The Lutheran-Catholic Agreement on Justification: Botch or Breakthrough?

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Asked to name a German city associated with the Lutheran Reformation, most people with any knowledge of the period would, I suppose, cite Wittenberg — the Saxon university town from which that Reformation was launched. But an equally serious candidate would be Augsburg in what is now northern Bavaria where the single most authoritative document of Lutheranism, the *Confessio Augustana* or 'Augsburg Confession' was promulgated in 1530. It was to Augsburg, where the Reichstag, the imperial Diet, was meeting, that the former Master of the Dominicans, Thomist theologian and Catholic church reformer, Thomas de Vio was sent in 1518 as papal legate with a mandate to bring Dr Luther, member of the Order of Augustinian Hermits and professor of biblical studies, to his senses.[1] De Vio — better known from his birthplace, Gaeta in the kingdom of Naples, as *il Gaetano* or Cajetan, was at first viewed by Luther with comparative favour. Although Luther shared the anti-Italian feelings common in Germany in this period, disliked what he knew of Thomism, and numbered several Dominicans among his harshest critics, he found Cardinal Cajetan learned and humane. There was, however, no real meeting of minds. So far as Luther was concerned, the encounter was to be a debate, like the Heidelberg Disputation from which he had just emerged with flying colours. The legate's instructions were, rather, to secure if not a retraction then at least a promise of future silence. In fact there *was* a theological dialogue of sorts which left a literary residue not only in Luther's lively accounts of the proceedings but also in the so-called Augsburg Tractates written after the event by Cajetan. But the legate kept strictly to the two limited issues of indulgences and the sacrament of Penance which were, he considered, the points where Luther diverged most obviously from Catholic doctrine. He would not be drawn onto the terrain of what Luther called 'the Gospel' — that is, the theology of grace as the justification of man by the righteousness of God.

As history relates, the aftermath was disappointing. Since neither side would give way, Luther appealed personally to the pope, warning, however, that, should his petition fail he would urge the hearing of his case by a General Council of the Church. During the winter and spring of 1520, a cardinalatial commission studied the relevant documents, as

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Cajetan, on returning from his German journey, had counselled. Its upshot was the Bull *Exsurge Domine*, with its uncompromising rejection of Luther's teaching. As yet the Saxon Scripture scholar was not excommunicated, for the law left those condemned on charges of heresy a space for reflection and coming to a better mind. But Luther's vituperative response made the outcome inevitable, and on 3 January 1521 he was cut off from communion with the Catholic Church. Looking back from the vantage point of a decade and more later, Luther wrote in his commentary on the Sermon on the Mount:

> Am I to say to our enemies, the pope, the bishops, the Princes, and whomever who persecute the Gospel and trample on the people who hold onto it: Dear lords, may the dear God reward you. You are pious people and holy fathers, etc., or should I keep silence, show them reverence, or kiss their feet, etc? No, dear brothers, here is what we should say: I am a preacher who ought to have teeth in his mouth, to bite men and irritate them and to tell them the truth, and if they don't want to hear it, to excommunicate them, to bar them from heaven, to send them to hell's fire and give them to Satan for God's sake, etc.[2]

Against this background, the decision of the Lutheran World Federation and the Pontifical Council for Christian Unity to elect the venue of the Luther-Cajetan encounter, the Annakirche in Augsburg, for the signing of a Joint Declaration on the Doctrine of Justification on 31 October 1999 was charged with historical symbolism. Preceded as it was by a lengthy theological dialogue between the Federation's members and representatives of the Catholic Church, notably in America and Germany, the Joint Declaration purported to express, in a carefully worded formula, 'a consensus on basic truths concerning the doctrine of justification'. This was a phrase which fell some way short of claiming full agreement on the doctrine itself, and that, as things transpired, was probably fortunate. The date for the solemn signing was chosen quite as deliberately as the place. Many Lutherans keep the last Sunday in October as 'Reformation Sunday', a day of thanksgiving for the blessings of the Reformation, while that year, 1999, the last Sunday of the month was also the last day of October and so kept in Catholic churches of the Latin rite as the Vigil of All the Saints. Speaking a month previously in Houston, Texas, the President of the Pontifical Council, Cardinal Edward Cassidy, called the presentation of the document 'one of the most important acquisitions of the modern ecumenical movement'. As Cassidy explained:

