

Theses on the Article of
Justification
as Taught in
Holy Scripture and the
Confessions of Christ's Holy Church
with Special Attention to "Objective Justification"
as discussed during the 2013 Colloquium and Synod
of the
Evangelical Lutheran Diocese of North America
and later approved in the following form
by the pastors of the diocese

Preface

A pastor was recently removed from a church body's clergy roster, ostensibly for false doctrine concerning the Article of Justification. His statements concerning this article of doctrine were entirely compatible with the fathers of Lutheran orthodoxy,¹ but were considered "inadequate," because they did not fully express certain formulations demanded by said church body. The official position of the (defunct) Evangelical Lutheran Synodical Conference of North America (and of the current bodies that were constituent of it) is clear from, e.g, the 1932 "Brief Statement of the Doctrinal Position of the Missouri Synod," to wit, the teaching of "Objective Justification." However, that teaching² has by no means been consistent throughout the publications or seminaries of said bodies since that time. The following theses examine both the terminology and the teaching of "Objective Justification" to see whether it was what was understood by the old Lutheran dogmaticians and exegetes, complementary to what they taught concerning the Article of Justification, or inimical to it.

First, A Matter of Definition:

"Objective Justification" has been variously presented

- as merely a synonym for unlimited atonement,
- as properly referring to justification as the object of faith,
- and as the 'proper' understanding of the teaching.³

This last view states that it is a fact⁴ that Mankind has been not only atoned for by Christ, but actually declared free from sin by God prior to faith. In the resurrection, it is said, God actually absolved the

¹ By this phrase, we are restricting our present consideration to the period beginning with Martin Luther and ending with Johann Gerhard (c. AD 1515–1637).

² Or even what is meant by that term.

³ I.e., as found in, e.g., Pieper's *Christian Dogmatics* and the Missouri Synod's *Brief Statement*.

⁴ Whether believed or not; thus, "objective."

world.⁵ Indeed, Pieper says⁶ that if this idea is not maintained Christianity is completely lost and the Gospel is necessarily turned into a set of rules by which to gain God's favor.

To be clear, then, in these theses, we will mean by the term "Objective Justification" precisely and solely what was taught by Pieper in his *Dogmatics*, which is what is the stated official position of the LCMS in its *Brief Statement*, to wit: "Objective Justification" is the dogmatic assertion that a forensic declaration was made by God in the resurrection (because of a change in His heart effected by the atoning death of the Christ) that Man is without sin.

Such a teaching, it is stated, requires a 'second part' for justification to be enjoyed by any person: that he personally and individually receive what God has objectively declared of all *together*. While in practice we have often witnessed a minimizing of the Means of Grace in bodies that hold to this teaching, that is certainly not the intent of those who first promoted it, since such reception is done by means of faith that is created in the one receiving by the Holy Ghost's use of the Gospel.⁷

Thus, we are brought to assert the following:

Thesis 1

It is our unanimous understanding that the Christ paid for and made full satisfaction for every sin of every person ever to enter this world. The teaching of any sort of "limited atonement" is, therefore, condemned, as is any notion that would make Christ's atonement less than sufficient, such as an idea that an individual's salvation is in any way dependent upon himself (whether with regard to character, works, disposition, or any other thing that might be attributed to Man). In spite of the rhetoric of some, we contend that both those who hold to and those who reject a Synodical Conference understanding of "Objective Justification" are in agreement on this Thesis.

Thesis 2

It is our unanimous understanding that salvation is received by the individual sinner only through faith, that none are to be regarded as saved except through faith, and that faith is (in keeping with the previous Thesis) not a work of Man, but a gift from God, given through His appointed Means of Gospel and Sacrament. We further hold that the Gospel is not mere information, but that which actually confers what it announces or promises. Further, we grant that those who oppose the teaching of these theses by adher-

⁵ Note, that among LCMS theologians it is not generally stated as "all men," but as "Mankind" or "the world," so that the 'class' is absolved, but no persons in particular. Among the WELS theologians, this distinction doesn't seem to be maintained. Cf. "This We Believe," IV:1, <http://www.wels.net/what-we-believe/statements-beliefs/this-we-believe/justification>; Dr. Siegbert Becker's 1982 essay, "Objective Justification," p. 1,14, <http://www.wlssays.net/files/BeckerJustification.pdf>; Forrest Bivens's essay, "Getting The Right Message Out—And Getting It Out The Right Way," in the section where he abuses Romans 3:23–24, <http://www.wlssays.net/files/BivensMessage.pdf>; John Schaller in his *The Wauwatosa Theology*, Volume 1, p. 459, 466–467; and David Kuske in his comments on 2 Corinthians 5:19 in "Making Use of Our Lutheran Heritage—'Objective Justification' in Our Mission Outreach Based on an Exegesis of 2 Corinthians 5:18–19," p. 7,9,11, <http://www.wlssays.net/files/KuskeOutreach.pdf>.

