

Simul Iustus et Peccator:

Ecumenical Reflections on the Lutheran–Roman Catholic *Simul* Controversy

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Abstract: The teaching that a believer is simultaneously righteous and a sinner, that is, *simul iustus et peccator* is highly valued in the Lutheran confession. In the Roman Catholic Tradition, however, it is simply unacceptable. In recent years, in ecumenical circles, many efforts have been made without avail to overcome these differences. Therefore, this paper is an attempt to contribute to the *simul* debate in a bid to overcome the ecumenical impasse on this doctrinal issue.

The question that lurks at the background of the article is: how can Lutheran and Roman Catholic churches come to view the content of the *simul* teaching in a way that no longer keeps the churches divided? Succinctly, we will be engaged into an inquiry of how to ecumenically view the *simul* question in a way that it ceases to be a stumbling block on the road towards the unity of the churches. In doing so, we shall argue that it is possible for both traditions to realize the unity of the churches if both partners view the *simul* problem as a theologoumenon. Thus, understood then, the *simul* teaching, no longer possesses the divisive power between the two churches.

Introduction

One of the most controversial and divisive issues between the Lutheran and the Roman Catholic traditions, no doubt, is the teaching that the justified is *simultaneously* righteous and a sinner. This has traditionally come to be referred to as the *simul iustus et peccator* (Hereafter: *simul*). Upon closer

examination, however, the issue behind this teaching is in fact, much more complicated than the formula suggests. In any case, the *simul* can be seen as the core of the ecumenical debate on justification, because to it all the other controversial issues on justification return. Therefore, this study is an attempt to contribute to the *simul* debate in a bid to break open the ecumenical impasse on this particular issue. It is perhaps important to indicate that there are many complex issues surrounding the *simul* question. However, it is not our intention to solve all the problematic issues surrounding the *simul*. On the contrary, we would like to set a modest goal by focusing on concupiscence as one of the problems.

The question that lurks at the background of this essay is how the *simul* could be viewed in a bid to attain visible unity between Lutheran churches and Roman Catholic Church without ignoring the concerns of either tradition. In doing so, we shall ultimately argue that disagreement between the two churches may be overcome if the *simul* is viewed as a theologoumenon. By theologoumenon, we mean a theological opinion, which could be formally accepted by the two churches, albeit, each of them might consider the content of such statement differently.¹ Such a perspective, however, should not in any way undercut the basic truth of the normative Christian faith.

Undoubtedly, understanding the *simul* as a theologoumenon, may resolve the *simul* controversy, thus safeguarding the unity of the churches without trivializing the concerns of either church. Needless to say, as Peter De Mey argues, that such unity is “the fruit of the salvific death of Christ Jesus, but it

¹ Jean-Miguel Garrigues employs the concept *theologoumenon* as a means through which to resolve the *filioque* controversy between Western and Eastern Churches. Read especially: Jean-Miguel Garrigues, ed., *A Roman Catholic View of the Position Now Reached in the Question of the Filioque*, ed. Lukas Vischer, *Spirit of God, Spirit of Christ: Ecumenical Reflections on the Filioque Controversy*, vol. 103 (Geneva: World Council of Churches, 1981), 149-163, 157.

will also require of our churches a discipline of self-sacrifice”.² This self-sacrifice involves accepting as legitimate the theological opinion of the other church. In this regard, it is not the purpose of this paper to show which side is right and which one is wrong regarding this complex issue. The goal of this essay is to indicate how the two traditions understand the *simul* differently and how the conception of the *simul* as a theologoumenon can help dispel the doctrinal tensions and strengthen the unity of the churches. Let us then get started by exploring the background of the problem.

1.0 Background to the *Simul* Teaching

The *simul* doctrine, like any other doctrine, has a specific background and practical reference to the quest for Christian unity. Informed by this fact, this essay will proceed in four steps: first of all, we will offer brief background information about the idea that a Christian is at once righteous and a sinner. Secondly, before turning to the teaching of Martin Luther (1483–1546) regarding the *simul*, we will briefly analyse the position of Saint Augustine of Hippo (354–430). Thirdly, we will make a brief survey of how the *simul* has been handled in the Lutheran–Roman Catholic dialogues. Fourthly, we will offer our contribution to the *simul* debate. Finally, we will end our study with some concluding remarks.

