

Justification: The Joint Declaration

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On October 31, 1999, the date annually celebrated by Lutherans as Reformation Day, a historic event occurred. Gathered at Augsburg, Germany, the city where Lutherans and Catholics first divided in 1530, representatives of the Catholic and Lutheran churches, commissioned by the highest authorities in their respective communions, signed a *Joint Declaration* on the subject of justification.⁽¹⁾ The two culprits responsible for splitting the unity of the Church in the West saw fit to publish a common statement speaking to the key issue that provoked the division in the sixteenth century: justification. For Lutherans the doctrine of justification is the very heart of the gospel. Luther himself is frequently quoted as calling it "the article on which the Church stands or falls." Catholics agree that justification is of central importance, because it means being rightly related to God, being on the road of salvation. Without having been justified, no one can be saved.

The common action at Augsburg has very broad ecumenical implications, since the theme is of interest to Christians of every tradition. Most Protestant churches hold positions heavily influenced by Luther, if not quite the same as his. Generalizing, we may put the differences between Protestants and Catholics very simply. Protestants generally look on justification as a forensic act by which God imputes to sinners the righteousness of Christ, while Catholics maintain that justification is a transformative act by which God imparts to sinners a share in the righteousness of Christ. Protestants hold that justification is received by faith alone, whereas Catholics contend that faith does not justify unless it is vivified by hope and charity. The Catholic and Protestant positions appear, on the surface, to be contradictory, so that it is impossible to agree with both. Unity, it would seem, could be achieved only through a conversion by which at least one party recognized that it had been wrong and corrected its teaching.

After centuries of hostile confrontation, Lutherans and Catholics made fresh efforts to find common ground in the ecumenical climate after World War II. The discussion began in Germany in the 1950s and was then taken up in several international and national dialogues. The United States Lutheran-Catholic Dialogue in the years 1978-1983 elaborated on a sixty-page consensus statement that expressed surprising unanimity on the central issues, while recognizing that there were a number of secondary questions on which agreement had thus far eluded the parties. The statement also suggested that in view of the substantive agreements on the gospel, the secondary questions might no longer have to be considered as church-dividing, but rather as theological differences that could be accommodated within a single communion, were Lutherans and Catholics ever to reunite.

The United States dialogue attracted great interest in Germany. During the 1980s a German dialogue proposed that the condemnations of the Reformation era pertaining to justification could be declared inapplicable to the partner churches today. Then in 1994 the Lutheran World Federation (LWF) and the Pontifical Council for Promoting Christian Unity appointed a small committee of theologians and church officials to gather up the fruits of the dialogues and draw up a consensus statement on justification. In 1997 this group came up with a final text of the *Joint Declaration*, which was then circulated among the member churches.

The LWF sought authorization from its 124 member churches. Of these, thirty-five did not respond; five refused to subscribe; and four responded so ambiguously that they seemed to be opposed. A solid majority, 80 member churches, expressed satisfaction.⁽²⁾ Many Lutheran theologians responded favorably, but 251 German Protestant theology professors signed a statement to the effect that the consensus claimed by the *Joint Declaration* did not exist.⁽³⁾ After pondering the responses, the LWF, through its governing council, unanimously approved the *Joint Declaration* on June 18, 1998.

The Catholic response was hesitant. On June 25, 1998, Cardinal Edward Cassidy, the president of the Secretariat for Promoting Christian Unity, with the concurrence of the Congregation for the Doctrine of the Faith, issued an "Official Catholic Response" to the proposed statement.⁽⁴⁾ After welcoming the remarkable convergence registered by the *Joint Declaration*, this response stated that it would be premature to speak of full agreement. It called for further study of half a dozen important issues on which differences remain. "Some of these differences," it said, "concern aspects of substance and [the positions] are therefore not all mutually compatible, as affirmed to the contrary in No. 40" of the *Joint Declaration*.⁽⁵⁾ On at least one point, the continued sinfulness of the justified, the response asserted that the *Joint Declaration* could hardly escape the anathemas of the Council of Trent in its Decrees on Original Sin and on Justification.⁽⁶⁾