⁶ *Christian Dogmatics*, II, 347–351.

⁷ Thus, one sees C.F.W. Walther, for example, rightly promoting the use of the Gospel in all its forms (i.e., that which is read, preached upon, spoken directly in Holy Absolution, or tied to physical elements in Holy Baptism and the Lord's Supper, the Means [or Channels] of Salvation, as they are properly called) to distribute and confer what God the Son has won by His passive and active obedience, for which purpose Christ instituted the Office of the Holy Ministry.

ence to the Waltherian⁸ formulation of “Objective Justification” will consider our words thus far to be in agreement with their own.

We condemn every form of universalism and any thought that Man has the merit and righteousness of Christ applied to him other than through that faith which is created by these *media salutis*.

Thesis 3

The Calvinist doctrine that God desires only some to be saved is entirely rejected by us as contrary to God’s Word as clearly set forth in the Lutheran Confessions. So is the Huberian⁹ thought that God has actually elected all to salvation but some, somehow, fall away by failing to grasp the “Objective Justification” made at the cross and pronounced in the resurrection. Nor is any sort of Arminianism (including any Arminian-shaded concept of election *intuitu fidei*) to be received. Rather, we contend, both those who teach Waltherian “Objective Justification” and those who teach that Walther’s position is contrary to the Reformers’ understanding of the Article of Justification confess, instead (with the Book of Concord), that God has elected only in connection with Christ. Further, we confess that in such election He has both foreseen and caused to be all things needed to bring men to faith and to keep them therein (i.e., the sending of God the Son and God the Holy Ghost, the establishment of the Sacraments, the Office of the Ministry, and so forth).

Thesis 4

As the above theses would not have been agreed upon by all parties in previous controversies over the Article of Justification, historical battles over aspects of this article are well brought into the picture, but none of them completely speaks to the current discussion, whether the Wittenberg faculty’s dealings with Huber or the Synodical Conference’s fear of an encroaching Arminianism/Semi-Pelagianism during the controversy regarding predestination. It is unfitting simply to label one another as having a position identical to one in a previous battle,¹⁰ though it may rightly be said that a position bears similarities or could lead to such a historic position.¹¹ That is, we must not condemn by the application of labels, but must address what is actually taught or not taught by any party.

Thesis 5

At the same time, our avoidance of such anachronism must not render what has been said in previous controversies inapplicable: that which has been resoundingly condemned or refuted in one controversy is no less condemned and refuted when a new controversy comes upon us. While new controversies continue to arise (i.e., Satan continues to refine his troubling of the Church), we must refine and extend what has been confirmed in the past, not contradict and destroy it.

⁸ Cf., e.g., C.F.W. Walther, *Justification: Subjective and Objective*, translated by Kurt E. Marquart, Fort Wayne, Indiana: Concordia Theological Seminary Press, 1982.

⁹ Samuel Huber (1547–1624), a former Calvinist, was brought to Wittenberg as a professor after making a good defense against the Calvinists at Tübingen, but within three years they discovered that he was straying from the outline of Justification in common use by Lutherans, using novel terminology and accusing his fellow professors of Calvinism when they rejected his new teaching: “Our Churches have always taught and still teach the justification that is by faith and that pertains to believers, but that by no means extends to the whole world.” (Hunnius, *A Clear Explanation of the Controversy among the Wittenberg Theologians Concerning Regeneration and Election*, p. 57; see, also, the next four pages of this work for a summary of the full course Huber’s errors)

¹⁰ Unless one can absolutely show such to be the case.

¹¹ If and only if it can be demonstrated that such is so.

As we read in the first Article of the Formula of Concord, “As regards terms and expressions, it is best and safest to use and retain the form of sound words employed concerning this [or any] article in the Holy Scriptures and the above-mentioned books,” (i.e., the other accepted confessional documents; Thorough Declaration I:50) we must not ‘refine’ any article of doctrine in any way that contradicts that “form of sound words.” One cannot correct a supposed insufficiency by contradiction; to do so, it must be admitted, is to set aside and reject the previous teaching.

Thesis 6

It is to be remembered, too, that the private writings of the fathers do not establish an article of doctrine or have the authority to define things contrary to Scripture and the Confessions. Citing a father—or the greatest number of fathers—does not automatically win the argument on that basis. Nonetheless, when we hear the testimony of those of the era immediately following the Reformation, we rightly assume that they are more certain of what those writing, compiling, and teaching the Lutheran Symbols were asserting than those of later ages would be; that is, the presumption of accuracy is with those closest to the era or controversy unless and until proven otherwise.

