

# The Implications of the Pauline Ethics of Benevolence and Natural Law as Applied in the Early Lutheran Reformation

*Prof. A.W.G. Raath & N.P. Swartz<sup>1</sup>*

*Is dit moontlik vir die mens om aan God se universele openbaring in die werklikheid te ontkom? Hoe kan 'n grondslag vir dissipline tussen alle mense en in alle samelewings, gebaseer op God se morele wet, gelê word? Hierdie was sommige van die vraagstukke wat deur Luther se navolger, Melanchthon, in die vroeë fases van die Reformasie aangespreek is. Melanchthon se vroeë uiteensettings van die brief aan die Romeine het die lyn van Luther streng gevolg. Die resultaat daarvan was sy bekende Loci Communes rerum theologicarum van 1521. Tydens die onrus te Wittenberg in 1521 en 1522, toe Luther tot die Wartburg ingeperk was en die radikales te Wittenberg hul tot die vernietiging van kerklike simbole gewend het, het Melanchthon die noodsaak daarvan gesien om in die wet en in die mens se natuurlike rede bepaalde etiese vereistes te sien wat bindend op alle mense sou wees. Vir Melanchthon was dit egter te vinde in die natuurlike lig van die menslike rede en die goddelike natuureg wat op die rede van die mens afgedruk is, waardeur ruimte vir 'n filosofiese etiek geskep is, afgesien van die skriftuurlike regverdiging deur die geloof in Christus. Melanchthon het ook die universele openbaring van God en die werking van die Heilige Gees in die lewens van nie-Christene gehandhaaf ten einde 'n basis vir dissipline tussen alle mense en in alle samelewings te lê. Die Luthers-evangeliese hantering van die vraagstukke van God se universele openbaring, Christelike deugszaamheid, 'n wet-gebaseerde etiek en die moontlikhede vir kulturele betrokkenheid tussen sowel Christene as nie-Christene, word bespreek. Sommige van die implikasies van die aanvaarding en ontwikkeling van die Pauliniese perspektiewe oor welwillendheid en die natuureg word kortliks oorweeg.*

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## 1. Introduction

In his fairly recent publication, *The Unformed Conscience of Evangelism: Recovering the Church's Moral Vision* (2002), Charles J. Daryl addresses the lack of intellectual rigor among evangelicals to adopt a biblical worldview approach to cultural engagement and adequately shows the urgency of stating the theological foundations of evangelical ethics in order to salvage its identity and hope of influencing public life. One of the three models offered by Charles Daryl for doing ethics that are drawn from the Scriptures, is the Pauline model of natural law. In his challenge of the usual assumption regarding natural law, that it is antithetical to Christian ethics because it is a form of ethics without God, Daryl makes the important observation that natural law arises out of the way God has created the world and that “general revelation” applied to ethics, forms the substance of natural law. However, Daryl’s analysis to the effect that the “Petrine model” and the “Disciple’s model” represent two different biblical models of ethics can be seriously questioned. To Daryl the Petrine model focuses on 2 Peter<sup>2</sup> as a book that encourages virtue, whilst the Disciple’s model examines the Sermon on the Mount, especially Matthew 5: 16-21.<sup>3</sup> In this last model Daryl finds warrant for law-based ethics and he charges modern evangelicals with neglecting the law expressed in the Torah, encouraging them to take obedience to it seriously as a response of love to God who has given them grace in Jesus Christ.

The early modern evangelical development of the Pauline perspectives on natural law ethics provides a clear example of the inclusive treatment of the issue of God’s universal revelation, Christian virtue and law-based ethics with a comprehensive view on Biblically-based ethics and the possibilities of cultural engagement. W.D.J. Cargill Thompson argued convincingly that Luther introduced into Protestant thinking a series of concepts which had a greater impact on the sixteenth century than that of Machiavelli himself. Although Luther inspired one of the most important “revolutions” in history and in a real sense, together with his student Melancthon, created the political world which we have inhabited ever since, it is equally true that the seeds of Luther’s ethical and legal thinking germinated in an environment

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2 The time of writing is generally placed between 61 and 65 A.D., but the year is conjectural, although it may reasonably be presumed that this epistle was written within a comparatively short period after the first letter.

3 All biblical references and citations are to *The Companion Bible Being the Authorized Version of 1611 with the Structures and Notes, Critical, Explanatory and Suggestive* (1972).

which reverted back to St. Paul's teachings at the beginning of the Christian era. St. Paul's teachings on love, benevolence and natural law strongly influenced Luther's theological, political and ethical views. Also, the implications of St. Paul's perspectives on the interrelatedness of benevolence and the ethical limitations to rights strongly influenced Luther's teachings. It was perhaps St. Paul's fusion of ethics and natural law that posited the greatest legacy in the thought of Luther and Melancthon. This essay considers the impact of the Pauline perspectives on natural law, virtue and universal revelation, as formulated in St. Paul's Epistles to the Corinthians, the Romans and the Galatians, and the influence his earlier Epistles had on the evangelical views on revelation and cultural engagement in the Lutheran Reformation of the sixteenth century.

The development of the Pauline ethics in his Epistles and the serious application thereof in the early Lutheran Reformation show that St. Paul's ethical message leaves no room for different and mutually exclusive ethical models in Scriptures. The unity of the Godhead, His universal revelation and His graceful intervention in the lives of men are expressive of the encompassing intervention of God, through His Spirit, and carry a message not only for Reformed Christians, but also for the greater world and its need for ethical revival.

The role of social benevolence as a catalyst for ethical involvement and the implications of the intertwinement of morality and rights within the context of God's universal revelation to mankind provides a basis for discourse and ethical involvement across religious and cultural boundaries.

## **2. St. Paul on benevolence and natural law**

### **2.1 *The foundations of the Pauline ethics in his letter to the Corinthians (57 A.D.)***

#### **2.1.1 *St. Paul's voluntaristic ethics***

During Paul's efforts to evangelise the Christian community in Corinth (Acts 18: 1-15), from the end of 50 to the middle of 52 A.D., he committed himself to address issues related to matters particularly affecting the Christian converts in Corinth, namely the strong influences exerted by Hellenism and the prevailing practices of immorality in the populous port of Corinth.<sup>4</sup> This milieu created awkward ethical problems for the newly

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4 According to Charles Freeman, *The Closing of the Western Mind. The Rise and the Fall of Reason* (2003), 107, Paul's views on idols, sexuality and Greek philosophy, "issues that had not featured strongly in Jesus' teachings and often sit uneasily with them, became embedded in the Christian tradition."

converted to the Christian faith. In order to overcome the dangers of relativising the divine norms for human behaviour, St. Paul emphasised the supernatural law as a “law written in their (men’s) hearts” and the Gentiles doing “by nature the things contained in the law”.<sup>5</sup> St. Paul emphasised two aspects pertaining to the divine will: the traditional aid, human nature (reason), in gaining access to the divine will, is to be rejected; and God’s dictates are not to be understood in terms of human understanding and are not rational in terms of human reason, because the obviously necessary knowledge of the divine will can only be spiritually discerned.<sup>6</sup> In his letters to the Corinthians, the Romans and the Galatians , St. Paul developed his views on the divine will as the source of ethical norms, thereby introducing voluntarism into the existing natural law theories then prevalent. In developing his perspectives on God’s universal revelation, God’s will and the need for ethical reform, St. Paul contrasts God’s will with the concept of rational argument, the core of the Greek intellectual achievement itself. To the Corinthians he writes: “The wisdom of the world is foolishness to God.”<sup>8</sup> The more they [non-Christians] called themselves philosophers, he informs the Romans , the more they became vain in their imaginations, and “their foolish heart was darkened.” Central to St. Paul’s teaching was his condemnation of everything that opposed the will of God: the honouring of idols, the practice of sexual vileness and the propagation of reason over faith (Freeman, 2003: 121).

