The Jew remains Jewish and the Gentile remains gentile, but both must come to faith in Christ Jesus if they are to be justified. The social differences (ethnicity) have nothing to do with being the people of God, however they cannot be done away with since ethnicity

remains the 'vehicle for the gospel at a specific place and time' (Van Eck 2009:79). They are part and partial of each distinct nation but they should not be used to identify membership in the people of God.

Räisänen (1992:123) agrees that Paul did not tell Jewish Christians to abandon their laws. Räisänen, however, contends that they were to abandon them whenever they interfered with Paul's gospel to the gentiles.

In theory, Paul did not require Christian Jews to give up Torah observance. Actually, however, he expected them to do just that whenever the observance interfered with the dealings with Gentile Christians, as Galatians 2 shows. God's eternal decrees, then, were no longer fully valid.

(Räisänen 1992:123)

Räisänen's statement is not clear enough. It seems to suggest not a single position but a double and an undecided position of Paul. Räisänen's Paul seems to be not sure of whether someone (Jew or Gentile) should remain a practicing Jew or Gentile after he or she has come to faith in Christ. This would take us back to Galatians 2:16 where Paul disparages 'works of the Law.' To suggest that Paul would expect Jewish Christians to abandon their practices whenever they interfered with his mission is actually to suggest that Jews become gentiles. This would be imposing someone's culture onto another person which is cultural imperialism (Barclay 1988:239). Just like we said before, one's culture was not to be abandoned as long as it did not interfere with the gospel of God's grace through faith in Christ Jesus, that is, no cultural practice was to be substituted as means of grace. Salvation is only possible through faith in Christ. Therefore, the worship of other beings which were not gods (τοῖς φύσει μὴ οὐσίῃ θεοῖς; Gl 4:8) in the case of gentiles had to be abandoned because it does not recognise faith in Christ as the only means of grace. This is the only case when one's culture should be abandoned otherwise a Jew remains Jewish and a gentile remains gentile even after becoming a Christian.

Dunn (2008:112) understands the situation quite well. He states that Paul does not challenge covenantal nomism in his statement in Galatians 2:16. He rather challenges the notion by Jewish Christians which would substitute faith in Christ with covenantal nomism or even make it another identity marker of those of the elect.

Faith in Christ is the only identity marker for the elect people of God. For from the beginning God accepted Jews and made them his own not on account of works but on account of faith. Therefore, Jews are not saved by works but by faith. Dunn asserts this point as follows:

If we have been accepted by God on the basis of faith, then it is on the basis of faith that we are acceptable, and not on the basis of works. Perhaps, then, for the first time, in this verse faith in Jesus Messiah begins to emerge not simply as a *narrower* definition of the elect of God, but as an *alternative* definition of the elect of God. From being *one* identity marker for the Jewish Christian alongside the other identity markers (circumcision, food laws, [S]abbath), faith in Jesus as Christ becomes the primary identity marker which renders the others superfluous.

(Dunn 2008:113; emphasis in the original)

Dunn recognises that faith cannot be restricted to the Jewish self-understanding of being in the covenant. The restrictions that barred gentiles from accessing the free grace of God have been removed. Jews, however, are not required to abandon their practices, nor to deny their ethnicity. Although God had made a covenant with Jews and had made them his own people, the covenant can no longer be defined in nationalistic terms. It is no longer a Jewish privilege but all nations have been included in the covenant just as it was intended from the beginning (G1 3:8; Gn 12:3; 18:18). Dunn describes Paul's point in the following manner:

In brief, Paul's new answer is that the advent of Christ had introduced the time of fulfilment, including the fulfilment of his purpose regarding the covenant. From the beginning, God's eschatological purpose in making the covenant had been the blessing of the nations: the gospel was already proclaimed when God promised Abraham, 'In you shall all the nations be blessed' (G1 3:8; Gn 12:2; 18:18). So, now that the time of fulfilment had come, the covenant should no longer be conceived in *nationalistic* or *racial* terms. No longer is it an *exclusively* Jewish *qua* Jewish privilege. The covenant is not thereby abandoned. Rather it is broadened out as God had originally intended –with the grace of God which it expressed separated from its *national restriction* and freely bestowed without respect to *race* or *work*, as it had been bestowed in the beginning.

(Dunn 2008:114; emphasis added)

The covenant can no longer be determined by such exclusively Jewish practices of circumcision, dietary laws and the Sabbath. For these observances although were covenant observances had become more Jewish –had become features of Jewish

ethnicity –and the covenant righteousness had become more nationalistic righteousness (Dunn 2008:114).

Paul's theology of the Law has more to do with how a person is justified before God. For it had become apparent to him that his fellow Jews –at least his opponents at Galatia –did not fully understand this. They had attached the 'works of the Law' as the requirement for those in the people of God. They were not able to distinguish their cultural and social distinctions (ethnicity) from the justified life. Ethnicity contributed nothing towards justification nor should it be used to identify the people of God. Paul explains that the people of God cannot be identified by these cultural differences. However, Paul does not command the Jews to abandon their practices nor does he expect them to use these social distinctions to define the people of God. Let the Jew remain Jewish and the Gentile remain gentile, but the people of God can be identified by their faith in Christ. This is the only identity of the people of God. Therefore, the Lutheran Church of Uganda are free to practice their culture as long as this is not seen as meriting God's grace or even contributing to one's justification before God. As long as people are able to draw a line between justification before God and their ethnicity there should not be any problem. Although Paul's concern was not only social and nationalistic distinctions, this was an issue that Paul could not miss to address since it affected his mission to the gentiles.

#### **5.4.3.3 What then was wrong with the Law?**

Paul's understanding of the Law is difficult to reconstruct in his letters as we have seen above. This is because of many reasons among others Paul's 'contradictory' statements (Sanders 1983:4; Räisänen 1983:10-11); unavailability of the theology of his opponents in Galatians (Thuren 2000:152)<sup>32</sup>; Paul's rhetoric which overshadows his theology; and the fact that some scholars have even questioned whether Paul intended to write theology. All these make the reconstruction of Paul's conclusive understanding of the Law very difficult. Then the question of the kind of religion Judaism was at the time Paul comes into play also at this point. This led to some scholars to suggest that Judaism was a legalistic religion, especially those on the

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<sup>32</sup> What Paul's opponents taught in Galatia is not available to us. We only depend on Paul's arguments to reconstruct the arguments of his opponents (see Thuren 2000:152-153).



side of Luther<sup>33</sup> – although this position has been revised. Some have claimed that because the Law demands perfect obedience, therefore no one can be saved by the Law because no one has the ability to obey it perfectly. All this, however, fall short of the argument of Paul. It should be noted that whether the Law demands perfect obedience or not, the Law according to Paul does not save (Gal 3:21). Paul’s argument is neither about justification by the Law nor the human inability to fulfil it. Paul’s statement in Galatians 2:15-16 seems to suggest that Jews had common knowledge of the inability of the Law to save. What then is wrong with the Law? Just as we have said, the problem that Jewish Christians had which Paul refutes in the Law is its use to determine the people of God. Using the social function of the Law to designate the people of God is what Paul refutes. Gentiles should not accept the Jewish way of life before they can be counted among the people of God. At this point we take for granted that the Law though was a religious privilege for Israel as the chosen people of God, the ‘works of the Law’ especially circumcision, dietary laws and the Sabbath had become social distinctions between Jews and other nations as shown to us by Dunn (Dunn 2008:114). These ‘works of the Law’ had become features of Jewish ethnicity (cf. Duling 2009:6).