> While this document involves directly only the Lutheran World Federation and the Roman Catholic Church, it cannot be ignored by

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other members of the Christian family. For all the Reformers, the doctrine of justification is seen as the article of faith on which the Church stands or falls. They consider justification to be a criterion or corrective for all church practices, structure and theology. It is the heart of the Gospel's proclamation of God's free and merciful promises in Jesus Christ that can rightly be received only through faith.[3]

Assuming the term 'faith' as used by Lutherans and Catholics to identify the same human and Christian act, the cardinal did not specify whether by the words 'only through faith' he meant that faith is a necessary condition for appropriating the promises of God, as both Catholics and Lutherans believe, or whether it is both a necessary and a sufficient condition for making those promises one's own, as historically only Lutheran doctrine has asserted. This sort of question, as put by well-instructed Catholics and Lutherans, would rise as a spectre to haunt him. What Cardinal Cassidy *did* do, however, was to point out that, though the doctrine of justification had been treated in other bilateral dialogues, between the Catholic Church and the World Alliance of Reformed Churches and in the Anglican-Roman Catholic International Commission, nowhere else have the results of dialogue on this subject been submitted to formal official reception as in the Lutheran-Catholic case. This too would be a cause for concern.

But why? If there has been in fact a breakthrough in understanding, if here we have a uniquely successful example of that process of mutually respectful yet doctrinally responsible dialogue which *Unitatis redintegratio*, the Decree on Ecumenism of the Second Vatican Council, mandated, at least from the Catholic side, one would have to be a singularly vinegary sectarian not to rejoice. But the question is precisely whether such breakthrough has occurred. In his Houston address, Cardinal Cassidy spoke of the 'reception' of the Joint Declaration by both Lutherans and Catholics as a given, a *fait accompli*, though the wary reader of his speech may note his use of the phrase 'the subscribing Lutheran churches' and take pause. In fact, the Declaration has proved remarkably contentious chiefly among Lutherans but to some extent among Catholics also. Its process of reception, if we may take this to mean the forthcomingness of real assent by interested pastors and theologians to its validity and likely fruitfulness, is far from assured.

Not only was no part taken in drafting the Declaration by those Lutheran churches that remain stubbornly outside the World Federation — notably the zealous and expanding American churches of the Wisconsin and Missouri Synods (the latter of these is responsible for the small Evangelical Lutheran Church of England, with a theological college in Cambridge). Many Lutheran churches duly represented in the Federation either refused to subscribe (5), or failed to respond to the

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appeal for subscription (35), or replied in so ambivalent a fashion that their answer was taken as negative (4). That is a total of 44 out of 124 member churches that, for whatever reason, could not be brought on board. Even among the subscribing churches, a large number of theologians actively demurred. After the Augsburg event, 251 teachers of theology in Germany issued a withering counter-declaration of their own, claiming that the whole process had been 'unilaterally influenced by the ecumenism programme of the Roman Catholic Church'. The protest voices included the well-known Lutheran dogmatician Eberhard Jüngel, who in March 1999, in the opening fascicule of a new English-language periodical, *The International Journal of Systematic Theology*, excoriated the claim that consensus had been reached on the fundamental truths of justification, not scrupling to use the word 'grotesque'[4]. Some of the best known theologians in the State Churches of the Scandinavian monarchies were signatories of an open letter to Cardinal Cassidy, available on the Internet under the uncompromising title *We will resist.* This largely Nordic letter denies that the Joint Declaration can be reconciled with the Confessions of the Evangelical-Lutheran churches and its signatories warn that 'because of the special responsibility we have as teachers of theology we will resist every attempt to interpret or regulate the doctrine and preaching in our churches' along the Declaration's lines. Writing in the dissident Anglican magazine *New Directions,* the English Lutheran Jonathan Nauman considers the Joint Declaration to be an egregious exercise in the making of fudge[5]. Explaining its signing as the result, on the World Federation's side, of woolly-mindedness caused by a theological liberalism which fails to take dividing issues in the history of doctrine with full seriousness, and on the Catholic side by a misplaced zeal for the 'return' of separated brethren, Nauman echoes, whether consciously or not, the aetiology suggested for the document in *We will resist.* The signatories of that letter averred:

> Our Lord Jesus Christ's high priestly prayer 'ut omnes unum sint' (Jn 17, 21) commands all who believe in him to obey the delivering and binding truth of the justification of the ungodly [with a reference to the Letter to the Romans]. At the same time it prohibits church-political strategies according to the wisdom of this world [with a reference to St Paul's correspondence with Corinth].

On the Catholic side, critical response has been more muted, chiefly, I think, because the kind of theologians and faithful who are concerned with fidelity to classical doctrine happen also to be the people most loathe to contest in public official acts of the apostolic see. I note, however, the *Supplique à sa sainteté Jean-Paul II* organised by the *Comité*

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international St Boniface, whose moving spirit is the redoubtable Mgr. Brunero Gherardini, personal theological adviser to Popes John XXIII, Paul VI and John Paul II, and vice-president of the Pontifical Academy of Theology. The text of this 'supplication' calls the Declaration an 'excessively superficial and facile compromise', berates what it terms its 'ambiguous formulations' and conjures up the prospect of an 'unimaginable confusion of doctrine'. In particular, the lack of a clear account of how man may be said to cooperate with grace endangers

> the fragile equilibrium between nature and grace so often explicitated by the Church across the centuries and formulated by the popes and the Council of Trent so as to avoid the exaggerations of Protestantism, Jansenism, Quietism.

And scoring a palpable hit, they ask the pope how, if Luther's description of the redeemed Christian as 'simul justus et peccator', 'at one and the same time just and a sinner', belongs, as the Joint Declaration maintains, to the common faith of Christians, despite their different approaches to the subject, he (John Paul II) can continue to defend the thesis, 'so dear to the teaching of Your Holiness', of man as a new creation in Christ and the dignity of Christian man as a free co-operator in the salvation of the world. These are certainly pertinent questions.[6]

To some extent, then, reaction to the production of the Joint Declaration reminds one of the situation explored in Mervyn Peake' s novel *Mr Pye*. The intervention of a transparently good person engaged, but with insufficient sense of wider realities, on the production of perfect amity in the world — in Mr Pye's case, the inhabitants of the island of Sark — can leave us — in our case, in the ecumenical movement — worse off than we were before.

How, then, did the Lutheran-Catholic dialogue reach this juncture? The question needs answering because although so far I have only referred to the Joint Declaration, there is a small dossier of documents calling for inspection.

Lutheran-Catholic dialogue began in 1967. In the course of devising four common statements — *The Malta Report* (1972), *All under one Christ* (1980), *The Ministry in the Church* (1981), *Church and Justification* (1994), the members of the international bilateral commission increasingly homed in on the justification issue, as the title of the last of these statements makes clear. Meanwhile in America and Germany national Lutheran-Catholic dialogues amplified these texts in their bearings on the doctrine: notably, the 1985 American study *Justification by Faith*, and its German counterpart *Lehrverurteilungen—kirchentrennend?*, put into English in 1990 under the title, *The*

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Condemnations of the Reformation Era. Do they still Divide? The net effect of these ponderings was that in 1994 members of the Pontifical Council and the Lutheran World Federation produced the first draft of a proposed Joint Declaration on our topic. In the course of 1998 they submitted a third version of the same for official perusal by the Holy See and the presiding bishop of the Federation[7]. The document took a somewhat strange form. In forty-four paragraphs it sometimes attempted a synthetic statement which could gain the support of both parties, sometimes outlined (not always non-controversially) the differing positions of each, and sometimes ventured a middle course between these two. As might be expected, it was helpful to the cause of lawful eirenicism in the first of these modes of operation, achieved less than a mark of alpha -double-plus from the examiners — historical and theological — in the second, and was sometimes sheer muddle in the third. I leave an account of the weaknesses of the document to my section on the attitude thereto of the Congregation for the Doctrine of the Faith but let me list here the points — usually signalled by the introductory formula 'We confess together' —where the Declaration rightly and in one passage even splendidly sums up elements of a genuine common doctrine.