In considering St. Paul’s impact on later evangelical theology two aspects have to be borne in mind: first, St. Paul’s influence has been immense. E.P. Sanders calls the Epistle to the Romans “one of the most influential documents of western history (Sanders, 1991: 2). Second, Paul’s ethical position reflected the paradox that while he asserted a Christianity for the Greco-Roman world, he also confirmed or implanted within Christian theology elements that set it in conflict with Greco-Roman society and traditions over sexuality, art and philosophy (Freeman, 2003: 124).

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5 Romans 2: 14-15.

6 1 Corinthians 2: 11, 14: “For what man knoweth the things of a man save the spirit of man which is in him? Even so the things of God knoweth no man, but the Spirit of God” and “But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him: neither can he know *them*, because they are spiritually discerned.”

7 Not all the letters attributed to him are accepted as such by scholars – those usually recognised as his are Romans, both letters to the Corinthians, Galatians, Philippians, the first letter to the Thessalonians, possibly the second, and the letter to Philemon.

8 1 Corinthians 3: 19: “For the wisdom of this world is foolishness with God. For it is written, ‘He taketh the wise in their own craftiness.’”

9 1: 21-22.

### 2.1.2 *St. Paul's rejection of rationalism in his letter to the Corinthians*

St. Paul's doctrinal treatment of ethical issues in his letters to the Corinthians are reflected in his specific approach to the questions of moral conduct internally affecting the Christian community (1 Corinthians 5: 1-13, 6: 12-20), of marriage and virginity (7: 1-40), of liturgical and Eucharistic meetings and of the charismata (12: 1-14-14: 40), as well as external issues related to questions of appeals to civil courts (6: 1-11), and eating food sacrificed to idols (8: 10).

St. Paul's position on these issues reflects a comprehensive ethical doctrine of Christian liberty, of the sanctification of the body, of the supremacy of love, and of the believer's union with Christ. A distinctive feature of St. Paul's method of approach to these ethical matters is the justification of the Christian ethical doctrine unsympathetic to the Greek mind. Taking into consideration the ethical position of the Greek environment in Corinth, St. Paul tries to adapt the Gospel he proclaims, in order to present the teachings of Christ to Greek wisdom.

St. Paul's ethical approach is reflected in his message that the Christian converts in Corinth have only one master, Christ, and that the cross is the only wisdom (1 Corinthians 1: 10-4: 13). From a practical perspective this means that life here and now is a union between Christ and his followers and that this union can only be achieved by faith<sup>10</sup> – an ethical perspective he later pursued in much more detail when the crisis in Galatia developed, and St. Paul had to relate this teaching to Judaism.

In his first letter to the Corinthians St. Paul does not formulate the basic principles of ethics in terms of a categorical imperative, but he promotes the idea that the believer "ought" to be moral, that the Christian necessarily "is" moral – ethics is a natural and necessary consequence of religion. Although the Christians in Corinth were still very "carnal" (1 Corinthians 3: 3), they had to know that they not only "ought" to be sinless, but that they actually "were" so, and could not be otherwise.

St. Paul's call to ethical cleanness is primarily of an individualistic nature: "(B)e ye followers of me" (1 Corinthians 4: 16; 11: 1) – to be a follower of the example of Paul, Christians had to assimilate the pattern of his life, as "he also" had done that of Christ.

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10 Having faith involves an opening of the heart to Christ, underpinned by a simple trust in God's goodness (Freeman, 2003: 116).

For St. Paul to do the will of God, entails avoiding sexual immorality, dishonesty, idolatry, abusiveness, drunkenness and extortion (1 Corinthians 5: 11). The Holy Spirit provides the moral power under which Christians can live a life of purity and victory over moral baseness (1 Corinthians 5). Christian doctrine has vast implications for personal ethics. With reliance on the Christian doctrine of redemption St. Paul admonishes: “What? Know ye not that your body is the Temple of the Holy Ghost which *is* in you, which ye have of God, and ye are not your own? For ye are bought with a price: therefore glorify God in your body and in your spirit, which are God’s” (1 Corinthians 6: 19, 20).

Through the power of the Spirit believers are able to withstand the lusts of the flesh: “God *is* faithful, Who will not suffer you to be tempted above that ye are able; but will with the temptation also make a way to escape, that ye may be able to bear *it*” (1 Corinthians 10: 13).

Although St. Paul’s ethical perspectives in his first letter to the Corinthians are primarily individualistic, they also reflect a social dimension. The central claim of brotherly love among God’s children is possible because of the common possession of the Holy Spirit, who makes of all Christendom one great body, so that each individual is a member, whose sufferings must rouse the sympathy of all others, in whose joy all share alike, and who thus serves, and is meant to serve, all others (1 Corinthians 12).

Reliant on God’s promises, the Christian community in Corinth cleanse themselves from all defilement of the flesh and the Holy Spirit, “perfecting holiness in the fear of God” (2 Corinthians 7: 1). Christian piety and pure living according to God’s commands are supported by a strong apocalyptic vision: “For which cause we faint not; but though our outward man perish, yet the inward man is renewed day by day. For our light affliction, which is but for a moment, worketh for us a far more exceeding *and* eternal weight of glory; While we look not at the things which are seen, but at the things which are not seen: for the things which are seen *are* temporal; but the things which are not seen *are* eternal” (2 Corinthians 4: 16-18). The incarnation reflects an ethical pattern attaching the believer to the example of Christ: love to God and the neighbour (2 Corinthians 8: 9).

## **2.2 *The foundations of St. Paul’s ethics in his letters to the Galatians and the Romans (57-58 A.D.) and the Hebrews (67 A.D.)***

In St. Paul’s letters to the Galatians and the Romans, he treats the same problems, although he devotes more attention to the position of the law in Christian life. Whilst the first letter represents St. Paul’s immediate

reaction to a particular situation, the second letter is more in the form and style of a theological treatise in which St. Paul systematically arranges his specific ideas on Christian ethics. In his letter to the Christians of Rome, St. Paul addresses the mixed community of Christian converts in Rome because of the danger that Jewish and non-Jewish converts were looking down on each other. St. Paul systematically treats the relatedness of Judaism to Christianity, developing his basic ideas formulated as a response to the Galatian crisis. In his letter to the Romans St. Paul reassembled the basic ideas he had expressed in his letter to the Galatians, with the difference that whilst Galatians has a mixed personal and emotional appeal (Galatians 1: 12-2: 21), based on doctrinal argument (Galatians 3: 1-4: 31) and sincere admonition (Galatians 5: 1-6: 18), the letter to the Romans is a carefully planned treatise comprising a few basic sectors forming parts of a whole in which St. Paul outlines all the main issues that he subsequently deals with.