#### 5.4.4 πίστewς Ἰησοῦ Χριστοῦ

There has been differing opinions on how the phrase πίστewς Ἰησοῦ Χριστοῦ should be understood. Should it be interpreted as ‘faith of Jesus Christ’ or ‘faith in Jesus Christ’? Are we saved by the faithfulness of Christ or is it our faith in Christ? Paul contrasts ἔργων νόμου with πίστewς Ἰησοῦ Χριστοῦ. ‘Works of the Law’ stands in antithesis with ‘faith in/of Christ’ (Gal 2:16).

The noun πίστις, -ewς f. comes from the Greek verb πιστεύω which means ‘to trust’, ‘trust to or in’, ‘put faith in’, ‘rely on’, ‘believe in a person or something’, according to Liddel and Scott (1889:641). Because Greek uses the same word to mean ‘believe’ and ‘faith’, Paul’s usage of πίστewς here can either mean ‘believing in Jesus Christ’ or ‘faithfulness of Jesus Christ’ (Das 2014:250). However, it must be noted that

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<sup>33</sup> Luther, Bultmann, Thomas Aquinas and Martin Hengel believe that Judaism was legalistic and this was the problem for Paul in Galatians (see Luther 1963:122-125; Bultmann, in Longenecker 1998:13-15; Carson, O’Brien & Seifrid 2004:245).

words usage can only be understood within their context. The context in which Paul uses these words should be able to determine its meaning, whether 'faith in Jesus Christ' or 'faithfulness of Jesus Christ.'

Let us examine what Paul says Gl 2:16. In the first place, Paul contrasts 'works of the Law' with 'faith in/of Jesus Christ.' Just as we have seen from the reference of the phrase 'works of the Law', Paul was concerned with the Jewish attitude that they had an advantage over other nations because they possessed the Law. Jews thought that salvation can only be found within the Jewish boundaries. Therefore, anyone who wanted to be among the people of God must conduct themselves according to Jewish practices as described in the Law. Paul reacts to this perception of the Jews by contrasting ἔργων νόμου with πίστεως Ἰησοῦ Χριστοῦ. By this contrast Paul shows to the Jews that there is only one way by which a person is justified. They are not to 'trust' in nor to 'rely' on their possession of the Law to be justified but to 'trust' in and to 'rely' on Jesus Christ. In the second place, Paul's use of the verb ἐπιστεύσαμεν helps in shading light on how to translate the phrase. Paul reminds his fellow Jews the reason they believed in Christ Jesus (εἰς Χριστὸν Ἰησοῦν ἐπιστεύσαμεν). This usage of the verb πιστεύω indicates the human response, that is, the Jewish response and not Christ's faithfulness. The Jews including Paul had responded by putting their trust in Christ Jesus in order that they might be justified by faith in Christ (πίστεως Χριστοῦ). There is nothing in the text which suggests Christ's faithfulness or Christ's believing (Das 2014:250), rather it is the Jewish response towards Christ; that is, shifting from trusting in their possession of the Law to trusting in Christ Jesus. The Genitive πίστεως Ἰησοῦ Χριστοῦ is subjective referring to the individual response of the Jews or any person who puts their trust in Jesus Christ.

## 5.5 SUMMARY

The Lutheran Church of Uganda understands and interprets the Law in the same way Luther and his followers understand and interpret it. They believe and teach that the Law is holy, righteous and good (Rm 7:12). God gave the Law for a purpose and that purpose continues even today. Quoting the Lutheran Confessions the Law is helpful in the following ways: 1) 'that by the Law outward discipline might be maintained against wild, disobedient people; 2) that people may be led to the knowledge of their sin by the Law; and 3) that after they are regenerate and much of

the flesh still cleaves to them, they might on this account have a fixed rule according to which they are to regulate and direct their whole life' (McCain 2006:662). To use popular Lutheran terms, the Law is a curb, a mirror, and a guide. The Law as a curb restrains uncivilised and disobedient people by threatening them with the punishment of the sword (Luther 1963:275, 308-309); the Law as a mirror reveals to man his true nature, that is, it shows to man his sins. The preaching the Law reveals to man that he has not carried out that which God commands him to do, therefore he deserves punishment. This drives the sinner to seek mercy from the comforting words of Christ, which is the Gospel. The Law as a guide describes the kind of life a Christian ought to live. This is the popular *tertius usus legis*. This is the exhortation of the Christian to do good works (Murray 2002:13-14).

Despite the fact that the Lutheran Church of Uganda teaches the Law in the same way, we have seen that there are some inconsistencies with regard to the Lutheran teaching. The Lutheran Church of Uganda punishes sinful Christians who have transgressed the Law. This practice among the Lutheran Church of Uganda is not peculiar to the church as such but it is embedded in the cultural practices of the Bantu-speaking Africans. The concept of *Ubuntu* practiced by this ethnic group advocates for communal life where 'a person is a person through other' (Murithi 2006:17). The person who abrogates the rule of law in a given society must take responsibility for his or her actions. The Lutheran Church of Uganda integrates this cultural practice into the preaching of the Law. The Church has done this by devising means to deal with such abrogation of the Law which include exercising church discipline, withholding sacraments, removing such a person from office, and others. This, however, does not mean that the person has paid for what they have done nor that they are justified before God by these works. This is done because it is their culture to show responsibility for one's actions and also to send a warning to others. This practice makes them who these people are irrespective of their faith. It is their social distinction that separates them from others. It is their ethnic practice. This is analogous to the Jewish practices of circumcision and dietary laws. They were social distinctions. They identified their practitioners as Jewish irrespective of whether they believed in Christ or not. However, they are not justified by such works or practices (cf Dunn 2008:114). What is important is that these social distinctions are not to

define who the people of God are. Faith in Christ is the only distinctive characteristic of the people of God, the new Israel.

With the above point in mind, Paul did not expect gentile converts to become Jews nor did he tell Jewish Christians to abandon their practices. These were matters of outward social distinctions which have nothing to do with faith. As long as these practices did not interfere with faith in Christ, their practitioners are not to abandon them. Within and among these cultural practices faith in Christ must be recognised as the only means through which man is justified before God (Gl 2:16). This is why Paul became τοῖς ἀνόμοις ὡς ἄνομος (1 Cor 9:21) because for Paul neither circumcision nor uncircumcision means anything. What matters to Paul is faith in Christ Jesus (Gl 5:6; 6:15). Therefore, the question of whether Paul broke with Judaism or not, should be understood in line with his mission. Paul had to acclimatize himself with different social and cultural practices depending on where he found himself. The social context in which he found himself dictated his practices. What was important for Paul was to proclaim the good news of salvation to all especially to the gentiles even if it meant sacrificing his own culture for the sake of the gospel.