1.1 Augustine on *Concupiscentia* and the *Simul*

As a preliminary remark, it is perhaps helpful to note that the teaching that a believer is *at once justified and a sinner* is hardly the creation *de novo* of Martin Luther; itself having been articulated first by Augustine. In this regard, Luther himself asserts: “I am neither the first nor the only man to say this [*simul*] since the Apostle. For Augustine: ‘[A]ll sin is forgiven in

² Peter De Mey, *A Call to Conversion: An Analysis of the Princeton Proposal for Christian Unity*, in *Rethinking Ecumenism*, ed. Freek Bakker (Meinema: Zoetermeer, 2004), 211-228, 211.

baptism, not so that it no longer exists, but so that it is no longer imputed.”³ Nevertheless, although Augustine is believed to have begun the *simul* teaching, Luther is considered the main defender of this article because he taught and wrote radically about it. The *simul* teaching was an attempt by Luther and the Reformers to articulate the relationship between the most righteous God and the utterly sinful human beings. The *simul* teaching was not just meant to disapprove self-righteousness but also to encourage the scrupulous and despairing conscience that they may trust in God’s mercy alone. Let us now turn to Augustine’s insights regarding the *simul*.

Augustine’s insights into the *simul* evidently springs from his theological reflection on original sin, grace and election. For Augustine believes that even after baptism, the effect of original sin, namely, concupiscence remains in the justified. From the context of Augustine’s soteriology, concupiscence is the root cause of all subsequent sins. Already, in his 396 essay to *Simplician: De diversis quaestionibus ad Simplicianum*, Augustine defines concupiscence as “perversity and lack of order, that is, turning away from the Creator who is more excellent, and a turning to creatures which are inferior to him”.⁴ Therefore, for him, the core of concupiscence is disregard for God.

In order to understand better what the problem between concupiscence and *simul* is, we need to have a closer look at Augustine’s soteriology. For Augustine, before the fall of Adam, humankind was blessed and enjoyed communion with God (Gen. 3:1–24). After the primal sin, however, humankind was subject to sin and guilt, thus rendered helpless.⁵ The bishop of Hippo is deeply convinced that the responsibility for, and effects of this

³LW 32:209.

⁴ St. Augustine, *De diversis quaestionibus ad Simplician*, 1.2.18. See also Jesse Couenhoven, “St. Augustine’s Doctrine of Original Sin,” *Augustinian Studies* 36, no. 2 (2005): 359-396, 377.

⁵ St. Augustine distinguishes between primal sin and original sin. The former refers to the first sin committed by Adam and Eve, whereas the latter, refers to the effects that originate from the primal sin. St. Augustine, *De civitate Dei*, XIV 11, 26.

sin fall on all human beings because symbolically all humankind was present in Adam's loins at the time of the fall.⁶ Therefore, sin came into the world through one person, and death came through sin and so death spread to all *in whom* all have sinned.⁷ The phrase *in whom* has been variously interpreted; however, due to the focused nature of our study we shall not enter into this discussion. Nevertheless, it suffices for the moment to note that Augustine translates it as implying human solidarity with Adam's sin in virtue of their presence in Adam's seed. Moreover, for him, original sin and its effects, namely, death can only be cleansed through the baptismal grace. In the *De civitate Dei*, Augustine further asserts that it is through baptism that one is set free from original sin. For him, no one can enter the Kingdom of heaven "except a man who is born of water and the Holy Spirit".⁸ For the bishop of Hippo, even after justification, evil desire (*vitium*) or concupiscence still remains in the justified.

However, Augustine, unlike Luther is very optimistic about *concupiscentia carnis* in that even if it leads to sin, it can and must be overcome; thanks to the grace of God and the good desire of the spirit or *concupiscentia spiritus*. Furthermore, he does not equate concupiscence to original sin but rather considers it to be a sign of, and a punishment for the original sin. Accordingly, in his *Contra duas Epistulas Pelagianorum*, the bishop of Hippo maintains with regard to *concupiscentia carnis*:

Even if it is called *sin*, it bears that name, *not because it is a sin*, but because it is produced by a sin [...] this concupiscence of the flesh is *itself forgiven* in baptism so that, though it is contracted by those who are born, it does no harm to those

⁶ For St. Augustine, the whole human race participated in some way in the sin of Adam because whoever is born of the seed of Adam was already present in him in a mysterious way (*omnes enim fuimus in illo uno quando omnes fuimus ille unus*, Augustine), Read especially, St. Augustine, *De civitate Dei*, XIII, 14.

⁷ Couenhoven, St. Augustine's Doctrine, 363.

⁸ St. Augustine, *De civitate Dei*, XIII, 7, 417. Confer Anthony Lane, *Justification by Faith in Catholic-Protestant Dialogue: An Evangelical Assessment* (New York, NY: Continuum, 2002), 45.

who are reborn [...] since its guilt contracted by birth has been forgiven by rebirth. For this reason *it is no longer* a sin, though it is called a *sin*.⁹

Contrary to this opinion, the Council of Trent itself maintains that justification does not only consist in “the forgiveness of sins but also in the sanctification and renewal of the inward being by a willing acceptance of the grace and gifts whereby someone from being unjust becomes just, and from being the enemy becomes a friend, so that he is an heir in hope of eternal life”.¹⁰ It is therefore striking that Augustine, Luther and the Council of Trent, hold that in justification, a Christian is inwardly renewed, regenerated and incorporated into Christ, not just completely, but really. For Augustine, however, although the disordered desires remain, both the guilt and sin is counted as forgiven.