Having contrasted Christ as the Wisdom of God with the human wisdom of philosophers in the letter to the Corinthians, St. Paul, in the letters to Galatia and Rome, contrasts the perfection people can achieve by purely human effort with Christ who is the Perfection of God. St. Paul strives to correct the imbalance of the Greek outlook that relied too heavily on reason.

The pagan converts in Galatia were advised by judaising Christians to have themselves circumcised and to adopt all the prescriptions of the Law (Galatians 5: 2f.). The implications of this, to St. Paul, made nonsense of Christ's redemptive work (Galatians 5: 4). To St. Paul the true value of the Law could be appreciated only by understanding its place in the development and fulfillment of God's plan (Galatians 3: 23-25). Although the Mosaic Law was good and holy (Romans 7: 12) because it did convey God's will to the Jews, as law it was unable to provide anyone with the spiritual power necessary to obey it. All the Law could do was to make people aware of sin and of the need they have for God's assistance (Galatians 3: 19-22; Romans 3: 20; 7: 7-13). The whole of mankind needs this divine assistance, as a gift from God, promised to Abraham long before the Law was formulated (Galatians 3: 16-18; Romans 4), and has now been given in Jesus Christ. The death and resurrection of Christ is the ideal example of this new life (Romans 5: 12-21).

To St. Paul, Christ set the ideal example of love. Love is the fulfillment of the law: Avoid getting into debt, except the debt of mutual love. If you love your fellow men you have carried out your obligations. All the commandments: *You shall not commit adultery, you shall not kill, you*

*shall not steal, you shall not covet*, and so on, are summed up in this single command: *You must love your neighbour as yourself*. Love is the one thing that cannot hurt your neighbour; that is why it is the answer to every one of the commandments (Romans 13: 9-10).<sup>11</sup> Formulated differently: the law does not forbid the virtues of love – what the Spirit brings is the opposite of self-indulgence<sup>12</sup>: love, joy, peace, patience, kindness, goodness, trustfulness, gentleness and self-control. There can be no law against things like that (Galatians 5: 22-23). Love is the guiding principle in the charity which we must show towards everyone, including our enemies. We should do all we can to live in peace with everyone (Romans 12: 18). While we have the chance, we must do good to all, and especially to our brothers in the faith (Galatians 6: 10).

All those living in the faith are bound together by the Spirit; they are enabled to live according to the will of God (Romans 8: 1-4). Through faith and the Holy Spirit man is able to do good works – these good works will be prompted by the Spirit (Galatians 5: 22-25; Romans 8: 5-13), open to all those who have faith, whether Jew or pagan (Galatians 3: 6-9, 14). The implications of being empowered by the Spirit are far-reaching: through the Spirit we are able to live in communion with God (Romans 6: 2); through the Spirit we are able to transcend sin and to be alive for God in Jesus Christ (Romans 6: 11f.); through the Spirit we have become sons of God (Romans 8: 12f.): Everyone moved by the Spirit is a son of God. The spirit you received is not the spirit of slaves bringing fear into your lives again; it is the spirit of sons, and it makes us cry out, ‘Abba Father!’ The Spirit himself and our spirit bear united witness that we are children of God. And if we are children we are heirs as well: heirs of God and coheirs with Christ, sharing His sufferings so as to share His glory (Romans 8: 14f.); through the Spirit we have become slaves of God and of the righteousness of God (Romans 6: 18-22); we have become the property of God to bring forth fruit (Romans 7: 4), and because we are

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11 St. Paul’s literal admonition reads: “Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law. For this, ‘Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet;’ and if *there* be any other commandment, it is briefly comprehended in this saying, namely, ‘Thou shalt love thy neighbour as thyself’. Love worketh no ill to his neighbour: therefore love *is* the fulfilling of the law” (Romans 13: 8-10)

12 The vices of self-indulgence are: fornication, gross-indecency and sexual irresponsibility; idolatry and sorcery; feuds and wrangling, jealousy, bad temper and quarrels, disagreements, factions; envy; drunkenness; orgies and similar things (Galatians 5: 19).



now in Jesus Christ we are not condemned, because the law of the spirit of life in Jesus Christ has set us free from the law of sin and death (Romans 8: 2). All converts, whether Jews or not, are called upon to love and help each other as one family (Romans 12: 1-15: 13). The appeal to love one another is not limited to the believers only: God revealed his will in the hearts of non-believers also because the “works of the law” were also inscribed in the hearts of the pagans (Romans 2: 14, 15). The natural law thinking of St. Paul reflected the views then prevalent in the Greco-Roman world of his time – a system of ethical precepts of universal application, implanted in man, knowable through man’s reason and of practical use as benchmarks for evaluating human conduct.

While the general outlines of the basic ideas of Paul’s Christian ethics are sketched in Galatians, the details are worked out in more detail in Romans, such as the vocation of the whole human race to the children of God (Galatians 4: 1-7; Romans 8: 14-17) and the love and wisdom of God who only reveals his will stage by stage (Romans 3: 21-26; 8: 31-39). As in his letters to the Corinthians, St. Paul stresses the present reality of salvation – the Spirit is already possessed, as “first fruits” (Romans 8: 23) by the believers. From this Theocentric commitment flow important ethical implications: freedom entails being slaves of righteousness (Romans 6: 18). Freedom means to serve God and each other in love (Romans 6: 11-22, 7: 6, 14: 8; Galatians 5: 13). Believers are called upon to sacrifice their bodies to God in memory of His mercy (Romans 12: 1). This is only possible through the power of the Holy Spirit. Also the central claim of brotherly love is based on the common possession of the Holy Spirit, who makes Christians one great body to serve one another (Romans 12).<sup>13</sup> Through the Spirit we have died and have risen with Christ to a new moral life (Romans 6: 11). Every one has to live to benefit his neighbour, not himself; he is to act for his neighbour’s good, for his edification, just as Christ lived not to please Himself, but willingly took upon Himself all suffering and every kind of reproach (Romans 15: 3, 7).

About ten years later St. Paul, in his letter to the Hebrews (67 A.D.), added a strong eschatological perspective to his ethical views. The Jewish Christians in exile are exhorted to lead their lives in the perspective of the Exodus, marching to the Place of Rest, the Promised Land of heaven, led by the same light of faith and hope that had accompanied the Israelites on

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13 See e.g. Romans 12: 4: “For as we have many members in one body, and all members have not the same office ...”

the Exodus and had illumined all the saints of old (Hebrews 3: 7-4: 11). Christ replaced the old priesthood and, being a priest like Melchisedec, he is higher than Aaron (Hebrews 4: 14-5: 10; 7). Jesus Christ, the incarnate Son of God, is, as Leader and Priest, higher than all the angels and ruler of all things (Hebrews 12).

### **3. The role of benevolence and natural law in the early Lutheran Reformation**

#### **3.1 Luther's early works on the Psalms**

Although Martin Luther had done some teaching either at Wittenberg or at Erfurt after he had earned his master's degree in 1505, his teaching career came into full bloom especially after he had turned specifically to theology. By 1508 he was lecturing on Aristotle in Wittenberg, and the next year on Peter Lombard's *Sentences* at Erfurt. After receiving a doctor's degree in theology in 1512, he became a lecturer on the Bible at the University of Wittenberg. Luther succeeded his close friend, Johan Staupitz, the vicar general of the Augustinian Order – a position Luther filled for the rest of his life.