To the possible contention that those who come later may see things in a clearer light by means of those who came before, we respond that we are not discussing whether we might find a better way to present an article of doctrine than our fathers did, but simply ascertaining what they actually taught. We may certainly find things to say, e.g., about the Baptism of infants that are not said in the Large Catechism, but the Catechism tells us what Luther *did* say. So, also, the writings of the fathers of the Golden Age of Lutheran Orthodoxy show us what was actually passed down to the generations immediately following the Reformation; if we would correct or elaborate upon them, it must not be by setting aside what they clearly teach and what was received by those generations as orthodox.

In the matter at hand, there is a substantive—and, indeed, substantial—difference between the understanding of Justification between the earlier Lutheran theologians and some later theologians of the Synodical Conference.

Thesis 7

While we may have had a ‘received body of doctrine’ beyond Scripture and the Confessions in a previous body of affiliation, the lack of ownership of the documents setting forth the same—and, thus, our inability to modify such non-binding documents where they have misspoken—prevents us from adopting the same as our own in such a way as to make them settlers of disputes. That is, the only way to adopt a non-binding document over which we do not have ownership (and, thus, cannot alter) is to adopt it as unalterable and binding; any other adoption is simultaneously both a burden and a waxen nose. Indeed, the Confessions are subscribed *in toto* and as is (that is, therefore, *quia*), since there is no other way truly to subscribe them.

Thesis 8

It is helpful to understand how a new (or refined) formulation of an article came to be—or, absent that insight, to see how one might have seen justification for the new terminology in that which already existed. “Objective Justification” may charitably be seen as a development from what Lutheran orthodoxy confessed concerning the Throne of Grace (*Gnadensthrön*; i.e., the Mercy Seat, i.e., Christ), the ‘new lo-

cation' at which the sinner may be judged due to the Christ's bearing of all sin, rather than being judged at the seat of justice by the Law.¹²

Yet, "Objective Justification" is a gross overstatement of this concept. The creation of such an alternate place of judgment in Christ has the same effect for the sinner (in terms of providing an already-established reality to which one can look and which can be given through the Means of Grace) as would the postulating of a forensic declaration of mankind's righteousness, but without the unfortunate baggage¹³ of the latter and in accord with the clear 'mercy seat' language of both Testaments (Cf. Exodus

¹² Cf., e.g., Aegidius Hunnius: "Justification is the act of God by which He deigns to consider the man who is frightened by the awareness of sins and who flees to the Throne of Grace with pure mercy, through and for the sake of the merit of Christ, apprehended by faith; and, having forgiven him his sins, He reckons him as righteous, free from damnation, and also an heir of eternal life, without any human merit and without any view of God toward the virtues or the works of man" (as quoted in Rydecki, "The Forensic Appeal to the Throne of Grace," p. 20). So, Chemnitz: "The meaning of the word 'justify' in this article is judicial, namely, that the sinner, accused by the Law of God, convicted, and subjected to the sentence of eternal damnation, fleeing in faith to the throne of grace, is absolved for Christ's sake, reckoned and declared righteous, received into grace, and accepted to eternal life. And although John does not employ the word 'justify,' yet he describes the doctrine in judicial terms: 'He that believes is not judged; he does not come into judgment.' 'He sent His Son into the world, not that He should judge the world.' And 1 John 3: 'We have passed from death to life.' In Acts 3 Peter says that 'sins are blotted out.' Paul explains this when he says, Col. 2, that the hand writing which was against us has been blotted out." (*Examination*, Vol. 1, 474).

¹³ "Baggage"; that is, the baggage of asserting a justification apart from faith, which the fathers expressly rejected:

Hence Paul, when he expressly discusses justification in Romans 3 and 4, does not know of a justification apart from faith, and especially as Galatians 2 plainly says, "Man is not justified except by faith in Jesus Christ." (Hunnius, *Theses Opposed to Huberianism*, Concerning Justification, Thesis 6)

"But how did the righteousness of Christ overflow to all men for justification, since not all men are justified? We reply: The Apostle is not talking about the application of the benefit, but about the acquisition of the benefit. If we want to descend to the application, that universality must be restricted to those who are grafted into Christ by faith. For as the unrighteousness of Adam is communicated to all those who are descended from him by carnal generation, so the righteousness of Christ is communicated to all those who are grafted into Him through faith and spiritual regeneration." (Gerhard, *Adnotationes*, on Rom. 5:18)

"3) If we wanted to go beyond the limits of the Apostolic comparison, someone could infer from the same that the righteousness of Christ is propagated to us through carnal generation, since the unrighteousness of Adam is communicated to us in that manner. Likewise, one could infer that the righteousness of Christ is propagated to all men together, without any regard for faith or unbelief, since the sin of Adam is propagated to all through carnal generation.