1.2 Martin Luther’s Teaching on the *Simul*

As expected, Martin Luther concurs with Augustine’s idea that in virtue of the primal sin, humankind is sinful and incapable of its own salvation. However, God forgives sinners and justifies them for Christ’s sake. In the *Disputation Concerning Justification* of 1536, as in his *Romans Lectures*, Luther emphasizes that one is justified by faith alone and receives forgiveness of sins but the justified remains *simul iustus et peccator*.¹¹ What this provides for our understanding is that in as far as sinners are reckoned to be holy before God, for Christ’s sake, they are righteous; yet, insofar as they continue to sin until death, they are sinners. However, God really takes “sin

⁹ St. Augustine, Answers to the Two Letters of the Pelagians (*Contra Duas Epistulas Pelagianorum*), 1.13.27.

¹⁰ The Council of Trent, Decree on Justification: Decretum De Iustificatione, in *Decrees of the Ecumenical Councils: Trent - Vatican II*, ed. Norman Tanner and Giuseppe Alberigo (London: Sheed & Ward, 1990), 671-683, no. 7.

¹¹ LW 25:260. See also LW 34:167 and WA 391,563-4.

in such a way that it does not remain sin, because he begins materially to purge and to forgive completely”.¹²

In his work, *Against Latomus* of 1521, Luther refutes the argument of the Louvain theologians, as presented by Latomus who holds that no sin remains in the justified after baptism.¹³ Luther thus argues: “it must not be said that baptism does not remove all sins; it indeed removes all, but not their substance. The power of all, and much of the substance, are taken away”. He further maintains that “even after forgiveness there is still sin, but it is not imputed”.¹⁴ For him, the sin that remains in the justified is in its nature truly sin; but only according to substance, and not in its quantity, quality, or action, for it is totally passive.¹⁵ For this reason, the believer is not yet completely the person of faith in whom Christ lives; he or she still remains the old Adam, the man of flesh. Therefore, believers are helpless sinners who are daily in need of forgiveness. For Luther, the reality of sin remains, then, perpetually in this life, until the *parousia* when at last all the elect will be made perfectly righteous. In order to demonstrate that the believer is at once righteous and a sinner, Luther uses the metaphor of a sick person before the doctor. Thus Luther can argue:

Justification is similar to the case of a sick man who believes the doctor who promises him a sure recovery and in the meantime obeys the doctor’s order in the hope of the promised recovery [from his sinful tendencies] and abstains from those things which have been forbidden him [by the doctor], so that he may in no

¹²LW 34:167.

¹³LW 32:157. Latomus (1475-1544), previously known as Jacobus Masson, was a professor of the faculty of theology of the University of Louvain in Belgium in 1520s. Latomus together with other theologians of the University of Louvain openly condemned Luther’s writings as early as 1519. For more read *Facultatis theologiae Lovaniensis doctrinalis condemnatio Martini Lutheri*, WA 6, 175. Following Luther’s response, the professors led by Latomus published a comprehensive defense of the original condemnation entitled: *Articulorum doctrinae fratris M. Lutheri per theologos Lovaniensis damnatorum ratio ex sacris literis et veteribus tractoribus* (1521). It is against the latter work that Luther published *Against Latomus* whose subject matter is the teaching that a believer is *simul iustus et peccator*.

¹⁴LW 32:209. See especially LW 32:201.

¹⁵LW 32:209.

way hinder the promised return to health or increase his sickness until the doctor can fulfil his promise to him.

Then, follows the core of the *simul*:

Now is this sick man well? the fact is that he is both sick and well. He is sick in fact but he is well [regarded as righteous] because of the sure promise of the doctor, whom he trusts and who has reckoned him as already cured, because he is sure that he will cure him.¹⁶

In light of the teaching that the justified is at once a sinner and righteous, however, one may rightly ask the following questions: is there any ontological transformation of the justified? Is one totally righteous and totally a sinner? Or is one partly righteous partly a sinner? Is one *at once* righteous and a sinner or already made righteous but then continues to sin? These questions constitute the core of the *simul* debate. We will attempt to answer these questions by clarifying certain points of view.