Let it suffice to say that Paul in disparaging 'works of the Law' he does not disparage a certain attitude to the Law nor does he dispute the usefulness of the Law. He is disparaging the Law as a whole when used to identify the people of God. The Gentile Christians are not to adopt the Law and all its works (including those which had become associated with Jewishness, that is, circumcision and dietary laws) to be justified before God. Justification before God is only possible when a person responds to God's gift of salvation which he offers to all by putting their faith in Christ Jesus (Gl 2:16; 3:6).

## Chapter 6

### Summary and conclusion

#### 6.1 INTRODUCTION

The topic of the Law is one of the most debated on issues in Christianity. It is an issue that is so broad and complex making it difficult to have a uniform understanding and interpretation. Different scholars and Christian groups understand and interpret the Law differently. One of the reasons for the divergent views is the different contexts we apply the Law to. This confusion is not only in our times nor in the centuries past, but as old as Christianity itself. In what follows we present the outcomes of this study in a summarised manner under the following sub-headings: Jesus and the Law; Paul and the Law; Luther and the Law; the third use of the Law; good works; and the final conclusion. In the last part of the Chapter this study will suggest areas for further research.

#### 6.2 JESUS AND THE LAW

For example we see at the time of Jesus the misunderstanding he had with the Pharisees and Scribes regarding the Law. Jesus is blamed by the Jewish teachers of having no regard for the Law. They condemn Jesus for not keeping the Sabbath holy (Mt 12:1-14; Mk 2:23-28; Lk 6:1-5); they criticize Jesus because his disciples do not fast (Lk 5:33-38; Mk 2:18-22; Mt 9:14-17); they criticize his company, that is, he eats with tax collectors and sinners, and calls sinners to be his disciples (Mt 9:9-13; Mk 2:14-17; Lk 5:27-32); his disciples do not observe purity laws (Mt 7:1-23); and many more. In all this the teachers of the Jewish Law see Jesus as the enemy of the Law for he acts contrary to what the Law commands. Was their accusations correct? Did Jesus had no regard for the Law? Had the coming of Jesus abolished the Law? Certainly not! Jesus says:

Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish them but to fulfil them. I tell you the truth, until heaven and earth disappear, not the smallest letter, not the least stroke of a pen, will by any means disappear from the Law until everything is accomplished. Anyone who breaks one of the least of these commandments and teaches others to do the same will be called least in the kingdom of heaven, but whoever practices and teaches these commands will be called great in the kingdom of heaven. For I tell you that unless your righteousness surpasses that of the Pharisees and the teachers of the [L]aw, you will certainly not enter the kingdom of heaven.

(Mt 5:17-20; NIV)

Again, when he is asked by the Pharisee about the greatest commandment Jesus says:

“Love the Lord your God with all your heart and with all your soul and with all your mind.’ This is the first and the greatest commandment. And the second is like it: ‘Love your neighbour as yourself.’ All the Law and the Prophets hang on these two commandments.’

(Mt 22:37-40; NIV)

In these words nothing suggests that Jesus’ coming has done away with the Law, on the contrary Jesus points out even more the importance of the Law. In fact he has come to fulfil the Law. He does not stop only on that but goes ahead to sound a warning to anyone who does not fulfil what the Law requires and breaks it. To suggest that Christ’s coming has abrogated the Law misses the point. In Matthew 22 Jesus summarises the Law into the love command. Scaer (2004:98) in describing the relationship between Jesus and the Law in the Gospel of Luke states that the Law still remains the way in which the people of God express their obedience. ‘With the advent of Christ, the Law retains a place of honour, but it becomes merely one vehicle by which God’s people can demonstrate their allegiance to the one true God’ (Scaer 2004:98). This is correct in the sense that believers are no longer bound to fulfil the Law since their faith in Christ fulfils all that the Law requires, however, the Law is not merely a ‘vehicle’ by which believers express their commitment. Nothing has changed in the Law itself. It is still God’s word and it remains God’s will even among the believers. Scaer takes his argument a bit too far when he quotes Franklin: the Law ‘is not belittled, but it is downgraded’ (Franklin 1994:199). Like we have said before, nothing has changed in God’s giving of the Law. When Christ comes he does not suggest that the scrolls on which the Mosaic Law is written are to be burned. Even when he does not agree with the Pharisees and the teachers of the Law nothing suggests that he advocates for the abolition of the Law. On the contrary, he challenges not only the Pharisees (Mt 22:37-40) but also those he taught including his disciples in his Sermon on the Mount (Mt 5:17-20) to keep and obey the Law. The Law is, therefore, not ‘downgraded’ as Franklin suggests, it is rather upheld.

In his book *Jesus' attitude towards the Law* Loader (2002:510) presents Jesus as 'the ultimate authority' according to the Gospel of Mark. Jesus' authority is above all other authorities and he has the right to ignore, discredit, and replace part of or all other authorities including the Torah. Christ is the climax of all God's actions which are preserved in the Law and the Prophets. Jesus is the fulfilment of all that has been promised in the [S]criptures. He has the authority to 'affirm it in parts and to supersede it' (Loader 2002:123). Does this mean that the Law has now ended? This is not Loader's argument. Jesus' coming has not replaced all the Law and Prophets nor is Jesus subject to the power of the Law. Although Jesus devalues the ritual and cultic parts of the Law (food laws and laws of purification), the ethical and spiritual parts, that is, 'to love God and one's neighbour, and the ethical commandments of the [D]ecalogue, remain in force' (Loader 2002:510). The obedience to the Decalogue is important for those who seek to be saved as Jesus indicates in his encounter with the rich man (Mk 10:17-21). Loader says:

Keeping the moral commandments of the [D]ecalogue, here loosely summarised, belongs to the *essential requirements* for those who seek eternal life. They are not optional or preparatory. For Mark, this means more than exact compliance with demands, it entails *attitude* and *commitment*. On the one hand, that means commitment to discipleship and the willingness to abandon wealth and give to the poor. On the other hand, it means letting one's life be determined by the two central principles of love for God and love for neighbour.

(Loader 2002:129; emphasis added)

The same thing can be said about Matthew's portrayal of Jesus' attitude towards the Law. Jesus is 'God's new initiative in fulfilment of Israel's hope set forth in the [S]criptures' (Loader 2002:269). However, the Jesus of Matthew does not degrade any part of the Torah. Any attempt to downgrade any part of the Law is to be rejected. The new dispensation is the continuation of the old with all coming together in the love for God and love for neighbour. To follow Christ includes keeping the commandments in the way Jesus demands, that is, to love one's neighbour. God supports the authority of the Law as basis for eternal life. This is demonstrated by putting emphasis on the demands of the Decalogue and the love command. The authority of Jesus is put side by side with the authority of the Law, and true obedience now includes following Christ (Loader 2002:269-270).

The picture of Jesus' attitude towards the Law in Matthew's gospel presented by Loader raises many questions which cannot be dealt with in this study. For example

it portrays Jesus as an advocate of ‘works-righteousness’, that the Law provides the means for one’s salvation. This would be a misrepresentation. The analysis of Mark is more acceptable because here Jesus is not seen as a legalist but as an advocate of a morally upright life among believers. This is what this study is aimed at. The Law still provides guidance to a God-pleasing life although it does not save otherwise Jesus would not have talked about in the positive way.