Luther's lectures on the Bible started with the Psalms because of his daily readings from the Psalter. Luther's *mea dictata super Psalterium* seems to have begun towards the middle of August 1513 and may have continued until the autumn of 1515. In the *Initium theologiae Lutheri* only one reference to natural law appears. Although Luther had accepted the notion of natural law as an element of his theological views prior to his lectures on Romans, he explicitly referred to the idea of natural law only once in his lectures on the Psalms. In his *Scholia* on Psalm 69: 16, Luther adds to his gloss on the words in this Psalm, "(f)or Thy mercy is kind," that the Christian's total concern must be to magnify and aggravate our sins, because the more deeply a person has "condemned himself" and "magnified his sins", the more is he fit for the mercy and grace of God (*LW*, 10: 369 (Lectures on the Psalms, Psalm 69)). To Luther this is what the apostle has forbidden, that we should please ourselves "in even one point" (*LW*, 10: 369 (Lectures on the Psalms, Psalm 69)). In the Weimar edition<sup>14</sup>, Luther's admonitions are stated strongly: "Sweet and good is the mercy of God, namely to those for whom their wretchedness is bitter and

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14 3: 412, 18-22: "... promissa sive quam promisisti olim ... permanenter, vel ne mei infigantur secundum spiritum ... ludeis vel demonibus, qui oderunt meos ... magnis passionibus et meos de peccatis suis."

evil. But to those for whom their wretchedness is pleasing, the mercy of God is not good; indeed, it is useless, because they scorn it, and this is so because there is a relationship between the greatness and variety of the mercy of God and our wretchedness. For grace does not abound except where sin and wretchedness abound.<sup>15</sup> Luther states that he who is pleased with himself cannot stand in the fear of God and be without presumption: “But what is worse than being without fear? Therefore every concern must be to strive for the supreme displeasure with ourselves, even in our good things” (*LW*, 10: 368 (Lectures on the Psalms, Psalm 69)). In the first place man’s omissions concern natural things, “for you must see whether you have given thanks to God throughout all the days and hours in your whole life, for you are held to this by a strict commandment and by natural law” (*LW*, 10: 368 (Lectures on the Psalms, Psalm 69)). Because mankind has received the blessings of God, such as life, being, feeling, mind, besides food and clothing and the service “of the sun, of heaven and earth and all the elements in exceeding variety, it is clear that you owe thanks for what you have received” (*LW*, 10: 368 (Lectures on the Psalms, Psalm 69)).

### **3.2 Luther’s commentary on Romans**

In the autumn of 1515 Luther began to expound to his students the Epistle of St. Paul to the Romans (*LW*, 25: Introduction to the Commentary on St. Paul’s Letter to the Romans). The lectures were begun on November 3, 1515, and continued till September 7, 1516. As Luther “slowly” and “painstakingly” prepared his lectures, he gradually came to a clear knowledge of the central teaching of Scripture, the doctrine of justification by grace through faith in Jesus Christ without works. Later Melanchthon took over Romans, and from his lectures came the first Lutheran manual of Christian doctrine called *Loci Communes* (the “Common Topics” of the Christian faith (*LW*, 25: Introduction to the Commentary of St. Paul’s Letter to the Romans)).

In his lectures on Romans, Luther “sharpened” and “deepened” his perspectives on natural law. This development has to be considered against the background of the “widening” of Luther’s theological perspectives after he had lectured on St. Paul’s epistles to the Romans, to the Galatians, and the one to the Hebrews (*LW*, 34: 336-337 (Preface to the Complete Edition of Luther’s Latin Writings)). Secondly, it has to be

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15 See Luther’s remarks: Psalmus LXVIII [LXIX] in *WA*, 3: 412, 22-23: “*aquarium magnis passionibus et meos de peccatis suis. Non me demergat tempestas furor et procella tudeonum aquae tribulantis populi: neque absorbeat me deglutiat, quod fuit impossibile act 2, profundum i.e. mors vel corruptio carnis ...*”

borne in mind that Luther's lectures on Romans provided him with the opportunity to develop his distinct Christological interpretation of scripture in avoiding the rigid partition of the fourfold understanding of Scripture practised by the scholastics (historical, allegorical, topological, anagogical) and the literal historical interpretation of Nicholas of Lyra. The key to Luther's commitment to his "new" approach to understanding Scripture, is contained in his marginal gloss to the *de filio suo* in Romans 1: 3: "Here the door is thrown open wide for the understanding of Holy Scripture, that is, that everything must be understood in relation to Christ." In the *scholia* he expressed the same thought at the beginning of chapter one: "The chief purpose of this letter is to break down, to pluck up, and to destroy all wisdom and righteousness of the flesh" (*LW*, 25: Introduction to Luther's Commentary on Romans). Thirdly, for the understanding of Luther's natural law views, cognisance has to be taken of his wrestling with the theme of "the righteousness by which God makes sinners righteous through faith in Jesus Christ" and the consolation afforded him when the text in Romans 1: 17, "he who through faith is righteous shall live," drew him to the conclusion that he was "altogether born again and had entered Paradise itself through open gates" (*LW*, 25: Introduction).

In the gloss to Romans 1: 17 Luther states the central theme of his notes on the letter to the Romans: He who believes in God will be saved and have the eternal life of the Spirit (*LW*, 25: 9 (LR, Romans 1)). No one is righteous unless he believes, "as it is written in the last chapter of Mark (16: 16): 'He who believes', *from faith to faith, as it is written*, Hab. 2: 4: 'The righteous,' namely, in the eyes of God, *shall live by faith*, that is, only through complete belief in God will he be saved." Luther states that all men are sinners and foolish, so that they may realise that their wisdom and righteousness is of no account and that they need the righteousness of Christ, and he demonstrates this first with the example of the Gentiles, who, by attributing His honour to others, do not glorify and worship Him; who suppress the true knowledge concerning God and have held it back.<sup>16</sup>

The apostle's words that "as many as have sinned without law shall also perish without law: and as many as have sinned in the law shall be judged by the law", are, to Luther, to the effect that the "Law" in this passage, that is, in this entire chapter, means the complete law of Moses, where both the Ten Commandments and also the love of God and of the neighbour are

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16 Luther earnestly endeavoured to award faith and reason each its rightful place, in the same vein as St. Paul had condemned the "philosophers" for their placing too much stress on reason rather than faith. Luther does not condemn rational argument, he makes it clear that no salvation is possible without faith in Christ.