"4) But since that is absurd, a distinction must fully be made between the acquisition and the application of the merit of Christ; or between the benefit itself and participation in the benefit. The acquisition of the merit, or the benefit itself obtained by the death of Christ is general. For as Adam, by his disobedience, enveloped all of his posterity in the guilt of sin, so Christ, who suffered and died for the sins of all, also merited and acquired righteousness for all. But this benefit is only applied to those who are grafted into Christ by faith, and only they become participants in this benefit." (*Adnotationes*, Rom. 5:19)

Note, then: when Hunnius and Gerhard say that St. Paul knew of no justification apart from faith and that the righteousness of Christ being propagated to all men (i.e., a general, universal, or objective justification) is "absurd," this is no mere treatment of the verses under consideration in a narrow use that allows for a broader use, but a declaration that a 'broader use' is not tenable.

25:22; Hebrews 9:5 and Romans 3:25; 1 John 2:2, etc.).¹⁴

Thesis 9

It must always be remembered that something may be acceptable as a homiletical/rhetorical device that is inappropriate if passed off as exegesis—and completely improper if asserted as doctrine. As we are warned not to push a parable beyond its point/ground of comparison, even more we must remember that every illustration or analogy developed by Man will fall short and, while it may be helpful pedagogically, such language must not be made into a necessary part of our confession.

Thesis 10

In a similar fashion, we must make a distinction between an exegetical conclusion (no matter how sound) and a direct statement by the Lord in His Word. This need for a distinction is not to lessen the authority of an article that is arrived at by reasoning from the Scriptures (e.g., the article of the Holy and Blessed God as Triune), but to keep from misstating *how* the article is taught in God's Word and, possibly, becoming guilty of putting words into the Lord's mouth that He has not Himself given us and coming under His proper condemnation for so doing ("I am against the prophets," says the Lord, "who use their own tongues but say, 'He says,'" Jeremiah 23:31).¹⁵

¹⁴ We note that the Rev. Dr. Robert Preus also came to this conclusion late in his life, writing in his posthumously-published *Justification and Rome* (St. Louis, Concordia Academic Press, 1997):

Although Christ has acquired for us the remission of sins, justification, and sonship, God just the same does not justify us prior to our faith. Nor do we become God's children in Christ in such a way that justification in the mind of God takes place before we believe. (*Justification and Rome*, p. 132, quoted approvingly from Calov, *Apodixis Articularum Fidei*, Lueneburg, 1684)

Quenstedt says, It is not the same thing to say, "Christ's righteousness is imputed to us" and to say "Christ is our righteousness." For the imputation did not take place when Christ became our righteousness. The righteousness of Christ is the effect of His office. The imputation is the application of the effect of His office. The one, however, does not do away with the other. Christ is our righteousness effectively when He justifies us. His righteousness is ours objectively because our faith rests in Him. His righteousness is ours formally in that His righteousness is imputed to us. (*Justification and Rome*, p. 132, where fn. 76 gives the source as *Systema*, Par. III, Cap. 8, S. 2, q. 5, *Observatio* 19 (II, 787))

When does the imputation of Christ's righteousness take place? It did not take place when Christ, by doing and suffering, finished the work of atonement and reconciled the world to God. Then and there, when the sins of the world were imputed to Him and He took them, Christ became our righteousness and procured for us remission of sin, justification, and eternal life. "By thus making satisfaction He procured and merited (*acquisivit et promeruit*) for each and every man remission of all sins, exemption from all punishments of sin, grace and peace with God, eternal righteousness and salvation." (*Justification and Rome*, p. 131, where in fn. 74 Preus gives the source of the quote and this note: "*Systema*, Par. II, Cap.3, Memb. 2 S. 1, Th. 44 (II, 363). Cf. Abraham Calov, *Apodixis Articularum Fidei* (Lueneburg, 1684), 249: 'Although Christ has acquired for us the remission of sins, justification, and sonship, God just the same does not justify us prior to our faith. Nor do we become God's children in Christ in such a way that justification in the mind of God takes place before we believe.'")

But the imputation of Christ's righteousness to the sinner takes place when the Holy Spirit brings him to faith through Baptism and the Word of the Gospel. Our sins were imputed to Christ at His suffering and death, imputed objectively after He, by His active and passive obedience, fulfilled and *procured* all righteousness for us. But the imputation of His righteousness to us takes place when we are brought to faith. (*Justification and Rome*, p. 72)

¹⁵ "Scripture teaches" has a different impact, breeds a different expectation, and requires a different method of establishment from "God says." Scripture *teaches* that God is Triune, but it never *says* that He is.

Thesis 11

For example, to say,¹⁶ “Christ was absolved in the resurrection,”¹⁷ is to employ an illustration that is not truly apt, as an ‘absolution’ declares one innocent in spite of one’s guilt and inability to pay for his transgressions, but the Christ’s ‘justification’ is, rather, the vindication of One who both is innocent by nature and by conduct and who has paid for the sins of all others. The fact that the Christ was made sin for us (2 Corinthians 5:21) and bore our sins as His own (Psalm 69:5) does not require Him to be absolved, since, again, He was not forgiven for our sins (forgiveness requiring someone else to pay the debt). Instead, He Himself paid the debt.