At this stage it looked as though the *Joint Declaration* would never be signed, but a great flurry of negotiation was mounted to save it. In June 1999, three more documents were hastily issued: an "Official Common Statement," an "Annex" to that statement, and a "Note on the Annex" by Cardinal Cassidy, all explaining how, in spite of the objections expressed from both sides, the text of the *Joint Declaration* could be jointly approved, as it indeed was.⁽⁷⁾

Before I turn to the contents of the statement, let me say a further word about its scope. In the first place, it does not purport to speak for all Lutheran churches, but only for a majority of those that belong to the LWF, as the Missouri and Wisconsin synods in this country do not. Second, it restricts itself to one issue, the doctrine of justification, and does not claim to cover all aspects of that doctrine.⁽⁸⁾ It states that the teaching of the two churches on these issues as presented in the *Joint Declaration* does not fall under the condemnations issued by either party in the sixteenth century. It does not deny that the positions of the respective churches can be, and have been, presented less irenically. Third, the *Joint Declaration* does not present itself as an authoritative magisterial statement, binding on the faithful of the respective communions. It states that its purpose is to take stock of the results of the dialogues on justification so that the churches may be informed and "be enabled to make binding decisions."⁽⁹⁾

The heart of the *Joint Declaration*, as I read it, is contained in paragraph no. 15, which reads in part: "Together we confess: By grace alone, in faith in Christ's saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works." This sentence expresses the fundamental Christian understanding of justification to which both Lutherans and Catholics adhere today, as they have throughout the centuries.

The pivotal sentence I have quoted is so dense that it needs to be unpacked. Four elements deserve to be emphasized:

(1) We are brought into God's friendship not by meriting it, but by God's freely given grace. Lutherans and Catholics agree that in view of original sin, all men and women are in need of justification. As sinners we are incapable of winning God's grace. Only God, in his loving mercy, can reestablish the broken relationship.

(2) God is able to accept us into his friendship because he loves his Son, Jesus Christ, who died and rose again for our redemption. This point is not explicit in the sentence I have quoted but is stated elsewhere in the same paragraph.

(3) The process of justification does not take place only in the mind of God. The sinner has to receive God's gracious gift, a process that occurs through faith, in the absence of which justification would be impossible. By faith those who are justified recognize Jesus Christ their redeemer.

(4) God pours his Holy Spirit into the hearts of those whom he justifies, causing them to be interiorly renewed and capable of good works, which they are obliged to perform. Elsewhere in the *Joint Declaration* the gift of the Spirit is said to be given through word and sacrament, and particularly through baptism.⁽¹⁰⁾

These four points are clearly taught in Scripture and were parts of the Catholic doctrine of justification even before the Reformation. Luther and other sixteenth-century Protestants agreed with the Catholic Church on these points, but the theological climate in the sixteenth century did not lend itself to common statements that bracketed points of disagreement. Polemicists on both sides focused on the disputed points, sometimes caricaturing their adversaries.

On the one hand, Lutherans and other Protestants mistakenly accused Catholics of teaching that sinners justify themselves, meriting justification by their good works. It is good that Lutherans and Catholics can now say together that we are freely justified by God's grace, without our meriting it, and that this justification is received through faith in God's saving work in Jesus Christ. The *Joint Declaration* should put this common misunderstanding to rest.

On the other hand, Catholics have often depicted Lutherans as teaching that justification is a mere declaration on God's part that leaves the justified person as much a sinner as before. They also suspect Lutherans of holding that the justified are neither required nor able to perform good works. This, as I understand it, has never been the position of the Lutheran churches. We may therefore welcome the *Joint Declaration*, which makes it clear that in the Lutheran view of God, when He justifies sinners, God inwardly renews them. He bestows on them the gift of the Holy Spirit, who equips them for good works.

Problems, however, still remain. They are traceable, I believe, to the different perspectives in which Lutherans and Catholics view the process of justification. Impressed by the depth of human sinfulness, Lutherans are concerned to avoid anything that might seem to undermine the sovereign causality of God, to whom alone all glory is due. Catholics, without denying God's sovereignty and the pervasiveness of sin, adopt a more humanistic stance. They emphasize the freedom and dignity of human persons, whom God created in his own image and whom he raises up in Christ so as to associate them in the work of redemption. These differences of perspective play out in seven specific points taken up in chapter four of the *Joint Declaration*.