Lutherans and Catholics can agree that: we are sinful members of a sinful race; that God offers us the gift of justification; that this offer comes through Christ, our only Saviour; that it is received in faith; that the Holy Spirit is conferred upon those who believe; and that, having been inwardly renewed, they are called and equipped to excel in deeds of love. I expound here, in the light of other sections, what I consider to be the most successful formulation in the Declaration, found in paragraph 15.

> 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.

The patchwork character of the document which neither systematically synthesises (if that be possible) Lutheran and Catholic tenets nor at all points clearly distinguishes between them, was always going to cause problems. Its treatment of basic truths concerning justification — but not the entire doctrine of the same nor all its implications — would need subtle salesmanship. In due course a spokesman for the Pontifical Council came up with the useful phrase a 'differentiated consensus'. It was not that everything in the Declaration cohered necessarily with Catholic teaching, for sometimes in recognition of that fact the Catholic and Lutheran contributions were left side by side.

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But globally or *in toto* the Declaration reflected a high degree of consensus and where such could be said to have been reached (though that, evidently, was a matter of further enquiry), the condemnations levelled at each other by Lutherans and Catholics in the sixteenth century no longer applied to their present-day successors. This might seem slippery, but some regarded it as expressing the theological virtue of hope. As one sympathetic commentator, the distinguished American Jesuit Avery Dulles, explained: the readiness to declare the non-applicability of the sixteenth century condemnations is well-grounded because in view of the shared heritage of faith expressed in the 'together we confess' passages of the Declaration,

> we are confident that our doctrinal formulations, currently expressed in different idioms, can *in the end* be reconciled[8].

More soberly, or in more secular mood, it was subsequently proposed that the Holy See's signature on the Joint Declaration should be understood by reference to a model drawn from international law. A high contracting party can sign an international treaty in its entirety whilst simultaneously indicating reservations about, or even outright rejection of, individual clauses. Whether such a 'model' had ever been used, albeit tacitly, in the history of Christian doctrine was another matter. One precedent suggested was that of the 1274 reunion Council of Lyons, where the Byzantine bishops were permitted to enter qualifiers to aspects of the formula of union that Council and emperor had agreed. The fissile and short-lived character of the union thus arrived at was not, however, a hopeful augury for the future of the Joint Declaration.

Far more forthright were the animadversions of the Congregation for the Doctrine of the Faith published as an official response to the as yet unsigned Declaration in June 1998.[9] That organ found fault with the text under five headings. Like the *Supplique* of the International St Boniface Committee, the theologians of the Holy Office put the 'simul justus et peccator' issue first.

Directly reflecting the doctrine of Trent, they opined that in the case of redeemed human beings, continuing susceptibility to moral evil should not be construed as itself sin. In those justified by his grace, God permits such 'concupiscence' only as a stimulus to that holy warfare (a favoured theme of both Catholic and Orthodox asceticism) whereby the faithful grow in spiritual strength. The reason the Congregation place this objection first is because it raises the key question of all justification theology in a post-Reformation context. Is justification the imputation of what Luther termed an 'alien righteousness' by which, in his metaphor, the dunghill that is myself is covered in snow, that is, in the merits of

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Christ, such that all subsequent renewal of life is born of thanksgiving for this extraordinary change in status, thanks to the work of the Holy Spirit who in this way gives me the first-fruits of a transformation which itself is only eschatological, to be brought about on the Day of Judgment when I shall stand forth, if I continue in faith, as a new creation? Or, is the righteousness of God actually imparted to me in the very moment of justification by a recreating gift of the Holy Spirit there and then on the basis of Christ's work, such that, though still needing to appropriate my remaking by holy living, I step forth re-made from the baptismal waters themselves?