## **6.3 PAUL AND THE LAW**

### **6.3.1 The positive role of the Law**

It is difficult to talk about the positive role Paul attributes to the Law. This is because Paul seems at all times to be speaking about the Law in a negative way. However, with a close and careful examination of his writings we are able to talk about the positive role of the Law in Paul. In his letter to the Romans 3:21, 31(NIV), Paul says, ‘But now a righteousness from God, apart from the [L]aw, has been made known, to which the Law and the prophets testify.’ ‘Do we, then, nullify the [L]aw by this faith? Not at all! Rather, we uphold the [L]aw.’ With these words St. Paul points out that the Law is still useful even though it does not justify. The coming of the righteousness of faith in Christ does not render the Law useless. Even when he disparages the Law in Galatians 2:15-16, Paul does not suggest that the Law has now become useless since being put right with God does not depend on its observance. There is for Paul a continuing positive role of the Law. The continuing positive role is realised once the temporary role of the Law, that is, the Law as an ethnic marker (identity marker) has been put aside (Dunn 2008:275). The ‘whole Law’ is still an obligation of the believer, both Jew and gentile (Gal 5:14). This obligation however is only possible not in the works of the Law like the time before Christ but in the love command: ‘You shall love your neighbour as yourself’, which is the fruit of the Spirit (Gal 5:22; Dunn 2008:275). The Law has a role of instructing the believers in Christ. It also continues to express the will of God. The Law remains an obligation of the believer and its fulfilment is only possible through faith and the enabling of the Spirit (Dunn 2008:280; Sanders 1983:74-75).

Also, we hear Jesus speaking in Paul when he writes in Galatians 5 and 6: ‘The entire [L]aw is summed up in a single command: ‘Love your neighbour as yourself’ (Gal 5:14; NIV); and ‘Carry each other’s burdens, and in this way you will fulfil the



[L]aw of Christ' (Gal 6:2; NIV). Paul repeats what Jesus says in the Gospels. Having been justified before God believers do not throw the Law out of the window, but have got a new understanding of it. Believers now 'look at the Law through Christ and his Spirit' (Just 2004:185). Believers do not obey the Law in order that they might be justified before God, but because they are justified they now live in the world of the new creation. The problem is that being in the world where there is sin and the devil, and because the flesh still clings to them, there is warfare between the new man (the inner person who believes in Christ) and the old man (the flesh). The flesh wishes to draw the believer's attention to the desires of this world whereas the new man in faith keeps reminding the believer of the benefits of believing in Christ. This warfare<sup>34</sup> never ends until the two natures have been separated at death. The believer therefore while still in this world needs to practice their faith in Christ through love and service to the neighbour (Gal 5:14). The fight against the flesh is a war of liberation in which the Spirit enables the believer to live a life of faith in a sinful world (cf. Just 2004:185-186). This life of faith is what God desires in his Law. This is what the Lutheran Confessions teach:

When people are born again through the Spirit of God and set free from the [L]aw (that is, liberated from its driving powers and driven by the Spirit of Christ), they live according to the unchanging will of God, as comprehended in the [L]aw, and do everything, insofar as they are reborn, from a free and merry Spirit. Works of this kind are not, properly speaking, works of the [L]aw but works and fruits of the Spirit, or as Paul calls them, 'the [L]aw of the mind' and the 'law of Christ.' For such people are 'no longer under [L]aw but under grace'...

(Kolb & Wengert 2000:590)

When we love our neighbours as ourselves (Gal 5:14) and carry one another's burden (Gal 6:2), we live out our new life of faith and put under control the flesh which seeks to satisfy its sinful desires. Paul therefore does not want his Galatian converts to yield to the desires and temptation of the flesh, nor to use their freedom (that is, being saved from the burden of the Law) to justify their immorality, but to live a selfless life in love and service to one another (Gal 5:13).

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<sup>34</sup> Martyn describes this enmity between the man in faith and the man in the flesh in the churches of Galatia as 'a suprahuman power, indeed an inimical, martial power seeking to establish a military base of operations in the Galatian churches' (Martyn 1997:483).

### 6.3.2 What was wrong with the Law?

From the beginning of the study of Paul a lot has been written especially on what Paul thinks was wrong with the Law. Some scholars have suggested that Judaism was legalistic, that is, they were doing the Law to justify themselves. This was the teaching of the traditional Lutherans, however, it has been revised. Others suggested that the Law does not save because no one is able to keep it perfectly. These arguments, however, fall short of Paul's argument. We have seen from this study that what Paul opposes in his teaching on the Law is neither legalistic (Das 2014:246) nor the human inability to obey it perfectly (Dunn 2008:134-137). What Paul finds wrong with the Law is that it had been used by Jewish believers to bar non-Jews from the people of God. The 'works of the Law' like circumcision, dietary laws and the Sabbath had become the features of Jewish ethnicity. They had become ethnic markers of the Jewish people. The Law was not only the ethnic marker but also the identity marker of the covenant. The people of the covenant were those who practiced the Law. There was no distinction between the social life and the religious life of the Jews. These two had become intertwined in the Law. The practitioners of the Law were both Jewish and the covenant people of God (Dunn 2008:109). Jews therefore conceived the people of God, that is, the covenant people as those of the Jewish ethnicity. For the Jews any non-Jew who desired to be considered the people of God must live within the Jewish boundaries. Non-Jews must first accept the Law since it determined the covenant people of God. For the Jews salvation could only be found within the Jewish ethnicity. This was the problem for Paul. Paul opposes this Jewish mentality by appealing to a position that is well known to his fellow Jews. 'We Jews by birth and not of gentile sinners know that a man is not justified by works of the Law, except through faith in Jesus Christ, even we ourselves believed in Christ Jesus in order that we might be justified by faith in Christ and not by works of the Law, because by works of the Law all flesh shall not be justified' (Gal 2:15-16; my translation). This statement of Paul serves to remind his fellow Jews that they are not justified because they belong to a certain ethnic group whose features are the 'works of the Law' (circumcision, dietary laws and the Sabbath), but that they are justified by faith in Jesus Christ. If having the Law was enough for justification they (Jews including Paul) would not have believed in Christ Jesus, but because having the Law and doing its works was insufficient they have

believed in Christ Jesus in order that they might be justified. Therefore, justification is not limited to a certain ethnicity but it is open to everyone who believes in Christ Jesus. Just as Sanders (1983:19) states, '[g]entiles were to be brought into the people of God without being required to accept the [L]aw of Moses, but by faith in Christ alone, and it was his [Paul's] mission to bring them in.' The Law and its works are no longer the identity of the people of God, on the contrary they have received a new identity which is faith in Christ Jesus (Duling 2009:15; Van Eck 2009:75; Bartchy 1999:68-78). For this reason Jews and gentiles are saved on one condition, faith in Christ Jesus (Gl 3:28). The new people of God are an inclusive group of Jews and gentiles (cf. Van Eck 2009:79).