enjoined. The apostle's answer to the question of how it is possible that they will perish without this law and that they have sinned without it, according to Luther, means "without the orally transmitted or the written law". The Gentiles have not received the rites and orders of the law of Moses, nor have these been transmitted to them. Therefore they were neither bound to them, nor have they sinned by not following them, like the Jews, who have accepted the Law, made a covenant through it with God, and received the promise of Christ in it. Nevertheless, they have received a spiritual law which the rites and ceremonies indicated in the moral sense.<sup>17</sup> This law is impressed upon all people, Jews and Gentiles, and to this law all people are bound. Therefore the Lord says in Matthew 7: 12: "Whatever you wish that men would do to you, do so to them; for this is the Law and the Prophets." The whole transmitted law is nothing but the natural law, which cannot be unknown to anyone and on account of which no one can be excused. The opinion of the apostle, to the effect that "they will perish without the Law," means that "they will perish without having received the Law." This means they have not sinned because they have not received the Law and have not observed it as Jews, and they will not perish because they have not kept the Law (*LW*, 25: 180 (Lectures on Romans, Romans 2)). The second reason is that the same law which they have not received they have learned to know in a different way, and yet they have not kept it (*LW*, 25: 181 (Lectures on Romans, Romans 2)). To the question of whether the Gentiles, who live outside of Christ but still fulfill the Law naturally and according to conscience, are saved, especially since original sin is not taken away without Christ and no commandment is fulfilled without grace, and salvation is given through Christ alone, Luther answers that the apostle has in mind everything the Law demands, because whoever fulfills the Law is in Christ, and he receives grace because "as much as he is able he has prepared himself for it" (*LW*, 25: 181 (Lectures on Romans, Romans 2)).<sup>18</sup> Original sin God could forgive them<sup>19</sup> on account of some act of humility towards God as the highest Being that they know. Neither were they bound to the Gospel or to Christ as specifically recognised, as the Jews were not either. Or one can say that all people of this type have been given so much light and grace by an act of prevenient mercy of God as is sufficient for their salvation in their situation, as in the case of Job, Naaman, Jethro, and

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17 Quite apart from the fact that they symbolized Christ.

18 On the ideas in *per sui preperationem ... quantum in se est*, see Luther's further comments at *LW*, 25: 186, 218, 496 (Lectures on Romans).

19 Even though they may not have recognized it and confessed it.

others. God in His forbearance “without doubt” supplied whatever was lacking<sup>20</sup> so that it might be made perfect through Christ in the future.

Expounding the apostle’s remarks in Romans 2: 11: “For there is no respect of persons with God”, Luther observes that these words were directed primarily against the conceit of the Jews, who boasted about their reception of the Law, as well as the pride of the Gentiles who inflated themselves with the excuse that since they did not know the Law, they did not deserve wrath: “He answers, ‘By no means!’ because ‘They will perish just as they are saved without the Law if they have kept their law, the law that is inborn and present in creation, not given; found at hand, not handed down to them; alive, not contained in letters” (*LW*, 25: 182 (*LR*, Romans 2: 11)). Luther adds that if we do to others what we want them to do to us, and we do wish for ourselves only what is good, glorious and great, then let us wish this first for God – a personal will, judgment, glory, and all the other things that are God’s, “which we have arrogated to ourselves in alliance with Lucifer” (*LW*, 25: 182 (*Lectures on Romans*, Romans 2)). In the second place, let us give them also to our neighbour, “whom we generally try to surpass. Let them, too, be our superiors. Then we will have fulfilled total humility both against God and against man, that is, complete and perfect righteousness” (*LW*, 25: 182 (*Lectures on Romans*, Romans 2)). The norm for perfect righteousness is contained in doing to others what we would like for ourselves: “For what could be more concise and salutary than this little lesson? ... ‘Whatever you wish that men would do to you do so to them.’”

In his interpretation of the text of Romans 7: 22<sup>21</sup> Luther again introduces the principle of neighbourly love as the norm for righteousness: this delight is brought about by love, because “to love righteousness and hate wickedness” is attributed to Christ alone in Psalm 45: 7 and in Psalm 1: 2: “But his delight is in the law of the Lord,” and through the Spirit of Christ to all who are His. Luther highlights a number of important aspects concerning the law: Paul shows that we must cling firmly to the law of Christ, since His law is the law of life and the law of the Spirit (Romans 8). The law of the Spirit, “written with the finger of God”<sup>22</sup>, says Luther, is “the love which has been poured into our hearts through the Holy

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20 And for this lack they are excused on account of their invincible ignorance.

21 “For I delight in the Law of God after the inward man.”

22 Deuteronomy 9: 10.

Spirit.”<sup>23</sup> This law is the law *of life*, because it “gives life,” whereas the law of “the written code kills”<sup>24</sup>, *in Christ Jesus*, through faith in Him, *has set me free from the law of sin*, as occasions arise, that is, from the desire of my members and my flesh, namely from the law of the letter (*LW*, 25: 67 (LR, Romans 8: 1)). The Law is established only through the spirit of faith; for what is impossible for the Law is possible for faith (*LW*, 25: 67 (LR, Romans 8: 1)). Those *who live according to the flesh*, in the native state, not yet born again in the Spirit through Baptism or repentance, set their minds on the good things of creation; that is, such things are pleasing to them and seem good to them, and therefore they do not “agree that the Law of God is good”<sup>25</sup>, but set their minds and feelings on other things. The old man *is hostile to God*, because *it does not submit to God’s Law*, namely by not lusting, for it lusts and follows its lusts. But through grace man is well cleansed of it (*LW*, 25: 68 (Lectures on Romans, Romans 8)).

The Holy Spirit, who makes new men by His presence, dwells in you by grace. If anyone does not have the Spirit of Christ, even if he bears the name of Christ and has all spiritual gifts and great works, Christ does not belong to Him, because he is under the letter of the Law and a dead member (*LW*, 25: 69 (Lectures on Romans, Romans 8)). But if Christ is in you, through faith, although the body is dead, your inner man is alive because of justification. The Greek has “righteousness” (*iustitia*), that is, by virtue of faith in Christ, which justifies (*LW*, 25: 69 (Lectures on Romans, Romans 8)). It is the Holy Spirit, who is given to us, who bears witness by strengthening our faith in God, with our spirit that we are the children of God (*LW*, 25: 71 (Lectures on Romans, Romans 8)).

Luther’s comments on Romans 15: 33 are of fundamental importance for understanding his arguments concerning ethics and natural law. Alluding to Romans chapters two and eight, Luther explains Paul’s remarks concerning the Gentiles who do by nature those things which are of the

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23 Romans 5: 5. Luther clearly has in mind the interpretation of St. Augustine in his *Treatise on the Spirit and the Letter* (28[XVI]) that “... the Lord is that Spirit: and where the Spirit of the Lord is, there is liberty.’ Now this Spirit of God, by whose gift we are justified, whence it comes to pass that we delight not to sin – in which is liberty ... this Holy Spirit, through whom love is shed abroad in our hearts, which is the fulfillment of the Law, is designated in the gospel as ‘the finger of God.’ It is not because those very tables of the law were written by the finger of God, that the Spirit of God by whom we are sanctified is also *the finger of God*, in order that, living by faith, we may do good works through love” (Augustine, 1997: 318).

24 2 Corinthians 3: 6.