In order to understand better Luther's teaching regarding the *simul*, it is perhaps helpful to introduce a number of concepts and make some distinctions. The primary distinction we will make use of is one between two ways in which the believer can be regarded as *simul iustus et peccator*. First, the believer can be viewed as *simul iustus et peccator* in a sense of being partly just and partly a sinner. We will call this a *partim/partim* reading of the *simul*.¹⁷ Second, the believer can be said to be *simul iustus et peccator* in the sense of being totally just, and totally a sinner.¹⁸ We will call this a *totus/totus* reading of the *simul*. Additionally, in order to describe the Lutheran view, we need both the abovementioned readings at the same time.

¹⁶ LW 25:63 See also Rom 7:15 and Ted Dorman, Justification as Healing: The Little-Known Luther, *Quodlibet Journal of Christian Theology and Philosophy* 2 (2000): 1-12, 3.

¹⁷ WA 38:204. Compare with: Paul Althaus, *The Theology of Martin Luther*, trans. Robert Schultz (Philadelphia, PA: Fortress, 1970), 227.

¹⁸ WA 391:563-4. See also: Althaus, *The Theology of Martin Luther*, 229.

In order to explain how this is possible we need to delve a little deeper into the view of reality behind a different understanding of the *simul* question. We do so by introducing a second distinction, namely, between ‘substance ontology’ and ‘relational ontology.’ Substance ontology is a view of the identity of a being of something (*esse*) in terms of its own properties rather than their relation to other beings. Relational ontology, then, refers to an identity of a being of something in terms of its relationship with other beings.¹⁹ Thus, in the “relational” sense, something is “what it is” in relation to some other object.

Drawing upon this twofold distinction, we can now make an attempt to describe the Lutheran idea that a believer is at once justified and a sinner. Lutherans maintain that the justified is *totus* righteous and *totus* sinful from the point of view of relational ontology. That means the identity of the Christian is now no longer defined in terms of the believer’s nature, but in terms of his or her relationship to Christ. Thanks to this relationship, one can now be considered as *totus* righteous, however, not on account of what is in oneself but on account of what is found in Christ. On account of oneself, that is, to speak, in terms of substance ontology, one is still *totus a sinner*.

Hence, one is righteous “through the forgiveness of sins, that is, through the judgment of God who accepts him as righteous for Christ’s sake; and he is a sinner in himself, that is, as he now exists as a human being”.²⁰ The relational approach and *totus/totus* reading of the *simul* excludes any merit

¹⁹ Philosophically understood, “an ontology of substance is an account of the being or identity of things in terms of their individual properties rather than their relations to other beings. A relational ontology, then, is an account of the being of things in terms of their relations to other things, or at least an account in which the relations of beings with each other constitute their being as an individual.” Confer: Maarten Wisse, Towards a Truly Relational Theology: A Conversation with F. Leron Shults, *Ars Disputandi* 4 (2004); available at <<http://www.arsdisputandi.org/index.html?http://www.arsdisputandi.org/publish/articles/000160/index.htm>>, accessed on 17.04.2007.

²⁰ LW 32:107. See also: Althaus, *The Theology of Martin Luther*, 242.

on the part of the believer. It makes it also impossible to account for the justification of believers in terms of becoming just in themselves, as in the Roman Catholic understanding of justification. It is clear enough that relational ontology always goes with the *totus/totus* reading of the *simul*. The *totus/totus* reading, however, is not the only aspect of the Lutheran doctrine of justification.

This leads us to the next insight, namely, that the sinner is also said to be partly righteous and partly sinful that is the *partim/partim* reading of the *simul*. This description of the *simul* presupposes substance ontology. The *partim/partim* reading of the *simul*, which is also reflected in Luther's work *Freedom of a Christian*, elicits two insights. First, that there is in the believer a part which is already in Christ, "in heaven" as Luther, following St. Paul describes it. Second, the *partim/partim* reading also sees in the believer a part which is still on earth, in the flesh. This demonstrates the dialectic between the already and the not yet, thus one is a sinner *in re* but justified *in spe* as Luther himself metaphorically asserts:

The person who believes in Christ is righteous and Holy through a divine imputation [...]. But while we are lifted up into the bosom of the Father and are clad with finest raiment, and our feet reach out below the garment, and Satan bites them whenever he can. Then the child struggles and cries out and realizes that he is still flesh and blood and that the Devil is still there, and plagues constantly, until the whole man grows holy and is lifted up out of this wicked evil world.²¹

In this latter reading of the *simul*, there is much more room for taking the inward righteousness of the believer into account by speaking of inward renewal and good works through the work of the Holy Spirit. Even then, one still remains a sinner, for as Luther himself argues, "there is not a righteous man on earth who does good and sins not".²² Indeed for Luther, one is *totus/totus* a sinner before, during and after justification. Having heard from

²¹ WA 39: 252, 8-12. See also: LW 25:258.

²² I Kg 8:46. Read also LW 32:180.

Augustine, Luther and the Council of Trent, let us now turn to recent ecumenical reflections on the *simul* controversy.