The Problematic Issues

The Nature of Justification

First, the term "justification" itself is differently understood on both sides. For Lutherans, justification consists essentially in the action of God whereby God accepts us, or declares us to be his friends, because Christ has laid down his life for us. Lutherans have generally understood the gift of the Holy Spirit, enabling us to perform good works, as a consequence of justification. They therefore distinguish between two phases: First comes justification, namely the action of God whereby he declares sinners to be righteous in view of the saving work of Christ on their behalf; then comes sanctification, whereby God pours the Holy Spirit into the hearts of believers and transforms them.

Because of their emphasis on how much God has done for us, Catholics do not limit the term "justification" to God's declaration, as though it were simply a judicial pronouncement of absolution. For them, justification includes the action whereby God makes sinners righteous. The Council of Trent in its Decree on Justification stated: "Justification itself □ is not only the remission of sins but also the sanctification and renewal of the interior person through the voluntary reception of grace and of the gifts, whereby from unrighteous the person becomes righteous, and from enemy a friend, so as to be 'an heir in hope of eternal life' (Ti 3:7)." [\(11\)](#)

It is much debated among Scripture scholars exactly what Paul meant by the term "justify" (*dikaious*). Did he mean to declare righteous or to make righteous? The Latin translation *justificare* conveys the idea of making righteous (*justum facere*). The *Joint Declaration* does not take a position on the meaning of the term, but it asserts that when God justifies he not only forgives sins but also imparts the gift of new life in Christ. [\(12\)](#) It acknowledges that Lutherans distinguish between justification itself and the renewal that necessarily follows from it. [\(13\)](#) If justification is understood in this forensic sense, however, God's judicial sentence must be seen as efficacious in the sense that it brings about what it declares. The Annex moves closer to the Catholic position. It declares, in a somewhat clumsy sentence: "Justification is both forgiveness of sins and being made righteous, through which God 'imparts the gift of new life in Christ.'" [\(14\)](#)

The Removal of Sin

Granted that justification involves God's healing action, questions still arise about the extent of the renewal. Catholics, following the Council of Trent, affirm that in justification we are renewed to such a degree that we become truly and inwardly righteous. Our sins are not simply covered over by Christ but are washed away, so that the stain of sin is removed. Lutherans, as I understand it, do not go so far, nor does the *Joint Declaration*. It seems to endorse the Lutheran view that people after being justified still remain truly sinners, although their sins are no longer imputed to them. [\(15\)](#) As the "Official Catholic Response" pointed out, this position is very difficult to reconcile with the Council of Trent, which teaches that the grace of Christ imparted in justification removes all that is sin "in the proper sense" and all that is "worthy of damnation." [\(16\)](#)

Notwithstanding the verbal disagreements, Lutherans and Catholics are both sensitive to the complexity of the problem. Holy Scripture teaches that the baptized have been reborn in Christ and have been made heirs of eternal life. They are strengthened by God's loving presence within them, but experience also teaches that we remain weak and subject to temptations. We fall into sin so often that in the Lord's Prayer we ask daily for forgiveness. [\(17\)](#) Like the Lutheran Confessional Documents, the Council of Trent recognized that sanctification is a lifelong struggle in which we repeatedly yield to our selfish desires.

At this point the difference becomes extremely narrow. Catholics recognize that even the justified remain prone to sin, and often do sin, but they are convinced that the interior renewal delivers all from any compulsion to sin further. The *Joint Declaration*, describing the Lutheran position, says that sin no longer rules in the justified, but is ruled by Christ who is at work in them.⁽¹⁸⁾ This I take to be practically equivalent to the Catholic position as I have just explained it.

Catholics can therefore admit a large measure of truth in the Lutheran formula, "Justified and sinner at the same time" (*simul justus et peccator*). Our faith, our hope, and our love are feeble. Catholics continue to hold, however, with the Council of Trent, that in baptized believers the moral weakness resulting from original sin (technically called "concupiscence") is not itself truly sin. It does not make us guilty in God's eyes and deserving of punishment. On this point, Catholics and Lutherans, as I understand it, still disagree.