Thesis 12

Rather, by the Christ’s vindication, absolution is won and, indeed, created for us. That is, by His bearing the judgment for our sin upon the cross, He has made a new way—a new ‘place’—for our judgment to take place: rather than the judgment of Sinai,¹⁸ we are judged at the Throne of Grace, where the Christ’s perfect active obedience is credited to us because His perfect passive obedience has made payment for all sin. Christ is Himself our absolution and apart from Him there can be no absolution.

Thesis 13

Thus, to make the ‘justification of the Christ’ in any way similar to our justification in connection with Christ is to cheapen the merit of Christ.¹⁹

Thesis 14

Again, to make the justification of the sinner anything less than the ‘justification of the Christ’ is to cheapen the merit of Christ.²⁰

Thesis 15

We must distinguish between what a passage could, conceivably, mean, what it most probably means, and what it must mean. Failure to do so leads to eisegesis and the amassing of passages that ‘could possibly fit’ under either understanding being used as if they proved one’s point and, worse, using those that definitely do not fit as if they were intending to say something that they do not. Such is the case with, e.g., the ELS’s explanation of the Small Catechism, where Question 210 asks, “Why do we say, ‘I believe in the forgiveness of sins?’” and answers, “...because the Bible assures us that God the Father has by grace forgiven all sinners and declared them righteous in Christ,” and attempts to use Romans 3:24 (as presented, “[All] are justified freely by His grace...”) in a way that completely divorces it from its context.²¹

¹⁶ As those who might be cited by both parties have done, e.g., both Gerhard and Walther, even though Gerhard (cf. the second footnote to Thesis 8, above) calls what has come to be known as “Objective Justification” an “absurd” idea.

¹⁷ And in Him so were, one party says, “all who trust in Him” and the other “all mankind.”

¹⁸ The judgment of our thoughts, words, and deeds not squaring with God’s description of the attributes of His People in the Tables He handed down on Sinai.

¹⁹ Since His justification is won by His own righteousness, whereas ours is given to us apart from any righteousness of our own.

²⁰ Since what the justified have is the very righteousness of Christ Himself.

²¹ *Catechism & Explanation: An Explanation of Dr. Martin Luther's Small Catechism*, 2001, Evangelical Lutheran Synod, Mankato, MN. Question #210 is found on p. 143.

Thesis 16

Again, the language of “Objective Justification”—not just the term itself, now, but the statement of the formula in its various aspects, is troubling in several ways, as shall be discussed in the next several theses, along with the terminology. The language with which we present an article of doctrine must accurately and carefully exhibit what is in God’s Word; the language must not (inasmuch as it lies within us in our speaking) mislead the hearer into thinking that he will find a direct statement in Scripture when one does not exist or that he will find an expression there that it does not, in fact, contain.

Thesis 17

As much as possible, Biblical terms should be used only to express what they mean in the Bible (cf. the term ‘elder’). Further, we should use Biblical terms and illustrations to express and proclaim scriptural truth. (While “of one substance with the Father” was, finally, necessary and has been our common terminology for over 1,500 years, the reticence initially to use a non-biblical term was good and right. God gave His Word to tell us about Himself; as much as possible, we should use what He has given us there.) Even if a Biblical term has a long history of being misused (e.g., ‘deacon’), that misuse must not be allowed to continue in our own teaching, as so doing perpetuates the associated errors.

Thesis 18

Thus, asserting the existence of a forensic declaration by God that is not stated in Scripture is to say what God does not say and to attribute it to Him; if there is no direct statement,²² it is an attempt to delve into God’s secret counsel (*Deus absconditus*). To proclaim an action as a forensic declaration, there must be actual evidence of such a declaration—preferably a direct quote—and not simply a matter of conjecture, no matter how well-founded we believe that conjecture to be. Especially is this so when such a concept is first put forth by those who live nearly two millennia after the event and when those who are ostensibly their fathers in the faith have never made such a declaration concerning the whole world of sinners. (Cf. the second footnote to Thesis 21.)

Thesis 19

So, also, language such as “there took place a change in the heart of God,” which, unlike language asserting a new ‘place’ of judgment,²³ is an anthropomorphism that denies God’s immutability and/or the full participation of all the Persons of the Blessed and Holy Trinity in the willing and working of salvation (*opera ad extra trinitatis indivisa sunt*). If it was foreordained in the counsel of the Holy Trinity that God the Son should be sent forth to do the work that He did, there is no ‘change in God’s heart,’ but a change of the ‘place’ of judgment that is a fulfillment of what He has willed from before the foundation of the world,²⁴ an avenue through which a righteousness apart from the Law now avails,²⁵ by means of

²² The fathers we have cited and will cite were wise enough to see this and to pull back from overreaching, as we see with Luther’s correction on p. 286 of his 1535 lectures on Galatians (*AE*, vol. 26) to what he said on p. 280 that is wrongly used by some to accuse him of teaching what he did not teach regarding Justification. As St. Paul warns, “learn in us not to think beyond what is written.” (1 Corinthians 4:6, NKJV)

²³ The Throne of Grace, which is nothing other than Christ and His merit, which is the fulfillment of the Old Testament Mercy Seat, by which name Christ is both called and referred to in the New Testament. (Cf. Exodus 25:22; Hebrews 9:5 and Romans 3:25; 1 John 2:2, etc.)