2.0 Recent Efforts at Overcoming the *Simul* Controversy

In the Lutheran-Roman Catholic discussions, the *simul* issue is normally taken up in the context of ecumenical dialogues dealing with justification. For the first time, the *simul* issue was discussed during the 1983 Lutheran–Roman Catholic dialogue in the USA. The USA dialogue was carried out under the auspice of the *Lutheran World Federation (LWF)*, the USA National Conference of the Catholic Bishops and the Lutheran church Missouri Synod.²³ During the dialogue, the two churches asserted that a justified person is truly regenerated, renewed and sanctified and hence, one is a new creature. In this regard, both dialogue partners were able to assert:

Justification is a transition from disfavor and unrighteousness to favor and righteousness in the God's sight and that this is totally God's work. By justification we are both declared and made righteous. Justification therefore is not a legal fiction. God, in justifying, effects what he promises; he forgives sin and makes us truly righteous.²⁴

Lutherans however, defended the view that even if one is renewed and sanctified, one remains at once righteous and sinful, hence a need for a lifelong struggle with sin. In response, Catholics maintain that in baptism all sin, effects of sin and the guilt thereof (*reatus culpae*) are cleansed. Thus, concupiscence and other effects of sin remain in the justified and for this reason one has to continually ask for forgiveness. In this connection, George Lindbeck believes that these perspectives are indeed reconcilable.²⁵ It is

²³ All references to the document *Justification by Faith* will be taken from: George Anderson, Austin Murphy, and Joseph Burgess, eds., *Justification by Faith: Lutherans and Catholics in Dialogue*, vol. VII (Minneapolis, MN: Augsburg, 1985). (Hereafter: *JF*).

²⁴ *JF* 156, 5

²⁵ George Lindbeck, A Question of Compatibility: A Lutheran Reflects on Trent, in *Justification by Faith: Lutherans and Catholics in Dialogue*, ed. George Anderson, Austin Murphy, and Joseph Burgess (Minneapolis, MN: Augsburg, 1985), 230-240. See also *JF* 102.

striking to see how close Lutherans and Catholics are when they both maintain that the Holy Spirit does not exempt a Christian from a lifelong struggle against sinful tendencies. This conversation, however, ended with a divergent set of concerns with regard to the *simul*. Thus, Catholics remained concerned about labelling *concupiscentia* sin and Lutherans wondered whether Catholics are not overlooking the seriousness of sin.

In the second instance, the *simul* question was taken up in the German dialogue.²⁶ Building on the USA dialogue, both partners believe that the justified is renewed and sanctified, but there remains in the believer a tendency to sin, namely, *concupiscentia*. It is further conceded that *concupiscentia* is indeed opposed to God; however, it does not separate the believer from God because it has been forgiven. For the Reformers, however, *concupiscentia* is “understood as sin, not in the ethical sense, as actual sin, but as the sin rooted in the person and which lies at the root of all ethical sins, and it can also be used as a term for original sin”.²⁷ Nevertheless, after baptism, concupiscence becomes a ruled sin or *peccatum regnatum*. While Catholics, faithful to the Council of Trent, maintain that *concupiscentia* which the Apostle called *sin* (Rom 6:12), has never been understood as truly sin but that it is from sin and inclines to sin.²⁸ This position is diametrically opposed to the Lutheran teaching on the status of a baptized believer.

²⁶ Our study of the *simul* will make use of the German dialogue results, which have been published, in four volumes and under a German title: *Lehrverurteilungen – kirchentrennend?* For further reading consult: Ökumenischer Arbeitskreis Evangelischer und Katholischer Theologen, *Lehrverurteilungen-Kirchentrennend? Materialien zur Lehre von den Sakramenten und vom Kirchelichen*, ed. Karl Lehmann and Wolfhart Pannenberg, vol. I-IV (Göttingen: Herder, 1986). See the English translation: German Lutheran-Roman Catholic Ecumenical Working Group, *The Condemnations of the Reformation Era: Do They Still Divide?*, ed. Karl Lehmann and Wolfhart Pannenberg, trans. Margaret Kohl, vol. I-IV (Freiburg: Göttingen, 1986), 1-187, 29-68. Hereafter cited as *LV*.

²⁷ *LV* 39.

²⁸ The Council of Trent, Decree on Justification: *Decretum De Iustificatione*, canon 5. Hereafter, to be cited as *DJ*.

The specific import of the German dialogue lies in its assertion that “it does not seem fruitful to discuss the question of remaining sin in the Protestant sense, merely in the context of this concept”. And that “Catholic theology has become much closer to the Protestant view in considering the concept of concupiscence, taking sharpest cognisance of the human nature as a totality. It no longer peruses the tendency, still detectable in the Middle Ages, to detach physical nature, *still* marked by concupiscence from a spiritual nature *already* freed from concupiscence through justification”.²⁹ These two insights are reflective of two thought structures imbedded in the two traditions regarding the *simul* question. Nonetheless, the *simul* teaching still remained one of the outstanding differences between the churches.