## **6.4 LUTHER AND THE LAW**

### **6.4.1 The usefulness of the Law**

Luther (1963:122-123) believes that the Law and its works do not justify people before God. Justification is only by God's grace through faith in Jesus Christ. God gives his grace to his people who believe and trust in him. God demands nothing from his people in order for them to be justified but by his grace he freely grants forgiveness of sins to all who confess Christ as their only saviour. The righteousness of faith is passive and not active because it is freely given to everyone who believes. It is righteousness which demands nothing from us, but a righteousness that is freely given by the Holy Spirit to believers in Christ (Luther 1963:4-6). Those who try to justify themselves by doing the Law sink deep into their sins because since the fall of man we are not able to do works which please God. The civil laws, the ceremonial laws, and the Decalogue cannot justify us before God. Luther believes that people are capable of moral deeds, however even these deeds are only for stability of society and not to justify them before God (Luther 1963:123-124). Even works done in fulfilment of God's command do not justify the doer because justification is beyond human ability (Luther 1963:122).

Although the Law does not justify, Luther believes it was given for a purpose. For Luther the Law has a two-fold purpose; first to restrain the wicked and uncivilised by threatening them with punishment (Luther 1963:274-275), and secondly to reveal to man his sins (Luther 1963:131). Luther calls the first use the civil use of the Law because it is the law found in the Magistrate Court, parents, teachers, princes and

others designed to maintain peace and order in the society. This use of the Law threatens with sword and punishment those who wish to break it. Luther uses an illustration of a wild beast to describe how this happens. Just as a lion or a bear is chained so that it does not ravage anything it meets the Law keeps the wicked and uncivilised away from sinning because of fear of punishment. When people do not steal, kill or do any other sin they do not do it voluntarily but do it because they are afraid of the consequences. They refrain from these sins because they are afraid of the sword and punishment that awaits them. Just as the lion will not ravage anything within his reach because he is chained so also will people keep away from sinning because of the fear of punishment. This is civil righteousness which does not justify but helpful for respect for one another and to maintain peace and harmony in a given society (Luther 1963:308-309).

The second use of the Law is the theological use (Luther 1963:309). This use of the Law increases transgressions. The Law multiplies sin in the human conscience and makes a person realise their sin and misery. The Law reveals human unrighteousness, wickedness and shamefulness and shows to humanity the punishment due them which is God's wrath and condemnation (Luther 1963:309). It reveals to people the inability to do good. The Law shows to people that they have not done that which God wants them to do thus making them guilty. People are then driven to find help and consolation in the promises God gives to us in his son Jesus Christ. The Law makes us realise that we are sinners and that we cannot save ourselves from this disease but by seeking mercy from Christ. This, according to Luther, is 'the primary purpose of the Law of Moses' (Luther 1963:309). This use of the Law works in two ways; firstly by revealing to man his sins, and secondly by crushing all self-righteousness thus driving the sinner to find comfort in the grace of God given to us in Christ (Luther 1963:309-311). The Law humbles sinners and prepares them to receive Christ with thanksgiving (Luther 1963:328-329).

Luther also believes the Law is important in the Christian life. The Law is an example of how a good government should rule; the Law contains pledges and promises of God about Christ; and the Law contains 'beautiful examples of faith, love, and of the cross, as shown by the fathers' (Luther 1960b:169). All these help us to live a decent life here on earth.

#### 6.4.2 Luther's context versus Paul's

Luther fully understood Paul's treatment of the Law. Luther knows that the Law has nothing to do with matters of justification. No one will be justified by doing what the Law requires (Gal 2:16). This is true in both Paul and Luther. Justification is only by faith in Christ Jesus. However, Luther's argument of Galatians is misleading. Luther argues that Paul's argument is directed against Jewish legalism. For Luther Paul is opposing the Jewish understanding that salvation is achieved by doing what the Law requires (Luther 1963:4, 120-121). Luther did not fully examine the context of Paul. Luther's introspective conscience<sup>35</sup> crowded his judgment of Paul's argument in Galatians. His search for 'a gracious God' (Stendahl 1963:203) overshadowed his reading of Paul. After he had been driven into the monastery by the promise he had made to St. Anne, 'Help me, St. Anne, I will be a monk' (Brecht 1985:48), Luther did not find comfort in the monastery as he had expected. Luther confesses that the more he tried to please God with his works the more troubled his conscience became (Luther 1964:13). Struggling in himself how he could put things right with God, Luther found consolation in Paul's letter to Galatians: 'The epistle to the Galatians is my epistle, to which I am betrothed. It is my Katie von Bora' (Luther 1963:ix). Paul's message of justification by faith in Galatians provided consolation to Luther's troubled conscience. With this message Luther understood that he does not need to do anything in order to be justified before God apart from believing in Christ Jesus. Luther understood Paul's statement of justification by faith in Christ Jesus apart from the works of the Law as an argument against Jewish legalism. Luther applied his own life situation to Paul's argument in Galatians. Paul's criticism of the Law in Galatians plus Luther's personal experience led him to conclude that Paul was contrasting the righteousness of faith with the righteousness of works (Luther 1963:4).

This, however, is not true. We have seen that what Paul was against in Galatians was the Jewish self-understanding that salvation is found only within Jewish ethnicity; that for gentiles to become the people of God, they needed to live within Jewish boundaries and practice Jewish cultures. Paul opposes this understanding and informs his fellow Jews that the terms of membership in the covenant of God

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<sup>35</sup> This term is adopted from Krister Stendahl's article *The Apostle Paul and the Introspective Conscience of the West*.

have changed. Members of the covenant people of God are no longer those who possess the Law, nor those of a certain ethnicity, but those who have faith in Christ. Ethnicity no longer counts, what counts is faith in Jesus Christ (Gl 3:28).

Lutheran theologians have revised this position of Luther. They have acknowledged that Paul in disputing justification by 'works of the Law', he does not label Jews legalists (Das 2014:246). The 'works of the Law' do not denote a legalistic sense as some scholars have argued<sup>36</sup>. Paul's argument is not about whether one could be saved by human works or by God's divine grace; it is rather a response to an insistence by Jewish believers that gentiles be required to adopt distinctively Jewish practices in order to be counted among the people of God. Paul formulates 'justification by faith apart from the 'works of the [L]aw'' to deal with this Jewish self-understanding (Westerholm 2004:441-442).

### **6.4.3 Second Temple Judaism**

#### **6.4.3.1 E.P. Sanders**

To understand his argument in Galatians it is better for us to also understand the kind of religion Judaism was at the time Paul. Let us briefly paint the picture of Second Temple Judaism. Sanders is one of the scholars who have given us a clear picture of how Judaism looked like in Paul's days. The pattern of religion in Judaism was 'soteriology', that is, 'how one moves from the logical starting point to the logical end' (Sanders 1977:75). 'Soteriology' is concerned with how someone becomes properly religious and not improper, how someone serves God rather than desert him, and how someone remains 'in' rather than stay 'out'. This was so central in Judaism. Jews of Paul's days practiced what Sanders calls 'covenantal nomism' (Sanders 1977:75). Being in the covenant, that is, having been elected by God to be his chosen people Israel responded to such election by obeying the Law given to