²⁴ Cf. Revelation 13:8, which makes it clear that our salvation was already “in God’s heart” before He created the world.

²⁵ Romans 3:21,22; note that v. 22 defines the term from v. 21 and may not be artificially separated from it.

which God sees the sinner and the sinner sees God differently from the view that comes through Mt. Sinai.

Thesis 20

As asserted earlier, Thesis 19 says and gives everything that “Objective Justification” would attempt to say and give, but without changing God or putting words into His mouth. It holds forth not a pre-existing forensic declaration (which is not recorded in Scripture) about the world being without sin, but simply the merit of Christ (and the assurance of the sinner’s righteousness thereby) that is the proper object of faith, as is clear from the early Lutheran exegetes and dogmaticians.²⁶

Thesis 21

Regarding the proper object of faith: ought it be a *pre-existing declaration/judicial pronouncement* of forgiveness (without words) or the *acquisition* of a judicial pronouncement of forgiveness? The latter has much testimony among our theologians prior to 1850, while the former is asserted with such vehemence by, e.g., Pieper,²⁷ that it is said that the Gospel is gone altogether if such an assertion is not made. Such an assertion about this formulation that seems unknown (other than as something to be condemned as a part of Huber’s error) prior to the mid-19th century,²⁸ is not only ridiculous on its face, but injurious to the Church, as it disparages the orthodox Lutheran fathers and leads to parochialism and disrespect for older Lutheran writings that is so prevalent today.²⁹

Thesis 22

Regarding the proper object of faith: ought it be a *pre-existing declaration/judicial pronouncement* of forgiveness (without any recording of God making such a pronouncement) or change in the heart of the immutable God without His saying that His heart has changed, or the *acquisition* of a judicial pronouncement of forgiveness and a new venue (Christ, the Mercy Seat) through which such a declaration may be received? In either case, there is an *already made* ‘thing’ to be communicated and trusted in; the difference is that the first two do not have specific testimony from Scripture to such an effect, while the later does.³⁰

Thesis 23

Concerning the above, those trying to assert “Objective Justification” are often inconsistent, speaking of the acquisition of a pronouncement of righteousness at times and apparently not realizing that it is *not*

²⁶ We commend to the reader the Rev. Paul Rydecki’s “The Forensic Appeal to the Throne of Grace,” especially to the quotes which appear in each appendix to that essay (as well as in its body). Unlike the snippets generally adduced by those who wish eisegetically to find the Lutheran fathers as supporters of “Objective Justification,” Pastor Rydecki translates the *context* around such quotes, as well, and thereby demonstrates that those who would thus push the fathers into their service do so unfairly. The paper is available at <http://tinyurl.com/n28ndt6>

²⁷ *Christian Dogmatics*, II:349–351

²⁸ See the second footnote to Thesis 24.

²⁹ If an appeal were made to Luther’s comments in his lectures on Galatians (AE, Vol. 26, p. 280), that in Christ’s death the world was set free from sin without reference to faith, one must also concede that there is no longer any death, as “death is conquered and abolished in the whole world so that now it is nothing but a picture of death,” except that Luther makes his intent clear when he says (p. 285), “I believe in the holy church.” This is plainly nothing else than if we were to say, “I believe that there is no sin and no death in the church.” So, also, (p. 286) “Therefore, wherever there is faith in Christ, there sin has in fact been abolished, put to death, and buried. But where there is no faith in Christ, there sin remains.”

³⁰ Cf. Hebrews 9:5 and Romans 3:25; 1 John 2:2, etc.

the same as such a pronouncement itself.³¹ Yet, this is the beauty of the thing and a further demonstration that the acquisition of God's declaration is not only the correct position, but that it provides that for which it is often asserted that "Objective Justification" is necessary.³²

Thesis 24

We ought not think that Walther³³ (and Schaller³⁴ and Hoenecke³⁵), Pieper, *et alii*, who formulated the current expressions of "Objective Justification" were unfamiliar with either Huber³⁶ or Aegidius Hunnius.^{37,38} The question is how dependent upon Huber they were, since they specifically distanced themselves from him. That is, did they see themselves as accidentally using the same terminology or did they intentionally adopt it while seeking to remove the parts of his teaching that they knew were offensive and keep the rest?³⁹ That such terminology would be adopted with a specific rejection of what were seen as Huber's excesses, instead of simply rejecting the terminology merits further investigation. In any case, while they seek to distance themselves from Huber's error, their insistence on a dogmatic assertion that is so foreign to those who came before as to necessitate such distancing is evidence of its novelty.