Secondly, the Congregation asked, is justification *the* criterion of Christian doctrine, its unique litmus test, such that everything else the Church believes and does must be assessed in its light? Or, is it simply a criterion, which itself needs contextualising within an interlocking nexus of truths, of which the confession of the Holy Trinity in their outreach for our salvation is actually the most important, the really superordinate one?

Thirdly, can human cooperation with grace ever rightly be called, as the Declaration calls it at one point, 'merely passive'? Is not this to deny not only the persistence of the divine *image* in human nature even after the Fall - for that image is to be located in our active powers of understanding and willing - but also the divine *likeness* which salvation confers on redeemed humanity, enabling us freely to cooperate with grace by grace.

Fourthly, how is it possible for the Declaration to omit all reference to the sacrament of Penance which for Catholics is the divinely provided means whereby the gift of justification can be restored to Christians when they have lost their share in Christ's righteousness through grievous sin?

Fifthly and finally, what degree of confidence can be attached to the claim of the Lutheran World Federation that the assent of so many (80) of its 124 member churches constitutes, in the Federation's words, a 'magnus consensus'? What of not only those churches that did not sign, but also dissenting members of those who did? Does the authority structure of Lutheranism permit any permanently binding adhesion to instruments of doctrinal agreement?

It seems to have been the last of these comments, taken together no doubt with the cumulative effect of those that preceded it, which goaded the leaders of the Federation into fury and almost derailed the entire project. Two factors on the Roman side appear to have prevented this outcome. First, the Prefect of the Doctrine Congregation, Cardinal Joseph Ratzinger, and despite his clarity about the dogmatic questions raised, was personally far more sympathetic to Lutheranism than to any other of the Reformation communities. He regarded it as doctrinally serious, still

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committed to Trinitarian and Christological orthodoxy, and typified by a consistent sacramental realism — features that could not simply be presupposed, despite the many more outward appurtenances of catholicity, in Anglicanism. (Cardinal Ratzinger tends to the Henry Edward Manning view of the Church of England: private judgment decked out in robes of gorgeous raiment.) He had a real desire not to lose the chance of an accommodation. Secondly, the pope, with his high personal theology of the significance of the year 2000, seen as the opening of the third millennium, to which point, so he claimed, all the acts of his pontificate had been ordered, was reluctant to abandon what had been presented to him as the one mature fruit of Catholic ecumenism since the Council, a fruit about to drop from the tree of inter-Church relations, and with a satisfying thud, just in time for the magic date. There took place, then, a flurry of activity both behind the scenes and in front of them. Ratzinger, for example, wrote a lengthy letter of the more-in-sorrow-than-anger variety to the prestigious German newspaper the *Frankfurter Allgemeine Zeitung*, whose correspondent had declared him guilty of sabotaging the Joint Declaration by his Congregation's comments[10]. Nothing could be less true, said Ratzinger, no outcome closer to his heart than the happy success of the Lutheran-Catholic agreement.

In June 1999, with only three months to go, there was then produced a so-called Annex to the Declaration, along with a Note on the Annex, and by way of prefix to it, an Official Common Statement of the Lutheran World Federation and the Catholic Church[11]. By the Official Common Statement the two dialogue partners bound themselves to continue and deepen their study of the biblical foundations of the doctrine of justification and to seek to augment their common understanding as found in the Joint Declaration and its new companion, the Annex, whose title was paraphrased as 'the annexed substantiating statement'. This latter phrase was intended to suggest the optimistic, upbeat way in which, so the authors of the Statement hoped, Lutherans would read the Annex. It can hardly be gainsaid, however, that after an introduction summarising the principal points of the Joint Declaration, the Annex re-presents the objections lodged by the Holy Office (minus only the fourth, on sacramental Penance) and in its attempt to answer them skews the interpretation of the Declaration in a particular direction. Two lay writers who keep a watching brief on doctrine on behalf of the influential American organisation *Catholics united for the Faith* suggested that 'substantiation' was not really the word Cardinal Cassidy was looking for[12]. Writing in *The Catholic World Report* for December 1999, they averred that the anathemas of Trent 'would still apply morally to Catholics who espoused the Joint Declaration without the doctrinal