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<sup>36</sup> Lenski describes the unbearable burden of the works of the Law. He describes Jews as self-righteous people who referred to gentiles as sinners. The Jews, according to Lenski, toiled to 'produce 'works of the [L]aw' in order thereby to become righteous.' In other words Jews depended on their doing of the Law to be justified before God (Lenski 1961:119, 114, 104). Burton (1921:120) argues that the word νόμος here is used in the legalistic sense: 'Law is here evidently used... in its legalistic sense, denoting divine [L]aw viewed as a purely legalistic system made up of statutes, on the basis of obedience or disobedience to which men are approved or condemned as a matter of debt without grace. This is divine [L]aw as the legalist defined it.' The 'works of the [L]aw' refer to 'deeds of obedience to formal statutes done in the legalistic spirit, with the expectation of thereby meriting and securing divine approval and award' (Burton 1921:120).

them. Israel's covenant with God was fundamental to Jewish national identity and to the understanding of their religion. God had chosen Israel as his own and he had made a covenant with them. God dwells among his people and they are to keep his commandments. As members in the covenant, Israel is required to obey the commandments as a means of maintaining their membership. Obedience was the means to 'stay in' the covenant and not to 'get in.' Obedience to the Law was Israel's response to the covenant and to God's presence with his people. Israel was to know God, to love him, and to obey his commands. This is the right behaviour in the covenant which yields reward because God is just, however it is not the goal of Judaism (Sanders 1977:83). Israel did not earn the covenant<sup>37</sup>, they were graciously elected. Obedience to the Law is, therefore, a consequence of prior election of Israel by God; this is the reason why 'Hear, O Israel' precedes the giving of the commandments (Dt 6:4-9). The keeping and obedience of God's commands is not intended to win favour before God but to show Israel's acceptance of God as their protector and King (Sanders 1977:85-86). God's election of Israel is by his grace without any merit or works of Israel. The Law is to be observed and their disobedience would be regarded as sin, although such sin could be taken away by repentance (Sanders 1977:107, 110, 112). God's election affected Israel's salvation, just as it is written in Mishnah, Sanhedrin 10:1: 'All Israel have a share in the world to come.' The consequence of this was that all sins no matter how grave they might be are forgiven as long as the transgressors indicated their willingness to remain faithful to the covenant by repentance. However, to reject the command with the intention of denying God who gave it excludes one from the covenant (Sanders 1977:147).

Rabbinic soteriology, as Sanders calls it, did not consider weighing one's merits against his transgressions. Although the Rabbis knew very well that God punishes transgression and rewards obedience, it was not Judaism's teaching that one's standing in the world to come would be based on weighing one's merits against his transgressions. 'Obedience and the intention to obey' the commands is needed for

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<sup>37</sup> Chris VanLandingham while examining the Pseudo-Philo's Biblical Antiquities (LAB) argues that Abraham's election was earned. According to VanLandingham, God elected Abraham not because of God's mercy, but because Abraham obeyed God's command. VanLandingham's argument is aimed at refuting Sanders' 'covenantal nomism.' God's election of Abraham is not attributed to God's divine grace but Abraham's prior works. 'I find divine grace remarkably absent in Jewish accounts of Abraham's election, or of election in general;... God elected Abraham and his descendants as a response to Abraham's obedience' (VanLandingham 2006:16).

one to 'remain in the covenant and share in the promises, but they do not earn God's mercy' (Sanders 1977:146-147)<sup>38</sup>. Sanders' painting of Second Temple Judaism has been widely accepted as an acceptable presentation of Jews of Paul's days (see Das 2014:246; Dunn 2008:173; Sprinkle 2008:99-100; Westerholm 2004:159)<sup>39</sup>.

With this clear picture of Second Temple Judaism, Paul could not be combating legalism in Galatians (Sanders 1983:19). 'The subject of Galatians is not whether or not humans, abstractly conceived, can by good deeds earn enough merit to be declared righteous at the judgment; it is the condition on which gentiles enter the people of God' (Sanders 1983:18). The Jewish Christians had maintained that the only way for gentiles to be admitted into the covenant people of God was to accept the Jewish ways and the Law of Moses. It is on this view that Paul formulates his argument of justification by faith apart from the 'works of the Law.' For Paul, '[g]entiles were to be brought into the people of God without being required to accept the [L]aw of Moses, but by faith in Christ alone, and it was his mission to bring them in' (Sanders 1983:19).

Therefore, Paul and Luther come from two contexts which are fundamentally different from each other. Luther, an Augustinian monk approaches Paul's letter from a sixteenth century notion of introspection which Paul himself never faced. Paul had a 'robust conscience' (Stendahl 1963:200) and he did not struggle to find a gracious God. On the contrary, Paul the Pharisee did not lack anything as far as the traditions of his fathers were concerned (Gl 1:14). Paul describes his former life as 'blameless' (Phlp 3:6) and his encounter with the risen Lord on the Damascus road was his calling and commission to preach the good news to the gentiles (Gl 1:15-16). The

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<sup>38</sup> Preston Sprinkle criticises Sanders' 'staying in' notion by asserting that 'if one's staying in the covenant is maintained through nomism, then this may mean that human deeds play a very vital role in *final* salvation. But as we have seen from various angles, in *L.A.B.* the eschatological getting in is also generated and assured by God's grace. Israel will 'get in' *finally* the same way they got in *initially*-by God's unconditional commitment to the fathers, and by his ongoing unilateral action in maintaining his promise' (Sprinkle 2008:100; emphasis in original).

<sup>39</sup> For more on Sanders' general acceptance of his presentation of Second Temple Judaism see Das 2001:12. Even those who disagree with Sanders' methodology agree with this painting of First Century Jews. For example Neusner states: 'So far as Sanders proposes to demonstrate the importance to all kinds of ancient Judaism of covenantal nomism, election, atonement, and the like, his work must be pronounced a complete success' (Neusner 1978:180). He again asserts: 'I find myself substantial agreement with both the classificatory language he uses and the main points of his characterisation of that common piety of ancient Israel in the first century' (Neusner 1993:x).



problem for Paul was that his message of free grace to the gentiles met opposition from Jewish believers because they limited the grace of God to Jewishness. Paul wishes to remind his fellow Jews that salvation is not bound to a certain group or class of people, but it is open to everyone who believes in Christ Jesus (Gl 3:28).

## 6.5 THE THIRD USE OF THE LAW

In addition to the two uses of the Law described by Luther, Lutherans teach another use which is the third use. This teaching has brought controversy among Lutheran theologians with some opposing this use of the Law. The *Lutheran Confessions* teach that the Law should be taught among the believers and the converted. Having been redeemed from the Law by Christ believers are not to live as if there is no Law, but they are to practice it day and night (Ps 119:1). This is because even though they are renewed this renewal is not perfect in this world. There is a continuous battle between the Spirit and the flesh. The Law helps in lighting the way. The Law also helps in compelling the old man to act against his own will and be subjected to the Spirit (Kolb & Wengert 2000:502-503). In other words, the Law is a guide to the life of the Christian in this world. The Law is part of Christian living (Ebeling 1985:249).

This use of the Law despite the controversy it has brought within Lutheran theologians it still remains the teaching of the Lutheran Church. As we have also seen in Chapter 3 of this study, this use of the Law plays an important role among believers in the Lutheran Church of Uganda. It is important that this use remains part and partial of the Christian living because;

- 1) The word of God is Law and Gospel. It would be a grave mistake if someone tried to separate the word of God by preaching one part. Both parts must be preached to make a logical whole otherwise there would not be such a thing as preaching the word of God.
- 2) The old man, that is, the human nature which does not believe and trust God above all things still clings to us even when we are converted. What the human nature wants is to alienate us from God and make us do things pleasing to him, the world and the devil. Believers need to put this human nature in constant submission to the inner being (Spirit) and there is no other way to do it but to always hear what the Law says (Scaer 2011:330).