³¹ "Pronouncement of righteousness" = "justification." "Objective Justification" does not say that such a pronouncement has 'merely' been acquired, but that it has already been levied.

³² Note that "the acquisition of a pronouncement of righteousness" without the assertion that such a declaration has already been made does *not* reduce said acquisition to that of a "potential pronouncement" in any way other than one might say that the prophecies that a Serpent-crushing Seed of the Woman or One Born of a Virgin spoke (merely) to a 'potential fulfillment'. *The prophecies and promises of God are just as certain when they are made as when they are fulfilled.* Rather, the acquisition itself gives the 'substance' that is given through the Means of Grace, creating faith so that justification is truly received.

³³ Cf. the first footnote of Thesis 2, above.

³⁴ "The doctrine of universal, so-called objective justification sets forth that the Lord God by grace because of Christ's redemption actually forgave sins to all men." Cf., "Salvation is just as perfect and complete for those who are finally lost. This is the only reason, but a sufficient one, why he that believeth not is damned. Unbelief is the rejection of life and salvation achieved and personally intended for every unbeliever." (Schaller, John. *Biblical Christology*. Milwaukee: Northwestern Publishing House, 1982. Cited by Beckman, who begins the paragraph in which the first quote occurs, with the comment, "The term 'objective justification' is little more than 100 years old in our Lutheran circles." "Universal and Objective Justification with Special Emphasis on a Recent Controversy," David J. Beckman, delivered at the District Pastor-Teacher Conference of the South Atlantic District (WELS), January 27, 1983, p. 3. "So-called"—rather than "so-called"—is from Beckman's text.)

³⁵ "The objective act of justification and the subjective possession and enjoyment thereof in blessed peace." (*Dogmatik*, Cited by Beckman, *ibid.*)

³⁶ See the footnote to Thesis 3.

³⁷ Aegidius Hunnius (1550–1603) was brought to Wittenberg as a professor in 1592. He was also superintendent and oversaw the visitation of the churches of Saxony, coauthoring the Saxon Visitation Articles.

³⁸ In fact, Pieper quotes Hunnius seven times in volume two of *Christian Dogmatics*—always positively—but never cites him concerning this topic, and brushes him aside in volume three with regard to the Lutheran understanding of election.

³⁹ Compare this with what modern 'Lutherans' do with the hymns of false teachers, church growth methodology, and the like. One might ask a similar question with regard to Walther's aberrations regarding the Office of the Ministry and church polity, namely whether, e.g., Walther was simply overreacting against Stephan and, later, Grabau, or was trying to purify Vehse so that he would not have to live with practices that were openly confessing a false understanding of the Church and the Office. *In any case, Walther's understanding of Church and Ministry contained error and that error grew in the century that followed him precisely because his work was the foundation and touchstone for those promoting subsequent error.* In a similar fashion, the overstatement that is (Waltherian) "Objective Justification" leads to errors that Walther himself would have in no way endorsed, but that should have been expected.

Thesis 25

Defenses of “Objective Justification”⁴⁰ quite often contain a statement of how unfortunate it is that this term has come into use—which one would not expect with a truly useful and unencumbered term. Both because of the earlier use by Huber and because of the number of true and false definitions with which the term has been associated, it ought to be discarded, as its use brings no clarity.⁴¹

Thesis 26

Moreover, as we are admonished in the first Article of the Formula of Concord, “As regards terms and expressions, it is best and safest to use and retain the form of sound words employed concerning this [or any] article in the Holy Scriptures and the above-mentioned books,” (Thorough Declaration I:50) we ought not invent new terminology or restate any article of doctrine without specific need or in any way that contradicts that “form of sound words,” much less do so in a way that eisegetically deals with older writings to force them to ‘support’ the new formulation, or that requires regurgitation of a formula that is not proven to be in accord with what the Confessions were understood to teach by the theologians of Lutheran orthodoxy.

Nonetheless, the discussion is not about the term, but about the teaching—but the term is to be discarded as (at best) a parochial neologism of the (long-defunct) Evangelical Lutheran Synodical Conference of North America, claimed as much by those in the bodies that made up said conference who do not really teach “Objective Justification” as by those who do.

Thesis 27

The sins of all men have been imputed to Christ and He was punished (completely) for them all, so that He rightly said, “It is finished”—the taking of the punishment was complete and the store of both active and passive obedience was fulfilled. Nonetheless, Holy Scripture does not teach that mankind is now seen as sinless apart from or prior to faith, but only that God’s desire is to judge them through the Mercy Seat or Throne of Grace, which is Christ: those not so judged are still dead in their sins, as St. Paul says of the Ephesians (2:1), etc., as Luther also clearly teaches. (cf. Vol. 26, p. 285–286)⁴²

Thesis 28

The reconciliation/justification of the world is already accomplished in Christ in this sense: that what God needs in order to consider each sinner righteous—the exchange of righteousness for sin in Christ—is accomplished; yet, unless the sinner is reconciled to God/justified by God through trust in the right-

⁴⁰ At least by Lutheran Church—Missouri Synod writers; Wisconsin Evangelical Lutheran Synod writers do not seem to have any qualms about the terminology.