Moreover, the *Joint Declaration on the Doctrine of Justification* of 1999 maintains that “believers are totally righteous, in that God forgives their sins through word and Sacrament. However, looking at themselves, they recognize that they remain also totally sinners” (*JDDJ* 29). This is to say that, on the basis of relational ontology, looking to Christ, believers are justified, but in terms of substance ontology, looking at themselves the justified are sinners. This is in contrast to the teaching of the Council of Trent, namely, that the justified is truly righteous and that he or she is inwardly renewed, and thus no sin remains in him or her.

For Catholics, concupiscence is not *truly* sin. Moreover, *concupiscence* cannot and does not harm the justified if one does not consent to it. In clear terms, therefore, the Council fathers asserted:

In the baptized there remains concupiscence, or an incentive (to sin); which, whereas it is left for our exercise, cannot injure those who consent not, but resist manfully by the grace of Jesus Christ; yea, he who shall have striven lawfully

²⁹ *LV* 46.

shall be crowned. This concupiscence, which the apostle sometimes calls sin, the holy Synod declares that the Catholic Church has never understood it to be called sin, as being truly and properly sin in those born again, but because it is of sin, and inclines to sin.³⁰

By asserting that concupiscence should not be understood as sin, the Fathers parted ways both with Augustine and Luther's conception of concupiscence. Lutherans, on their part, consider concupiscence as really sin. For them, concupiscence is, to use the words of David Truemper, a "soft underbelly" which makes a Christian vulnerable to sin.³¹ In this connection, from a Lutheran point of view, there are two ways in which to talk of the incompleteness of the renewal of the Christian life. First, by virtue of sin that remains in the justified, one is continuously exposed to the power of sin and is indeed a sinner (Rom. 6:12–14). Second, the justified is not excused from life and lifelong struggle with sin (Gal. 5:16). To this understanding belongs Paul's exhortation: "Therefore, do not let sin exercise dominion in your mortal bodies, to make you obey their passions" (Rom. 6:12). As regards to the first view, Lutherans and Catholics have never agreed. As for the second view, however, the two churches are in agreement. These two views constitute the parameters of the *simul* controversy. Eventually, in the *Joint Declaration*, as the *Official Catholic Response* testifies, no full common understanding was reached in this area.³² In what follows, we now present what we consider to be the way forward in the interpretation of the *simul* in an attempt to overcome this theological and ecumenical impasse.

³⁰ The Council of Trent, Decree on Original Sin, in *Decrees of the Ecumenical Councils: Trent to Vatican II*, ed. Norman Tanner and Giuseppe Alberigo (London: Sheed and Ward, 1990), 665–670, no. 5.

³¹ David Truemper, Introduction to the Joint Declaration on the Doctrine of Justification, in *Rereading Paul Together: Protestant and Catholic Perspectives on Justification*, ed. David Edward Aune (Grand Rapids, MI: Baker, 2006), 39. Read also: Lutheran Church Missouri Synod, The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective, *Journal of Evangelical Theological Society* 44, no. 3 (1999): 15–19, 15.

³² Annex to the *Joint Declaration*, 2A.

3.0 Towards a New Ecumenical Perspective on the *Simul*

Even if Luther firmly taught that the justified is at once a righteous and a sinner, it is becoming increasingly clear to biblical exegetes and theologians that there is hardly Scriptural basis for this teaching. In 1963, for example, the Commission of Theology of the *Lutheran World Federation* at Helsinki, indicated in their study that:

The New Testament does not know the idea of *simul iustus et peccator*. The Christian is 'holy' and no longer a sinner. It is true that both Paul and John deny that the baptized person is free from sin, but a consciousness of sin calling for a permanent posture of repentance is foreign to the New Testament.³³

The Study Commission argues that the *simul* teaching is nothing other than a "gradual individuation and psychologization of the doctrine of justification".³⁴ For them, the *simul* idea is an abstraction from St. Paul's dialectic between flesh and spirit, in an attempt to offer spiritual consolation to individual souls. Nevertheless, the Study Commission is aware that there is a difference between the sin of the justified and that of the unbaptized person. Thus, a Christian should not be viewed as *simultaneously* saved and damned.³⁵ Towards this direction, Eberhard Jüngel asks: "is this formula so important that it divides the Churches?"³⁶ This new perspective on the *simul* teaching buttresses our thesis that the *simul* needs to be perceived as a theological opinion which should not be a major stumbling block on the road towards visible unity of the churches.