25 Romans 7: 16.

Law by relying on Augustine's twofold interpretation: first, by understanding the reference to the *Gentiles* to mean those from among the Gentiles who are justified by the grace of Christ, in contrast to the unbelieving Jews who boast of the Law and of righteousness. From this he interprets the words "by nature", not as if grace were negated by nature, but rather nature restored by grace. But second, he says these words can be applied to those who, even though they lead an ungodly life and do not truly and properly worship God, are doing one or the other good thing for which reason we might say of them that they are doing some of the things which are of the Law and that they have an understanding of those things. In addition Luther also relies on the approach of St. Augustine in his *Treatise on the Spirit and the Letter*<sup>26</sup> that those that are called philosophers and especially the Platonists have taught that what is true and in harmony with the Christian faith, we are not only to shrink from it, but to claim it for our own use from those who have unlawful use of it. In effect this means that the pagan philosophers should not be discarded but their writings should be studied in such a way that other "Christian" teachings are disentangled from the rest.<sup>27</sup>

Luther draws a distinction between the statement "The works of the Law are written on their heart" and "The Law is written on their hearts," for the apostle did not want to say in this place, even if he knew it and could have said it, that they possessed the Law written on their hearts, he wanted to say only "the works of the Law". Therefore Luther believes that the sentence "The law is written on their hearts" is the same as "God's love has been poured into our hearts through the Holy Spirit".<sup>28</sup> This is, in the real sense, the law of Christ and the fulfillment of the law of Moses. Indeed, it is a law without a law, without measure, without end, without limit, a law reaching far beyond everything that a written law commands or can command. But the words "the work of the Law is written" mean that the knowledge of the work is written, that is, the law that is written in

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26 *A Treatise on the Spirit and the Letter* (S&L) Book 2 Chapter 40, page 1158-1159 (2, 40: 1158-1159).

27 Luther relies on the metaphor of Israel's appropriation of Egypt's vessels and ornaments of gold and silver, and garments, "designing them for better use," adding that "in the same way all branches of heathen learning have not only false and superstitious fancies and heavy burdens of unnecessary toil, which every one of us, when going out under the leadership of Christ from the fellowship of the heathen, ought to abhor and avoid; but they contain also liberal instruction which is better adapted to the use of the truth, and in some most excellent precepts of morality" (S&L, 2, 40: 1159).

28 Romans 5: 5.



letters concerning the works that have to be done but not the grace to fulfill this law. Therefore until the present they have of necessity remained tied to the letter that kills, for they have had nothing else but the works of the Law written on their hearts (*LW*, 25: 187 (Lectures on Romans, Romans 2)).

The Gentiles show that the work of the Law is written on their hearts. First, they show it to others by doing those things which are of the Law. Second, they show it to themselves now and to every man in the Judgment through this, that their conscience gives witness to themselves about themselves. It gives a good witness of good deeds that have been done. This is done by the thoughts that excuse and defend them. But their conscience also gives an evil witness about evil deeds. This is done by the thoughts that accuse them and torture their conscience. It is as if he were saying: This proves that the Law was not unknown to them, but that they have a knowledge of what was good and evil, for when they are tortured in their consciences, they see that they have done evil, but they would not be tortured if they did not recognize the evil they have done. Just as they themselves are judged before themselves by themselves while their conscience testifies and their thoughts accuse them or excuse them, so they will also be judged by God on the evidence of the same witness. For they do not judge themselves on the basis of other people's judgments of them or on the basis of the words of such a praise or criticise them, but rather on the basis of the innermost thoughts, which are so deep in their hearts that their souls cannot escape from these thoughts and get away from them, nor can they silence them, as they can silence the judgments and words of men. Therefore God too, will judge all people according to them and will reveal our innermost thoughts, so that there is no possibility to flee further inside and to a more private hiding place. The thoughts will of necessity be revealed and open before the eyes of everyone, as if God wanted to say: "See, it's not I who am judging you, but I merely agree with your own judgment about yourself and acknowledge this judgment" (*LW*, 25: 187 (Lectures on Romans, Romans 2)).

In conclusion it must be stated that the idea of natural law played an important role in Luther's theology. God's eternal law, made up of absolute precepts, can be grasped by means of reason. To what extent should these moral absolutes determine our behaviour? Luther's answer to this question entails that in his grace God provides man in his sinful existence with testimony on how to conduct himself. This does not differ much from Aquinas's statements about the impulse towards "the good" in man, which together with the power of rational thought allows human

beings to reach an understanding of what is morally right, except for Luther's correction of Aquinas's views on natural law as man's "appetite for the good of their nature as rational," the ability to "know truths about God and about living in society" in two important respects. Firstly, that man's reason, like his other faculties, is depraved and subject to sin; and secondly, that without the work of the Holy Spirit man is unable to know and follow the precepts of natural law – also called the "spiritual law of love" – because natural law emanates from God, through grace, and not from man's reason. These fundamental perspectives were accepted by Luther's student and follower, Melanchthon, who systemized Luther's basic ideas to form a comprehensive view of the early evangelical position on the ethical implications of natural law.

#### **4. Melanchthon's ethics of benevolence and natural law**<sup>29</sup>

##### **4.1 Melanchthon's interpretation of the letter to the Romans**

Apparently Luther never intended to publish his notes on Romans. They were evidently written for his own use in the lecture hall. Nevertheless, he preserved them carefully, intending perhaps to use them again in future (*LW*, 25: Introduction to the Commentary on St. Paul's Letter to the Romans). When Melanchthon arrived at the university in 1518, he took over the Romans lectures. It has been suggested that Melanchthon, who lectured on Romans five times, may have used Luther's notes for his work (*LW*, 25: Introduction to Lectures on Romans).

In Luther's absence Melanchthon devoted most of his time to reading and understanding St. Paul's theology. His commentaries on St. Paul's letters to the Romans and the Collossians were of such a high standard that Luther proceeded with the publication thereof.

Melanchthon expounded the letters to the Romans strictly along the same lines as Luther had. The more Melanchthon devoted himself to his expositions of St. Paul's letter, the more he was influenced by St. Paul's theology. Rather than proceeding with a flowing commentary on St. Paul's theology, Melanchthon decided on giving a systematical exposition of his theology. Because of his interest in the science of dialectics and the work

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29 All references to Melanchthon's *Loci Communes Theologi* (abbreviated as *LCT*, followed by the page number) of 1521 are to the text of *Melanchthon's Werke* (Volume II, Part I, edited by Hans Engelland) and the 1559 edition of his *Loci Praecipui Theologi* (abbreviated as *LPT*) are to the Erlangen edition of his *Opera Omnia*, by Detzer, Volume I.

of Rudolf Agricola, Melanchthon opted for applying the same techniques to theology. The result of his efforts was his famous *Loci Communes rerum theologiarum* – the first publication of Protestant dogmatics. The aim with his *Loci Communes* was to expound the great main themes concerning the relationship between God and man, as revealed in Jesus Christ. To Melanchthon knowing Christ does not concern the peripheral issues expounded by the Scholastics, but knowledge of the living relationship between Christ and the believer.