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clarifications of the Annex'. What Thomas Nash and Philip Gray failed to notice, however, was that at one point —owing presumably to the unseemly haste in which the rescue package for the Declaration was put together — the Annex itself incurs the anathema of Trent when, in a fashion carefully avoided in the Declaration, it affirms the gift of justification to be received *fide sola*, by faith alone. Here only the attached Note on the Annex, and that somewhat impressionistically, saves the orthodoxy (from the Catholic standpoint) of the Annex itself.

If, nonetheless, the bias of the doctrinal dossier as a whole now veered, though, as we have just seen, a little uncertainly, in a catholicising direction, this explains the increasing unease of Lutheran theologians in its regard. As *We will resist* makes clear, it is not only a question of the compatibility of the Declaration and its Annex with the confessional documents of Lutheranism. There is also a perceived threat that Luther's revolutionary discovery of what he deemed the true nature of Christian conversion — to be achieved not by contrition but by faith alone —will be lost. It is true that Catholic-minded Lutherans — those who emphasise that Luther had no intention to create schism, and looked not just to the Scriptures but to the Fathers and the ancient canons of the Church — like to point out how their community is more Evangelical — Gospel-based — than it is Lutheran — founded on the theology of an individual. Of Luther's enormous theological output only a tiny proportion — the two Catechisms and the Schmalkaldic Articles — found their way into the Book of Concord, the official collection of Lutheran formularies, and even then some Lutheran churches explicitly deny that these are on the same level as the *Augustana*, the Augsburg Confession. Nevertheless, for these Christians Martin Luther is the great doctor, outshining all others, even St Augustine, on the issue of justification, and constitutes a sort of lens through which in this regard the entire New Testament must be read.

In this perspective, it is not enough to be a catholicising Lutheran. One must also have a catholicising interpretation of Luther himself. Curiously enough, the kind of *Lutherforschung*, academic study of Luther, most discussed at the present time, that of the so-called Finnish School, opens a way forward here[13]. Contemporary Finnish interpreters of Luther — Simo Puera, Antti Raunio, Sammeli Juntunen, Risto Saarinen, and their leader Tuomo Mannermaa, perhaps because they live in a country whose other main Christian tradition is Russian Orthodoxy, read Luther's soteriology in the light of the Greek Fathers and make of him, indeed, a kind of Teutonic Gregory Nazianzen. Luther, they argue, is really a theologian of *theosis*, deification, and the forensic element in his doctrine of justification — God declaring us righteous, acquitted in the law court of the Cross, thanks to the pleading of the Redeemer on our

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behalf — is viewed by the Finns as in function of a far more central and pervasive concern: namely, the believer's participation in the divine life through union with Christ. But as one critic of Finnish Luther research has asked, This may be ecumenically useful —for relations with both Catholics and Orthodox — but is it true? The Finns have identified rarely noticed passages in Luther's writing, especially his early writing, and used them to support a comprehensive systematic vision built around the deification idea. But the Anglican Evangelical historian of theology Alister McGrath, in his exhaustive account of the varieties of justification doctrine, *Justitia Dei*, argues that after 1530 Luther ceased to regard even healing — never mind divinising transformation — as an element in justification which from then on he limited strictly to forgiveness alone[14].

It seems that for a really coherent agreement on soteriology Lutherans would have to — as the ecumenists say — 're-receive' Luther, emphasising that in the light of the tradition of the universal Church, Eastern and Western, it is the early Luther — the pre-Tridentine Luther (one might even say) — who should be regarded as coming first in doctrinal value and not just in chronological time. They would have the consolation of being able to reflect that Luther's protest against aspects of the Church practice and preaching of his day was successful inasmuch as the Catholic Church has ever since abandoned as too open to abuse the granting of indulgences for deeds of almsgiving (the phrase 'the sale of indulgences' is of course a misnomer), and, more importantly, articulated at Trent a God-centred, Christ-centred, Spirit-centred theology of justification of an anti-Pelagian kind which picked up many though not all of the emphases in Luther's own thought.