- 3) In the Law we are commanded to do good works, to bear one another's burden, as Luther puts it, 'A Christian is a perfectly dutiful of all, subject to all' (Luther 1957:344). We do this in order that we do not give room to the human nature to please himself with evil works.
- 4) After we have been converted, we do not see the Law as an enemy but as a friend. Christians become friends of the Law because the Law no longer threatens them with punishment but guides their lives to live God-pleasing lives with the help of the Spirit (Engelbrecht 2011:89). Once the threatening of the Law has been removed, the Law now guides the lives of believers by prescribing the kind of works they are to do. However, it is not the Law that enables the doing of these good deeds, but the Spirit who lives in the believer.
- 5) Believers also need to be reminded of the dangers of falling back to their former life of unbelief. Because believers are not perfectly renewed, there is always a danger of falling from the grace of God. This happens more often than we admit. Public rebuke is necessary especially to those believers whose fall has become public. The Lutheran Church of Uganda emphasises that these people should be rebuked publicly. In other words the full force of the Law has to be preached to them in order that they may recognise their sin. Although this sounds like the first use of the Law it is beneficial to all other believers. Those who have sinned do not only hear the full force of the Law, but they also taste it, that is, they are given some punishment. The sins committed do not only affect the doer but also the community he belongs to, in this case the church. When sinners are publicly rebuked and they are punished, fellow believers are warned of the dangers of committing sin. They become aware that sinning not only brings shame and punishment to the person responsible, but also to the whole group and alienate them from the community. Just like the sin of Achan affected not only him and his family but the whole people of Israel (Jos 7), the sin committed in the Lutheran Church of Uganda affects not only the doer but the whole church. Achan's sin painted the whole Israel sinful and many lives were lost because of one man's sin until he was identified. So also is the same with a believer who sins in the Lutheran Church of Uganda. The believer is not by himself or herself but lives in a

community of believers and shares the same identity with the whole church. He or she must therefore act in the interest of the whole group and not on the individual basis. This practice is grounded in the African understanding of *Ubuntu* where a person is recognised as a person in relation to other persons (Tutu 1999:34-35). There is no individualism, but communalism. And as Achan paid the whole price of his sin, a believer who sins must take responsibility for his actions so that others may see and be warned of the consequences if they ever acted in the same way.

The points above highlight how important it is that the preaching of the Law continues even among Christians. We constantly need to be reminded of our duties because there are always distractions in our way; and although we are saved by God's grace through faith the Law has not lost its importance: it is still God's immutable will.

## **6.6 GOOD WORKS**

As we have seen from Chapter 4 not every work done is necessarily good. Even the works that seem good before our human eyes are not good before God, for they are done either in response to the requirement of the Law (Luther 1963:123) or to satisfy our human desires. Most works done by human will are done in response to what the Law requires, that is, people are compelled to do good not because they are willing to do so but because the Law coerces them. For example, when people become good citizens, pay their taxes, restrain from murder, robbery, and all kinds of evil deeds they do it not because they want to, but because the Law forbids them from doing such and also threatens them with the sword (cf. Luther 1963:123-124). They are good virtues that maintain balance and stability of the community, however they are not good works. Luther calls such behaviour 'civil righteousness' (Luther 1963:308-309).

What then are good works? Good works are those deeds done as a result of faith in Christ Jesus. As the church father Ambrose says, '[f]aith is the mother of the good will and the righteous action' (Ambrose in Kolb & Wengert 2000:57). Good works are the fruits of faith. Good works are only possible after hearts have been renewed. This is what the Lutheran Confessions teach:

[B]ecause the Holy Spirit is received through faith, consequently hearts are renewed and endowed with new affections so as to be able to do good works.... For without the Holy Spirit human powers are full of ungodly affections and are too weak to do good works before God.... For without faith human nature cannot possibly do the works of the First or Second Commandments. Without faith it does not call upon God, expect anything from God, or bear the cross, but seeks and trusts in human help.

(Kolb & Wengert 2000:57)

Good works are not possible by our own human will, but by the power of the new life of faith in Christ. For without faith all human works are nothing but wicked and damnable sins (Luther 1957:361). A person must first be renewed in order for them to produce good works. For a tree is known by its fruits: a good tree produces good fruit and a bad tree produces bad fruit (Mt 7:16, 17).

Good works are a gift from God since their doing is only possible after believers have been received into the new life of faith in Christ (Augustine 1887a:87). Good works flow from faith as a result of the Spirit. They are not forced out of the believer but flow freely out of faith. Besides being the gift of God working in the believer's life, good works are commanded by God (Kolb & Wengert 2000:575). God wants his people to live, walk and conduct themselves according to the newness of life they have received in Christ (cf. Eph 2:10; 4:1; Col 1:10). They are not to live for themselves but to help and serve their neighbour in love (Gl 6:2; Jn 13:35). This is the Christian living and a life of 'faith expressing itself through love' (Gl 5:6). This is the kind of life St. Paul urges his Galatian converts to live: 'You, my brothers, were called to be free. But do not use your freedom to indulge the sinful nature; rather, serve one another in love' (Gl 5:13; NIV).

## **6.7 FINAL CONCLUSION**

We could go on and on discussing what the Law is, what the Law was at the time of its giving, what it meant to the people of Israel, what had become of it at the time of Paul, and how Paul understood and interpreted it; however, we might not reach its true meaning and its intended goal if we do not consider the social and cultural context of the people affected by the Law at a given time. One's social and cultural background needs to be considered in order to reach the right understanding and interpretation. If this is ignored problems arise because one's culture tends to dominate the others, with the latter either resisting change or reluctantly accepting

this change because his opponent seems superior. The intended goal is, however, not achieved when there is this clash of social and cultural backgrounds. People need to be recognised the way they are and anything new must be interpreted into a phenomenon they understand well. To achieve the desired goal the one bringing change must first be on the same level with those he wishes to change. Jesus Christ is an example of this. He did not limit his teaching to the synagogues and the temple, nor was he confined to one region, but he went out from Nazareth to Galilee to Capernaum to Judea to the regions of Tyre and Sidon to Caesarea Philippi to Samaria to Jerusalem preaching and teaching in the mountainside (Mt 5-7; 15), besides the sea (Mt 4:18-22), in towns (Mt 11), and villages. He had to go out to the people and meet with them in their own localities; he mingled with all sorts of people, tax collectors, fishermen, the lepers, the prostitutes and so forth. In this way he could easily preach to them about the Kingdom of God and change their sinful ways. This is what St. Paul does also.