Interestingly, there exist some points of intercession between Lutheran conception and Catholics view of the teaching that the believer is a sinner.

³³ The Commission of Theology, "A Report of Studies Conducted With the Lutheran World Federation 1958-1963," *Lutheran World* 12, no. 1 (1965): 13-75, 16. Read also Krister Stendahl, *Paul Among Jews and Gentiles* (Philadelphia, PA: Fortress, 1976), especially 23-40.

³⁴ The Commission of Theology, "A Report of Studies," 17.

³⁵ Martien Brinkman, *Justification in Ecumenical Dialogue: Central Aspects of Christian Soteriology in Debate* (Utrecht: Interuniversity Institute for Missiological and Ecumenical Research Publication, 1996), 178.

³⁶ Eberhard Jüngel, *Justification: The Heart of the Christian Faith, A Theological Study With an Ecumenical Purpose* (London: Clark, 2006), 215.

The Lutheran conception suggests, in the first place, that the righteous is a sinner in as far as concupiscence, which takes a new form as a ruled sin or *peccatum regnatum* remains in him or her. Secondly, the justified also remains *simul iustus et peccator* in as much as they continue to sin throughout life. Conversely, when Catholics assert that the believer is *totus* righteous although he or she sins, they do not ontologically identify the sinner with sin. What this means, for Catholics is that, the justified is *simul iustus et peccator* in as much as the baptized are prone to sin and indeed sin daily. Admittedly, even a saint sins seven times a day and yet rises up again (Prov. 24:16). That the justified sins is precisely because of the concupiscence that remains after baptism. This concupiscence, though a contradiction to God, does not separate one from God. In the end, one may rhetorically ask “how great is the difference between a conception in which the concupiscence present in the baptized is really sin, but does not separate one from Christ, so long as one does not let sin rule, and a conception in which concupiscence, because it does not separate the baptized from Christ, is only a tendency to sin and only becomes really sin, i.e., only separates from Christ, when one consents to it?”³⁷ Thus understood, none of these theological views warrant the two churches to condemn one another as propagating heresy. Each tradition, expresses its own theological insights into the effects of God’s unconditional gift of salvation.

However, the question that arises here is: why at all, is the *simul* idea to be understood as theologoumenon? The precise motive for appealing to this hermeneutical perspective is the fact that in the context of the *Joint Declaration*, the *simul* teaching still constitutes an obstacle to the visible unity between the Lutheran and Roman Catholic churches. Formally, despite the joint declaration that the condemnations of the Reformation era non-applicable, the Roman Catholic Church still condemns the Lutheran partners

³⁷ Theodor Schneider and Gunther Wenz, *Gerecht und Sünder zugleich? Ökumenische Klärungen*, Dialog der Kirchen, vol. 11 (Freiburg: Herder, 2001), 439.

on this issue. The *Official Catholic Response to the Joint Declaration* makes it clear that the “notion of justified as sinner” is simply unacceptable. Thus at a crucial point the document asserts:

For Catholics, therefore, the formula “*at the same time righteous and sinner,*” as it is explained in the beginning of no. 29 is not acceptable. This statement does not in fact seem compatible with the renewal and sanctification of the interior man of which the council of Trent speaks. The expression “opposition to God” (*Gottwidrigkeit*) that is used in nns 28-30 is understood differently by Lutherans and by Catholics, and so becomes in fact equivocal. In this same sense, there can be ambiguity for a Catholic in the sentence of n. 22, “*God no longer imputes to them their sin and through the Holy Spirit effects in them an active love,*” because man’s interior transformation is not clearly seen. So for all these reasons it remains difficult to see how, in the current state of the presentation given in the Joint Declaration, we can say that this doctrine on *simul iustus et peccator* is not touched by the anathemas of the Tridentine decree on original sin and justification.³⁸

In this context, therefore, it is difficult to see how the two Churches can attain sustainable visible unity when this teaching remains unresolved, at least in a differentiated manner. The theologoumenon hermeneutical approach that we suggest here will therefore provide the two traditions with a possibility to consider the *simul* as a theological opinion. Therefore, the *simul* teaching may be approached as a theologoumenon, which is differently interpreted by both traditions. Thus conceived, then, the *simul* teaching no longer warrants the division of the churches.

Naturally, our thesis raises another question, namely, what will be the hermeneutical consequences of our thesis? This implies that the formula *simul iustus et peccator* remains an open question. In effect, this means for Lutherans that interpreting the *simul* in terms of relational ontology the justified are considered *totally* righteous, yet, interpreted in terms of substance ontology the justified are *totally* sinners. However, although concupiscence is in opposition to God, it does not lead to damnation.³⁹ While for Catholics, the justified is a new creation, in as far as one is reborn

³⁸ The Congregation of the Doctrine of the Faith, “Official Catholic Response to the Joint Declaration,” *Origins* 28, no. 9 (1998): 130.