Most of his time in this work he devoted to the issue of the sinful nature of man, knowledge of sin through the law and man's redemption through the death of Christ. Melanchthon concluded his *Loci* by reflecting on specific ethical issues in which he explained how the Christian should practise his faith and love in the world. In 1521, when Melanchthon wrote the first *Loci*, his position was the same as Luther's, reflected especially in his view of man (*LCT* (1555): Introduction). During the unrest at Wittenberg in 1521-1522, when Luther was confined to the Wartburg and the radicals at Wittenberg were resorting to iconoclastic violence, Melanchthon saw the necessity to seek in law and natural reason certain ethical requirements which would be binding on all men. To Melanchthon these were to be found in the natural light of man's reason, thereby making room for a philosophic ethic and the laws of men apart from scriptural justification by faith in Christ. Melanchthon never suggested that the keeping of the ethical laws could justify man with God, but he did maintain that the rationality of man and communal living demanded such external discipline. Because Luther followed the same line of approach, he never opposed Melanchthon's natural law views (*LCT* (1555): Introduction). Whilst Luther advanced in his *The Freedom of the Christian Man* that the justified (or redeemed) man's heart is so filled with love, through the Holy Spirit, that he acts in accordance with this love (Galatians 5), Melanchthon maintained God's universal revelation and the working of the Holy Spirit in the lives of the unredeemed in order to establish a basis for discipline among even the unconverted (*LCT* (1555): Introduction). However, to Melanchthon, the natural light, kindled by the Holy Spirit, as a basis for external, disciplined behaviour for the unredeemed, had no bearing on the internal forgiveness and faith of the Christian – in no way is faith subverted. Even in his 1555 *Loci*, Melanchthon maintained the view he had expressed in his 1521 tract on inward and outward piety – the redeemed man would wish to obey God's commandments because of the indwelling of the Holy Spirit, not in order to merit justification. The unredeemed should also abide by the Ten Commandments, at least externally, because they are specific expressions of God's divine natural law which, but for the Fall, would be clear to man's natural light (*LCT* (1555): Introduction). Luther was so impressed by

Melanchthon's work at this time that he appropriated Melanchthon's lectures on Corinthians and published them (*LCT* (1555): Introduction).

## **4.2 Melanchthon on divine law and natural law**

### *4.2.1 The different categories of law*

Melanchthon distinguishes the following categories of law: divine law, the law of nature and human laws (*LPT* (1559): 107).<sup>30</sup> Divine Laws are those which have been given by God at different times and they can be found everywhere in the writings of Moses and in the Gospels (*LPT* (1559): 107).<sup>31</sup> The law of nature, as will be pointed out later, is the natural knowledge of God, the government of custom and the distinction between good and evil (*LPT* (1559): 107). It is divinely instilled into the mind of man just like the knowledge of the divine numbers (*LPT* (1559): 107). Therefore it coincides with that part of the divine law which is called morals (*LPT* (1559): 107).

### *4.2.2 The nature and role of Divine Law*

To Melanchthon divine laws are those which have been sanctified by God in the Holy Scripture (*LCT* (1521): 46(1-3)). There are three types of laws: moral, judicial and ceremonial. Moral laws are those prescribed by the Decalogue (*LCT* (1521): 46(3-4)). Everything written about morals in the whole of Scripture can be traced back to the Decalogue (*LCT* (1521): 46(7-8)). He warns that care should be taken, however, that we do not explain the Decalogue only in terms of its formal function of duties and precepts in the scholastic way (*LCT* (1521): 46(9-13)).<sup>32</sup> Melanchthon identifies three main principles: You shall have no other gods; do not abuse the name of God, and remember to observe the holiness of the Sabbath (*LCT* (1521): 46(14-16)). To Melanchthon there can be no doubt that Christ deals with them in this law: Love the Lord your God with your entire heart, entire soul and entire mind (*LCT* (1521): 17-19)).

To Melanchthon the entire Mosaic Law consists of these parts: moral, ceremonial, forensic and the judicial laws of Moses. This classification should be carefully considered, because despite the fact that the Mosaic state has come to an end this classification of laws should of necessity still be

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30 "Primum recensentur hae species: lex divina, lex naturae, leges humanae."

31 "Leges divinae sunt, quae a Deo traditae sunt, quocunque tempore, et exstant scriptae passim in Mose et libris evangelii ..."

32 "Est autem observandum hic, ne decalogum exponamus de solis externis peribus partiamurque in consilia et praecepta more scholastico, quare paucis percurram legum formulas."

considered. Ceremonial, Mosaic and forensic laws were not imposed on the other nations and are not binding on contemporary societies (*LPT* (1559): 107). These laws were temporarily given to the people of Israel so that the state could endure for a certain period of time. This was to ensure that there would be a certain place in which Christ could be born, reveal Himself, hold public sermons, become a sacrifice and start eternal life (*LPT* (1559): 107).<sup>33</sup>

But there is another division of law which is called morals which are eternal judgments and rules of God (*LPT* (1559): 108). They are not changed by the passage of time. Moral laws are those which deal with the recognition of God in the mind, the obedience of the heart towards God, virtues towards man, justice, chastity, truth and temperance (*LPT* (1559): 108).<sup>34</sup> By the wondrous counsel of God all the moral laws are included in one small wording tablet, called the table of the Decalogue (*LPT* (1559): 108). Consequently it is customary to speak of the Decalogue whenever we wish to indicate the moral laws, because they can be understood without difficulty. Moral laws, therefore, are those contained in the Decalogue as well as the repetition of the precepts of the Decalogue which can be found in the prophetic and apostolic writings (*LPT* (1559): 108). Seeing that they represent the eternal rules of the divine mind, they will always resound in the Church as they did even before Moses. They will remain forever and will be applicable to all nations. There is a great deal of natural law in the courts and in customary law, such as the law mentioned in Leviticus 18 against incestuous practices. They deal with virtues and respect the blood relationship. God clearly states that the Canaanites were destroyed on account of the incest they committed (*LPT* (1559): 108). Because the nations were accused of this crime even before the recognition of the laws of Moses, they were condemned in creation by the eternal law of God and natural judgment (*LPT* (1559): 108). To Melancthon the law of God is a doctrine given by God for enjoining us what we should be, what we should do and what we should refrain from doing (*LPT* (1559): 105).<sup>35</sup> It requires complete obedience to God, stating also that God becomes angry and punishes the failure to show complete

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33 “(E)t fuerint ad tempus isti populo Israel traditae, ut politia ad tempus certum duratura erat, ut esset locus certus, in quo Christus nasceretur, et se patefaceret, concionaretur, fieret victima, et palam inchoaret vitam aeternam.”

34 “Sunt autem leges morales, quae praecipunt de agnitione Dei in mente, et de obedientia cordis erga Deum, et de virtutibus erga homines, ut de iustitia, castitate, veritate, temperantia.”

35 “Lex Dei est doctrina a Deo tradita, praecipiens, quales nos esse et quae facere, quae omittere oportet, et requirens perfectam obedientiam erga deum ...”

obedience with eternal death (*LPT* (1559): 105). God's law demands complete obedience: Love the Lord your God with your whole heart, your entire soul and all your strength. Similarly love your neighbour to the same extent as you love yourself. Similarly do not covet anything: there is a warning to the effect that somebody is accursed if he fails to adhere to the principles of this law and does not comply with them (*LPT* (1559): 105).

Melanchthon maintains that there is an enormous difference between human law and divine law (*LPT* (1559): 105).<sup>36</sup> In the same way as the people were unable to look at the shining face of Moses, but could only look at it when it was veiled, so the minds and eyes of the people look at the law of God from far off but fail to understand the nature of the law (*LPT* (1559): 105). They think that it is a doctrine about visible conduct. Let us not look at the Law of God in the same way as the Law of the Twelve Tables of Rome which perished many centuries ago along with their Senate House and the stage for the spectators in the forum (*LPT* (1559): 105). The law of God is a steadfast rule of the divine mind and judgment over sins. That which Christ said is impressed on the human mind: "I have not come to undo the law but to fulfill it" (*LPT* (1559): 105)<sup>37</sup> The following distinction should be drawn: Human laws only prohibit external conduct (*LPT* (1559): 105). Philosophy teaches us much more, namely that conduct is not adjudged to be honourable purely externally which can be simulated, but in the mind there should be correct judgment and a free choice to act correctly (*LPT* (1559): 106). It pronounces no judgment on that natural uncleanness or those very great sins against the First Table, doubt about God, a heart which is void of fear and love for God, and similar maladies clinging to the nature of man (*LPT* (1559): 106).