⁴¹ Thus: Kurt Marquart in his paper concerning Larry Darby, p. 1 (available through various web sites, including <http://angelfire.com/ny4/lutherantheology.marquartjustification.html>), where he quotes Henry Hamaan’s similar sentiment in *Justification by Faith in Modern Theology*, Graduate Study 2 (St. Louis: School for Graduate Studies, Concordia Seminary, 1957), p. 60; John Buchholz in his essay at the 2005 WELS synodical convention, p. 3, fn. 4; the LCMS’s response to the Joint Declaration on the Doctrine of Justification, *The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective*, p. 24–25, similarly; all of these speak of a preference for other terms to be used, and there are others that could be cited.

⁴² As previously shown, Luther by no means teaches a universal justification in these pages, nor those that go before, as he specifically says “where there is no faith in Christ, there sin remains.” (*AE*, Vol. 26, p. 286)

eousness of Christ (cf. 2 Cor. 5), he is not indeed reconciled. Since some are not reconciled/justified, it cannot be said that all are reconciled/justified.⁴³

Thesis 29

The orthodox Lutheran position, as easily demonstrated from the fathers of the Age of Lutheran Orthodoxy, is that by the resurrection Christ is declared the Son of God with power and is vindicated (shown to be righteous by merit), by having borne the sins of all mankind and suffered for them until there was nothing left to punish, His righteousness now avails for every sinner and He—with His merit and the promise attached thereto—is the proper object of our faith. It is through faith in this promise alone that the sinner stands justified before God, since he is now judged at the Mercy Seat, the Throne of Grace, so that God sees him as entirely righteous in connection with Christ.

Conclusion

If all that were meant by “Objective Justification” were the acquisition of righteousness for all mankind so that there is a basis for God to declare an individual righteous through the God-given gift of faith receiving God’s pledge to consider him entirely righteous and forgiven purely for the sake of Christ, we would merely caution against the term.⁴⁴ Since, however, it is more than that—the declaration that all mankind is sinless before God before and apart from faith in Christ—this teaching is not only dangerous in its grossest abuse (crass universalism), but is in itself contrary to God’s Word and the exhibition of the same by the Symbols of Christ’s Church.

That the foregoing theses correctly reflect the doctrine of the symbolical books is demonstrated by the writings of the earliest generations of orthodox teachers of the faith confessed in the Book of Concord. Thus, the doctrine of “Objective Justification” (both the teaching and its terminology) is hereby rejected.

These theses, like those which our diocese has previously written and agreed to, are not seen by us as additions to our vows to the Scriptures and the Lutheran Confessions, which vows are unconditional. These theses may change as the issues are further clarified. However, we do see them as defining the limits of our fellowship with regard to these issues until such time as we are convinced otherwise from the Scriptures and Lutheran Confessions, or until further clarification is needed. We are keenly aware of the fluid nature of such statements. We are also keenly aware of the clear lines of distinction they draw among those who call themselves Lutherans, and we intend to draw such lines.

These theses are not a declaration of fellowship. Those inside our fellowship voluntarily agree with these theses and support them, but we also wish to have these theses function as a marker of agreement between Christians who are not yet necessarily in fellowship. Therefore, we invite all who agree with these theses to express their agreement without necessarily committing themselves to fellowship.

⁴³ It would be wrong to claim that the first half of the first sentence in this Thesis presents “Objective Justification”; by such an assertion, the true definition of said doctrine would be violated, as “Objective Justification” does not merely state “that what God needs in order to consider each sinner righteous—the exchange of righteousness for sin in Christ—is accomplished,” but that the whole world has, indeed, already been declared righteous and that no sin remains.

⁴⁴ “Objective Justification” is, at best, an ambiguous term by virtue of the various ways it is represented by those claiming to adhere to it; thus, it is terminology that has no place in the Church. As with the Sacraments, in which we maintain the words and elements given us by Christ so that no element of doubt is introduced, language cannot be ambiguous lest the Church is given place to fall into “false belief, despair, and other great shame and vice.” Both such ambiguity in the use of the term “Objective Justification” and the false teaching advanced in the historical usage of this term (whether that of Huber or that of the theologians of the former Synodical Conference), has led even those among us who formerly made use of it to abandon the continued use of this term in the Church in connection with our desire to reject the false teaching associated with it.

We hope and pray that these theses will be yet another building block in establishing a more healthy and orthodox Lutheran Church in our time, and in this country. With this hope, we, with joy and profound thanks to our triune God, accept and confess these theses.

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