³⁹ Brinkman, *Justification in Ecumenical Dialogue*, 22.

of the baptismal grace, but then, one has to continually struggle against sinful tendencies in him or her. Yet, the justified is a sinner in as far as, prompted by the remaining concupiscence, one continues to sin after baptism. It is thus important that the Roman Catholic tradition does not deny the fact that after baptism, believers continue to sin. In light of this awareness, even if the Second Vatican Council does not ontologically identify humankind with sin, it nevertheless teaches that believers are sinners.⁴⁰ Clearly, *Lumen Gentium* 8 exemplifies this fact when it asserts that believers are indeed *simultaneously* sinners and holy. Indeed, the text deserves to be quoted here in full:

Christ was sent by the Father “to bring good news to the poor, to restore the broken- hearted” (Lk 4:18), “to seek and to save the lost” (Lk 9:10). In the same way, the Church surrounds with love all who are afflicted with human infirmity, indeed in the poor and the suffering it recognizes the face of its poor and suffering founder, it endeavors to relieve their need and in them it strives to serve Christ. While Christ, holy, blameless and unstained (Heb 7:26) knew no sin (See 2 Cor 5:21), and came only to expiate the sins of the people (Heb 2: 17), the Church, containing *sinner*s, *in its own bosom, is at one and the same time holy* and always in need of purification and it pursues unceasingly penance and renewal [*our emphasis*].⁴¹

A similar idea is expressed in the Second Vatican Council’s *Decree on Ecumenism (Unitatis Redintegratio)*. The decree gives insights into the Catholic *simul* when it asserts that “this people of God, though still in its members liable to sin, is ever growing in Christ during its pilgrimage on earth, and is guided by God’s gentle wisdom, according to His hidden designs, until it shall happily arrive at the fullness of eternal glory in the

⁴⁰ Aloys Grillmeier, *The People of God*, in *Commentary on the Documents of the Second Vatican Council II*, ed. Herbert Vorgrimler (London: Herder and Herder, 1967), 153-175, 151.

⁴¹ The original Latin text reads “*sancta simul et semper purificanda, poenitentiam et renovationem continuo presequitur.*” That means the members of the Church are “at the same time holy and always in need of being purified.” The Second Vatican Council, Dogmatic Constitution on the Church: *Lumen Gentium*, in *Decrees on Ecumenical Councils: From Trent to Vatican II*, ed. Norman Tanner (London: Sheed and Ward, 1990), no. 8.

heavenly Jerusalem”.⁴² Hence, the Second Vatican Council simply enunciates what one would call a Catholic *simul*.

To conclude, it behoves us to assert that there exists three degrees of agreement on the nature of the justified after justification. Firstly, that the justified is truly and really forgiven, renewed, and sanctified. Secondly, there remains in the justified concupiscence or propensity to sin (1 Jn. 1:5–2:2). Thirdly, it is clear that the justified must struggle with this tendency throughout life. However, the fact that Lutherans conceive human beings as sinfulness from the womb to the tomb and Catholics perceive human beings as potential sinners after baptism constitute the major difference between the two churches. Understandably, the radical nature of the Luther’s teaching on the *simul* was perhaps due to the polemical nature of the Reformation milieu. This prompts us to propose that there is a need to understand the *simul* teaching as a theologoumenon.

Finally, it needs to be noted that our ability to make definitive assertions with regard to the ultimate nature of God’s work for the salvation of humankind is largely limited. Hence, this epistemological consciousness leaves a totally different constellation for Roman Catholics to consider the justified as a sinner by virtue of the actual sins committed after baptism, and conversely, Lutherans can perceive the justified as a sinner before, during and after baptism. In any case, this implies that the churches can together understand the justified as *simul iustus et peccator*, despite their differentiated interpretations of sin (*JDDJ* 29–30). To this position, belongs the vision of Pope John XXIII, that “the common saying, expressed in various ways and attributed to various authors, must be recalled with

⁴² The Second Vatican Council, "Decree on Ecumenism: Unitatis Redintegratio," in *Decrees of the Ecumenical Councils: Trent - Vatican II*, ed. Norman Tanner and Giuseppe Alberigo (London: Sheed & Ward, 1990), 908-920, no 3. See also *Lumen Gentium* 40 and 65.

approval: in essentials, unity; in doubtful matters, liberty; in all things, charity".⁴³ Hence, the saying *in necessariis unitas, in dubiis libertas, in omnibus caritas*.

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⁴³ John XXIII, "On Truth, Unity and Peace: Ad Petri Cathedram" (June 29, 1959) available from <http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_29061959_ad-petri_en.html> accessed on November 06, 2008, no. 72.

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