The traditional disagreements, however, have been significantly narrowed. Some early Lutheran formulations so heavily accented the separation between justification and sanctification that the first seemed almost unconnected with the second. The Council of Trent, reacting against this exaggeration, emphasized the inseparability between justification and sanctification, but it perhaps paid less attention than it might have to the imperfect degree to which we are sanctified, and to our constant need to rely upon God's mercy to make up for our shortcomings. In the prayers of the saints and in the liturgy, the need of Christians for forgiveness is a constant theme. The *Joint Declaration* can perhaps stimulate Catholic preachers and theologians to reflect more deeply on the Christian's abiding need for mercy.

Human Cooperation

As you would expect from what I have already said, Lutherans tend to minimize human cooperation, while Catholics tend to magnify it. For Catholics the dignity of the human being requires that we be not manipulated like puppets but invited to accept God's gifts by the exercise of our free will. Lutherans, evidently fearing that this would be a cause for boasting and would detract from the sole glory of God, sometimes speak as though human beings are merely passive in receiving justification. The *Joint Declaration* reports that Lutherans affirm this pure passivity, but it adds that they do not deny that believers are personally involved in the reception of God's word.⁽¹⁹⁾ The Annex says that Lutherans, while insisting that God effects everything, hold that the working of grace includes human action. It then quotes the Lutheran Formula of Concord to the effect that we can and must cooperate -- but this statement has reference not to justification itself but to the work of sanctification, which the Formula of Concord treats as a subsequent step.⁽²⁰⁾

Here as elsewhere, the *Joint Declaration* narrows the divergence without eliminating it. In view of the limited convergence, we may perhaps say that the present disagreements on this issue are matters of theological understanding and do not directly contradict the gospel.

Good Works and Merit

According to Catholic doctrine, no one is in a position to merit without having first been justified, but when justified persons perform good works with the help of grace, they truly please God, so that God can call them "good and faithful servants" and give them the wages of eternal life. Thus we do merit, even though our merits are totally dependent on God's gracious assistance. The reward of eternal life far exceeds all that we could claim apart from God's gracious promise. The reality of merit, however, should not be denied. Justified believers who freely cooperate with divine grace may

be said to earn the promised "crown of righteousness" (2 Tim 4:8). If God were to send saints to hell, he would not be the "righteous judge" that we, like Paul before us, know him to be.

Lutherans, as I have already indicated, agree that those who are justified receive the Holy Spirit and thereby become capable of good works, which are indeed required of them. Luther and Melancthon occasionally stated that the justified by their good works merit certain rewards.(21) Most Lutherans today, however, fearing that any mention of merit might give ground for complacency or boasting, refrain from saying, as Catholics do, that the righteous can merit anything in this life or the next. Instead, they usually speak of good works as fruits and signs of justification.

The *Joint Declaration* softens the opposition by teaching that when Catholics speak of merit they mean that "a reward in heaven is promised." (22) This is true enough, but it is incomplete because it fails to say that the reward is a just one. Without reference to justice, the true notion of merit would be absent.

Sufficiency of Faith

The slogan "by faith alone" (*sola fide*) is a fundamental mark of Lutheranism. Many Christians suppose that this doctrine is biblical, perhaps because according to some translations, Paul in Romans 3:28 speaks of justification by "faith alone." The word "alone," however, is not found in the Greek text; Luther inserted it in his 1522 translation. The only mention of "faith alone" in the New Testament is in James 2:24, which says that "a man is justified ... not by faith alone." Paul, in 1 Corinthians, chapter 13, teaches that faith will not profit a person for salvation unless it is accompanied by love (1 Cor 13:1-3). Trent, disavowing the doctrine of "faith alone," taught that faith cannot justify unless it is accompanied by hope and charity and is fruitful in good works.(23) "If you would enter into life," said Jesus, "keep the commandments" (Mt 19:17).