We have seen in this study that St. Paul faced the challenge of bringing the gospel to the gentiles. The challenge was not the gentiles themselves but Jewish believers who opposed Paul's message of justification by faith alone apart from the Law. Jews understood God's saving grace to be limited to Jews as the only elect and chosen people of God. They understood that God had elected them out of his grace without any merit on their behalf and he had made a covenant with them by giving them the Law. The Law as seen before was the way of building a hedge around the people of Israel to separate them from the rest of the nations. Only those within this hedge (Law) were the people of God. Only those who practiced the Law and observed its regulations were considered to be the elect. This was their understanding even after the coming of Christ. Everyone especially non-Jews who wanted to belong to the people of God had to change their social and cultural background and accept the practices of the Jews. Non-Jews had to circumcise, observe food laws and the Sabbath, and adopt the Law in addition to faith in Christ if they were to be numbered among the people of God. For the Jews God's people were only those belonging to Jewish ethnicity. No salvation could be found outside Jewishness. This is what Paul opposes. Although God had ordained Israel as his own people and had given them the Law, these are no longer terms of God's acceptance of his people. With the coming of Christ the boundaries that marked Jews as the only people of God and

separated them from others have changed. The people of God can no longer be identified by their ethnicity, but by faith in Christ. The hedge has been demolished to include all who put their faith in Christ, whether Jew or Gentile (Gal 3:28). Ethnicity no longer counts, what counts is faith in Jesus Christ.

What happens then to ethnicity? What becomes of the African identity? What happens to their social and cultural practices? Does the coming of Christ do away with ethnic groups? Although he disagrees with Jews attaching their ethnicity to salvation, Paul does not force them to abandon their practices that made them who they are. Faith in Christ does not eliminate one's ethnicity (Van Eck 2009:79). Jews would remain Jewish and carry on with their cultural practices as long as they do not interfere with being justified before God. Jewish practices cannot be imposed on non-Jews because they do not justify.

The same can be said about the practice of the Lutheran Church of Uganda. Africans cannot be condemned for practicing their culture. Africans have been perceived to be legalists because of the way they integrate the Law into their culture. Holding the sinner responsible for their sins, rebuking the sinner publicly, and imposing some kind of punishment on the sinner might be interpreted as a kind of legalism. However, it must be understood that this is what makes them African and differentiates them from the rest of the world. It would be cultural imperialism if Africans were told to abandon their practices and follow certain cultures because they are Christians. We would need another Paul to explain to us the truth of the Gospel, that justification is not limited to certain ethnic practices but open to everyone who have faith in Christ regardless of their social and cultural practices. Galatian gentiles are therefore free from the Law as a condition for membership into the people of God. For God does not judge by external appearance (Van Eck 2009:76) but what is in the heart, which is faith in Christ (Gal 2:16; 3:26). This is the context that Paul finds himself in. He has to protect his mission among the gentiles, the gospel of justification by faith without works of the Law; in other words an ethnic-free gospel. That is why he became like one under the Law in order to win those under the Law; and to the lawless he became lawless in order that he might win them for Christ (1 Cor 9:20-21). Paul had received a new identity that knows no ethnic boundaries, but permits him to freely interact with all people. There has been

recategorisation that incorporates all other identities (Esler 2003:54). Faith in Christ is the new identity of the people of God.

This is one problem we find in Luther. He imposes his context on the writings of Paul. Luther does not fully understand Paul's social and cultural background, but approaches Paul from a sixteenth century context characterised by medieval theology of introspection. Being an Augustinian monk, Luther finds himself in a state of finding a gracious God who he does find in Paul's letters. He rightly understands the doctrine of justification but fails to recognise Paul's unique context. Luther sees Paul opposing his fellow Jews who had relied on their doing of the Law for justification. This, however, was not the issue that Paul attacks as we have already seen above. The Jews of Paul's days understood the Law in relation to God's election, what Sanders calls covenantal nomism. They knew that God had elected them as his own and he had given them the Law as a means of maintaining their status in the covenant.

This Jewish understanding of the Law and the covenant is somehow related to the Lutheran teaching on the third use of the Law. Lutherans teach that although believers are free from the coercion and condemnation of the Law they are not without the Law. They have been redeemed from this raging tyrant in as far as its fulfilment is concerned. Believers are no longer required to fulfil the Law in its entirety because Christ has already fulfilled it for them. However, believers do not live lawlessly; rather they have been redeemed in order that they might delight in the Law of God and meditate on it day and night (Ps 1:2; 119). This is not to compel God to grant eternal life to those who keep the Law, for that is not the reason for which it was given. The Law was not given in order that people might be saved by its works, but God gave the Law as his eternal will requiring those who belong to him to live godly lives. The Law is a guide to believers after they have been received into God's favour just like Israel practiced the Law to live God-pleasing lives within the covenant. God's election comes first then follows the obedience of the Law. For without his gracious election pleasing God with our works is impossible. If people happen to obey the Law before justification it is because either they want to satisfy their worldly desires or they are afraid of the punishment that comes with the Law's disobedience. For it is only when people have been received into the grace of God that they begin to love and to trust God wholly, and to love their neighbour as

themselves which sums up all the Law and the Prophets (Mt 22:37-40). This is because believers are not alone but have the power of the Spirit of God who enables them to do such works. The Spirit enables them to do all sorts of good works, the fruits of faith St. Paul describes in Galatians 5:22. In this kind of life believers can be said to fulfil the Law because they do not rely on their human capabilities, but rely solely on the Spirit of God to produce good works.

## **6.8 SUGGESTION FOR FURTHER RESEARCH**

European missionaries are credited for having brought Christianity to the African continent. They are praised for having brought civilisation to the so-called 'dark continent' and for eliminating the dark, evil practices among African people. However, this has not come without a price to the African people. Africans have paid a big price to accommodate Christianity by abandoning their culture which had been labelled evil by Europeans. The problem does not lie within Christianity itself but within the instruments by which Christianity has been spread. Christianity came to Africa within the cultural practices of those who brought it, in this case Europeans. Sometimes I do wonder how different it would be if Christianity is stripped of all Western culture and practices. Would we see a different Christianity from what it appears today? A lot needs to be investigated to understand Christianity in the African context. This should not be done by Europeans as it is the case with most African history but by an African who understands very well the African cultures and practices.



## QUESTIONNAIRE

### Aims and objectives of the study

1. This questionnaire is intended to find out how the Lutheran Church of Uganda understands the Lutheran interpretation of the Law.
2. Participation in this research is voluntary. However, you are encouraged to participate since your response will be helpful in understanding ourselves as Lutherans.
3. All responses of the participant are strictly confidential and anonymous. Their identities will not be revealed.
4. Please feel free to contact Enoch Macben at enochmacben@yahoo.com or on cell +27835300636.

### Section A

#### Biography

Name ..... Age: .....  
Marital Status: ..... Congregation: .....  
Title (Ordained/not ordained): .....  
Training in Lutheran theology: .....  
Qualification in Lutheran theology: .....  
Years since Lutheran: .....

### Section B

#### The Law in the Lutheran Church of Uganda

1. When do you preach the Law in your congregation?
2. When do you preach the Gospel in your congregation?
3. How often do you preach Law in your congregation?
4. What laws are in place in your congregation?
5. What do you do to Christians in your congregation who sin publicly?
6. Do you punish those whose sins are known by the congregation?
7. What kind of punishments do you give them?
8. How do you understand the Lutheran teaching on the Law?
9. Do you think the Law is helpful in your congregation? In what ways?

10. Do you think your church members learn lessons if sinners are given some kind of punishment?

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