Meanwhile, in the United States, which is where the majority of the world's practising Lutherans live, the Lutheran Church of America seems set on union with Reformed Christians rather than with Catholic ones — often at the expense of the high sacramental tradition, at least where Baptism and the Eucharist are concerned, which previously made them, of all the churches born of the Reformation, the closest to Rome. It is the prediction of one American Lutheran commentator, James Nuchterlein, that the principal result of the Joint Declaration, the Official Common Statement, the Annex and the Note on the Annex will not be the organic reunion of world Lutheranism with the Catholic Church but the removal of the last psychological obstacle to the conversion to Rome of individual Lutherans worried by the erosion in their Communion of classical doctrine in faith and morals[15]. That would hardly be the realisation of Cardinal Cassidy's or even Cardinal Ratzinger's hopes. And yet in some rarely quoted words of the Second Vatican Council's decree on Ecumenism:

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Though the work of preparing and reconciling those individuals who wish for full Catholic communion is, evidently, distinct from ecumenical action, there is no opposition between the two. Both proceed from the wondrous [and we can add, often surprising] Providence of God[16].

1 On the Luther/de Vio encounter, see C. Morerod, *Cajetan et Luther en 1518. Edition, traduction et commentaire des opuscules d'Augsbourg de Cajetan* (Fribourg 1994); also J. Wicks, *Cajetan und die Anfänge der Reformation* (Münster 1983).

2 M. Luther, *Werke. Kritische Gesamtausgabe, Band* 32 (Weimar 1906), p. 402.

3 E. Cassidy, 'The Meaning of the Joint Declaration on Justification', *Origins*, 1 October 1999, p. 282.

4 E. Jüngel, 'On the Doctrine of Justification', *International Journal of Systematic Theology* 1 (1999), pp. 24-52.

5 S J.Nauman, 'But is it Justified?', *New Directions*, 3. 53 (1999), pp. 4-6.

6 For a scholarly critique which furnishes some support for these strictures, see C. J. Malloy, 'The Nature of Justifying Grace: A Lacuna in the *Joint Declaration', The Thomist* 65. 1 (2001), pp. 93-120.

7 'Joint Declaration on the Doctrine of Justification', *Origins*, 16 July 1998, pp. 120-127.

8 A. Dulles, 'Two Languages of Salvation: the Lutheran-Catholic Joint Declaration', *First Things*, December 1999, pp. 25-30, and here at p. 30 (emphasis added).

9 'Official Catholic Response to Joint Declaration', *Origins*, 16 July 1998, pp. 130-132.

10 Letter of 14 July 1998, reproduced in 'Consensus Achieved, Vatican Official tells Lutherans', *Origins*, 8 October 1998, pp. 286-290.

11 For the Official Common Statement, Annex and Note on the Annex, see 'Joint Declaration to be Signed on Oct. 31', *Origins*, 24 June 1999, pp. 86.

12 T. J. Nash and P.C.L. Gray, 'Not a Full Agreement. A Commentary on the Catholic-Lutheran *Joint Declaration on the Doctrine of Justification', Catholic World Report*, December 1999, pp. 50-53.

13 C.B. Braaten and R.W. Jenson (eds.), *Union with Christ: The New Finnish Interpretation of Luther* (Grand Rapids, Mich. 1998).

14 A.E. McGrath, *Luther's Theology of the Cross. Martin Luther's Theological Breakthrough* (Oxford 1985); cf more briefly the same author's comments on Luther's position in *Justitia Dei. A History of the Christian Doctrine of Justification. Volume II From 1500 to the Present Day* (Cambridge 1986), and notably p. 13: 'The sanative character of his *early* teaching on justification corresponds closely to the teaching of Augustine on the matter' (emphasis added).

15 J. Nuchterlein, 'Where do we go from here?', *Crisis*, December 1999, pp. 17-18.

16 *Unitatis redintegratio*, 4.

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