Why, you may ask, do Lutherans insist on faith alone? The best answer is not to be found in any biblical texts but in Luther's mystical theology. Faith, for him, is the means by which believers appropriate the saving work of Christ on their behalf. Faith lives off its object, which is Christ the redeemer. It is much more than an intellectual or theoretical assent. Luther called it the wedding ring that seals our mystical marriage with Christ, so that his righteousness now belongs to us.(24) Through a wonderful exchange, Christ takes on our sins, and we allow ourselves to be drawn into Christ's existence, so that we live in him and he in us. If faith is understood in this pregnant sense, it involves much more than imputation. It includes the indwelling of Christ and leads spontaneously to good works. Catholics can agree that faith, so understood, is sufficient for justification.

As in the other points we have considered, Lutherans and Catholics, approaching the problem from different perspectives, use different concepts and mean different things by the same words. For this reason it is extremely difficult to sort out the agreements and disagreements. Catholics, reading the Scriptures through the lens of Scholastic tradition, delight in making neat distinctions among the theological virtues of faith, hope, and charity. Protestants, following Luther, often use the word "faith" in a comprehensive sense that includes much of what Catholics would assign to the categories of hope and charity. By "faith alone" Lutherans do not mean faith without hope and charity but faith that is not earned by prior good works. If this is meant, the formula "faith alone" should not cause difficulties.

The *Joint Declaration* holds that when Lutherans speak of justification through faith they mean living faith -- faith that is active through love.(25) Faith, it goes on to say, brings believers into communion

with their Creator and Lord.(26) Catholics hold the same with regard to living faith, but the *Joint Declaration* adds that according to Lutherans faith does not exist without renewal and justification.(27) Trent and the whole Catholic tradition maintain on the contrary that the gift of faith can exist in the absence of love and repentance. The Council of Trent taught this under anathema. The *Joint Declaration* fails to explain why canon 28 of Trent's *Decree on Justification* does not apply to Lutherans today.

Law and Gospel

Luther drew a sharp opposition between the two. The law, for him, exacts compliance. By requiring more of us than we can perform, it disposes us to receive the gospel -- that is to say, to throw ourselves on God's mercy in Jesus Christ. Catholics hold that God never commands us to do more than we are capable of doing, at least with his grace. His commands may be difficult to obey, but never impossible. The law of Christ is not opposed to the gospel but is an integral part of the gospel; it provides norms by which Christians are to live.

The *Joint Declaration* proposes a position on law and gospel that comes very close to the standard Catholic doctrine.(28) It makes no mention of the anathema directed by Trent against those who hold that God demands the impossible.(29)

Assurance of Salvation

A final point of friction is the assurance of salvation. Lutherans have commonly held that we do not have faith unless we believe beyond doubt that we will be saved. Catholics, by contrast, are content to speak of a well-founded hope of salvation, which is combined with the sobering realization that we could fall away and be lost. Thus faith does not include in its object the certainty that we as individuals will be saved. On this point, as on law and gospel, the *Joint Declaration* comes up with a mediating formulation to which Catholics can hardly object:

We confess together that the faithful can rely on the mercy and promises of God. In spite of their own weakness and the manifold threats to their faith, on the strength of Christ's death and resurrection they can build on the effective promise of God's grace in word and sacrament and so be sure of this grace.(30)

Centrality of the Doctrine of Justification

Although I have dealt with all seven issues listed in chapter four of the *Joint Declaration*, I should like to add one final issue mentioned in chapter three: the relative standing of justification in the hierarchy of Christian doctrine. Lutherans rather commonly quote Luther to the effect that justification is "the article on which the Church stands or falls" and the supreme criterion of all right teaching. Catholics regard adherence to the doctrines of the Trinity and the Incarnation, set forth in the early Christian rule of faith, as more fundamental. Paragraph no. 18 of the *Joint Declaration*, giving a little to both sides, states that, while the doctrine of justification has special significance, it is interrelated with all other truths of faith. The "Official Catholic Response" indicated some dissatisfaction with this compromise.(31) Strict Lutherans, for their part, feel that the *Joint Declaration* did not sufficiently protect the centrality of the doctrine of justification. Here, as on so many points, the *Joint Declaration* builds a shaky bridge that does not satisfy the guardians of orthodoxy on either side.

The Resulting Situation

As a Catholic, I enthusiastically embrace the basic consensus expressed in paragraph 15. I also feel that I can live with what the *Joint Declaration* says on most of the disputed points: for example, the transformative character of justification, justification by faith, law and gospel, the assurance of salvation, and the normativeness of the doctrine of justification. The *Joint Declaration* registers a promising rapprochement between Lutheran and Catholic teaching on the issues just named, but I recognize that some Lutherans are dissatisfied with the *Joint Declaration* on these very issues. I understand why they feel that it has done less than justice to the Lutheran tradition.

Catholics will have their own difficulties with the *Joint Declaration*. The "Official Catholic Response" expressed dissatisfaction with its handling of the sinfulness of the justified, with cooperation, merit, and the criteriological primacy of the doctrine of justification. It also objected to the omission of any treatment of the recovery of lost righteousness through the sacrament of penance. While sharing many of these concerns, I would add three more difficulties, two of which I have already mentioned. The *Joint Declaration*, contrary to Trent, finds no error in the position that there can be genuine faith that falls short of justifying faith.⁽³²⁾ The *Joint Declaration* does not treat the question of whether God commands the impossible. Third, the *Joint Declaration* fails to address the vast question of satisfaction. According to Catholic doctrine, reparation may be needed even after the guilt of sin has been forgiven. Problems about satisfaction underlie many of the Reformation disputes, such as Purgatory, Indulgences, penitential practices, and the satisfactory value of the Mass. The doctrine of satisfaction, I grant, impinges on many issues besides justification, but it cannot be excluded from justification, as canon 30 of Trent's decree makes evident.⁽³³⁾

In view of these unsolved questions, it would be too much to claim that the inveterate disagreements between Lutherans and Catholics on justification have been overcome. The *Joint Declaration* does not claim that they have. It admits that it "does not cover all that each church teaches about justification."⁽³⁴⁾ It claims only that the sixteenth-century condemnations do not apply to the Catholic and Lutheran churches that signed the *Joint Declaration* insofar as their positions are presented in the *Joint Declaration* itself.⁽³⁵⁾

Whether a Lutheran can say that the condemnations in the *Book of Concord* no longer apply to Catholics is a question for them to answer. It cannot be denied that Catholics today continue to hold the doctrines of Trent that the editors of the *Book of Concord* cite in footnotes as being contrary to Lutheran teaching, and the Lutherans with whom I have spoken generally take positions contrary to the canons of Trent. Therefore, I wonder how the *Joint Declaration* could conclude that the condemnations pronounced by Trent and the Lutheran confessions, even on the selected issues treated in the *Joint Declaration*, no longer apply.

The reasoning seems to be that in view of the consensus on the basic doctrine of justification and the convergences achieved in theological dialogue on the eight disputed issues, the remaining disagreements can be seen as "differences of language, theological elaboration, and emphasis," and therefore as not warranting condemnation. More than this, it indicates that the two communions, while adhering to the doctrines enshrined in their confessional books, can find the positions condemned by those books as "acceptable."⁽³⁶⁾ Does this mean that the Lutheran teachings may now be preached and taught in Catholic churches and seminaries, and that Lutherans will allow the Catholic positions to be taught as true in their pulpits and theological chairs? I can hardly think so.

Because of problems such as these, I am of the opinion that the *Joint Declaration* tried to accomplish too much. It would have done better to limit itself to the basic consensus of paragraph 15, which had been carefully worked out in several theological dialogues. It went beyond the findings of the dialogues in asserting that the "remaining differences" were "acceptable." No one should think that we have reached the end of the road. The *Joint Declaration*, like most of the dialogues, clings to the conceptuality and language of the sixteenth-century formulations. Without infidelity to them, we can perhaps enrich them by rereading them in the light of Holy Scripture, the Fathers, and the traditions of Christian worship. Since other Christian communions, such as the Orthodox, Anglican, Methodist, and Reformed, have a long tradition of reflection about justification, we can perhaps avail ourselves of their help. In so doing we may hope to achieve what the *Joint Declaration* did not achieve: an interpretation of the biblical message that Lutherans, Catholics, and others can proclaim together. By setting the existing disagreements in the framework of a basic consensus on the central truths, the *Joint Declaration* paved the way for the common approach just proposed. The formulations of the Reformation era, valuable though they undoubtedly are, may need to be nuanced and completed so as better to convey the meaning imperfectly expressed in them. In other words, both communions are being summoned to develop their own doctrine.

Convergence and consensus on the divisive issue of justification will greatly advance the cause of Christian unity. Since the disagreements have impeded the Church's missionary effort, progress toward agreement will contribute to the "new evangelization" for which the present pope has been calling. Without the slightest compromise in matters of truth, Christians of different traditions must seek ways to proclaim together this central article of faith. •

Notes

1. The Lutheran World Federation and the Roman Catholic Church, *Joint Declaration on the Doctrine of Justification* (Grand Rapids, MI: Eerdmans, 2000); also published in *Origins* 28 (July 16, 1998): 120-127.
2. The figures are variously reported. I here follow the tally given by Aidan Nichols in his "The Lutheran-Catholic Agreement on Justification: Botch or Breakthrough?" *New Blackfriars* 82 (September 2001): 377-78.
3. The number of signers is likewise variously reported. I take the total from Nichols, 378. Some of these signatures were added after the document was issued.
4. Doctrinal Congregation, Unity Council, "Official Catholic Response to Joint Declaration," *Origins* 28 (July 16, 1998): 130-132.
5. *Ibid.*, Clarifications, no. 5, p. 131.
6. *Ibid.*, Clarifications, no. 1, p. 130.
7. These three documents may be found in *Origins* 29 (June 24, 1999): 85-92. The "Official Common Statement" and the "Annex" are also in the Eerdmans publication of the *Joint Declaration*

8. The "Official Catholic Response" (Clarifications, no. 4, p. 131) notes that the recovery of lost righteousness in the sacrament of penance is not adequately treated.

9. *Joint Declaration*, no. 4.

10. *Joint Declaration*, nos. 16, 25.

11. Chapter 7; DS 1528.

12. *Joint Declaration*, no. 22.

13. *Joint Declaration*, no. 26.

14. Annex, no. 2A.

15. *Joint Declaration*, no. 22, says that Lutherans and Catholics can confess together that when people receive new life in Christ through faith, "God no longer imputes to them their sin." I do not see how Catholics can say this in fidelity to their magisterial teaching.

16. *Joint Declaration*, no. 30, quoting Trent, DS 1515.

17. *Joint Declaration*, no. 28.

18. *Joint Declaration*, no. 29.

19. *Joint Declaration*, no 21.

20. Annex, no. 2C.

21. Luther, in his 1535 *Commentary on Galatians* 3:10, distinguishes between faith in the abstract and concrete, embodied faith. Of the latter he writes: "It is no wonder, then, if merits and rewards are promised to this incarnate faith, such as the faith of Abel, or to faithful works" (*Luther's Works*, vol. 26 [St. Louis: Concordia, 1963], 265).

Melanchthon in his *Apology for the Augsburg Confession* declares: "We teach that good works are meritorious -- not for the forgiveness of sins, grace, or justification (for we obtain these only by faith) but for other physical and spiritual rewards in this life and in that which is to come" (*Apol.* 4:194; *Book of Concord* [quarto edition] [Philadelphia: Fortress, 1959], 133; cf. 4:367, p. 163). In another edition (Minneapolis: Fortress, 2000), the *Book of Concord* states: "Since therefore works constitute a kind of fulfillment of the law, they are rightly said to be meritorious, and it is rightly said that a reward is owed to them" (4:358, p. 171).

22. *Joint Declaration*, no. 38.

23. DS 1530-31.

24. See, for example, Luther's "The Freedom of a Christian," in *Martin Luther's Basic Theological*

Writings, ed. Timothy F. Lull (Minneapolis: Fortress, 1989), 603-604.

25. *Joint Declaration*, no. 25.

26. *Joint Declaration*, no. 26.

27. Ibid.

28. *Joint Declaration*, no. 31.

29. DS 1568.

30. *Joint Declaration*, no. 34.

31. "Official Catholic Response," Clarifications, no. 2, pp. 130-131.

32. *Joint Declaration*, no. 26.

33. DS 1580.

34. *Joint Declaration*, no. 5.

35. *Joint Declaration*, no. 41.

36. *Joint Declaration*, no. 40.

*Biographical information is true at time of publication.