But the law of God not only requires external conduct or diligence in controlling the emotions about which the philosophers speak (*LPT* (1559): 106). It requires a free and complete obedience to God, a sure knowledge about God, a true and everlasting fear, firm belief in God and everlasting affection (*LPT* (1559): 106).<sup>38</sup> Because the true nature of man is not of that

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36 "Hic primum monere necesse est, ingens et infinitum discrimen esse inter leges humanas et divinam."

37 "(S)ed lex Dei est regula aeterna et immota mentis divinae et iudicium adversus peccatum, quod impressum est humanis mentibus, et saepe Dei voce praedicatum, de quo dicit Christus: non veni solvere legem, sed implere etc."

38 "(U)t natura integre obediat Deo, firmam de Deo notitiam habeat, verum et perpetuum timorem, firmam fiduciam Dei, ardentem amorem ..."

kind, the voice of the law is the judgment of God which condemns sin in our nature. This is what St. Paul means when he says that the law is spiritual. It is not only a political wisdom which regulates external conduct in civil life (*LPT* (1559): 106). It is a totally different doctrine which demands a spiritual movement, firm knowledge about God and an ardent and perfect affection as stated by the law: “Love the Lord your God with your whole heart” (*LPT* (1559) 106).

To Melanchthon, the Catholics, when they talk about civil discipline, say that the law of God is complied with by this civil discipline or philosophy. Therefore they think that people are just and that they please God with their works, because they think that those works comply with the law of God (*LPT* (1559): 106). They do not teach that people are just and reconciled to God and pleasing to Him by faith in Christ the Mediator (*LPT* (1559): 106). St. Paul refutes these mistakes by the Pharisees. He affirms that the law of God cannot be complied with by this weak human nature. Sin cannot be removed by conduct in accordance with the law, but our Lord Jesus Christ the Son of God was sent to take away sin and give us justification and eternal life “and we might say in abundance” (*LPT* (1559): 106-107).<sup>39</sup>

#### 4.2.3 *Melanchthon on the two forms of piety*

In an early tract on worldly and Christian piety, *Unterschiedt zwischen weltlicher und Christlicher Fromkeyt* (1521/1522), dating from approximately the same time as his *Loci*, Melanchthon distinguishes worldly (or external) piety, practised by human reason, from Christian (or internal) piety, practised through faith (*MW*, I: 171-172). Worldly piety, to Melanchthon, is the world order, composed of external conduct based on man’s reason (*MW*, I: 172). External piety, according to Melanchthon, is written in man’s reason by God; it is planted in man’s reason, demanding that nobody shall be hurt, the common peace be kept and the love of the neighbour be maintained (*MW*, I: 172). Human reason, however, has no knowledge of God and God’s grace (*MW*, I: 172).<sup>40</sup>

Because man’s reason does not have the ability to know God, He sent His Son, Jesus Christ, to reveal to us the will of His Father. This is the meaning

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39 “Sed hos pharisaicos errores de lege refutat Paulus, affirmat, legi Dei hanc infirmam naturam hominum non posse satisfacere, nec placari iram Dei, nec tolli peccatum per opera legis, sed missum esse Filium Dei, Dominum nostrum Jesum Christum, ut tollat peccatum, et donet nobis justitiam et vitam aeternam, ut suo loco copiosius dicemus.”

40 In his *LCT* (1555) Melanchthon applies this same distinction between internal and external piety (see *LCT* (1555): 152).

of piety in us, which is worked by Christ in us through the work of the Holy Spirit. Through the work of the Spirit we are made aware of divine piety in us. Different from internal piety, external piety does not justify us before God – therefore, only the Spirit of Christ in us is true piety (*MW*, I: 172-173).<sup>41</sup>

External piety firstly concerns the worldly authorities carrying the sword (*MW*, I: 174). Because God subjected mankind to the sword He demands external piety and virtues in order to keep peace. Man is commanded to obedience towards the worldly authorities provided such authorities do not demand anything contrary to God's commandments. Secondly, external piety demands that children obey their parents (*MW*, I: 174).

Both forms of piety are demanded by and contained in the Ten Commandments: the first demands faith in God, the second that the name of God be honoured, the third that God be served. The fourth command subjects us to our parents and all other authorities; the fifth protects life; the sixth sexual purity; the eighth prohibits man not to lie in the courts, and the ninth and tenth demand a pure heart without desires of the flesh.<sup>42</sup> Such purity, says Melanchthon, brings with it the Holy Spirit (*MW*, I: 174-175).

#### 4.2.4 Melanchthon's views on the nature and precepts of natural law

In the 1521 edition of his *Loci*, Melanchthon states that the law is an opinion which enjoins that which is good and prohibits that which is bad (*LCT* (1521): 41(15)).<sup>43</sup> Laws are natural, divine or human (*LCT* (1521): 41(20)).<sup>44</sup> Concerning natural law Melanchthon remarks that he has not yet seen anything worthwhile written by either the theologians or the jurists (*LCT* (1521): 41(20)).<sup>45</sup> The precepts of natural law are said to be formulated by human reason through natural syllogism (*LCT* (1521): 41(25)). However, Melanchthon doubts whether it can be done at all because human reason is defective and blind (*LCT*, (1521): 41(25-27)). Paul in his second chapter to the Romans, "in a wondrously elegant manner" states that law of nature is in us (*LCT* (1521): 41(28-31)). Paul

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41 See Melanchthon's remarks in his *LCT* (1555): 153.

42 The Ten Commandments, then, require all men, whether born again or not born again, to live according to God's will as far as external morality is concerned. See *LCT* (1555): 152.

43 "Est autem lex sententia, qua bona tum praecipuntur tum mala prohibentur." All references to the 1521 edition of Melanchthon's *Loci Communes* contain the date (1521), followed by the page and the paragraph.

44 "Legum aliae naturales sunt, aliae divinae, aliae humanae."

45 "De naturalibus legibus nondum vidi neque a theologis neque a iurisconsultis aliquid digne scriptum."



concludes by saying that there is a conscience amongst the nations which either accuses or defends conduct (*LCT* (1521): 41(30-32)).<sup>46</sup> Therefore it is the law. Melanchthon asks: what else is conscience than the judgment on the conduct which can be sought from any law? Therefore the law of nature is an opinion with which all people agree. God has engraved it on the minds of everybody and it is suitable for the formulation of morals (*LCT* (1521): 41(36-37)).

Just as the whole is more than the constituent parts, so there are in morals common principles or first conclusions for the activities of man. These are called the laws of nature (*LCT* (1521): 42(1-4)).<sup>47</sup> Cicero in his books on the laws imitated Plato and derived formulae of the laws from the nature of man. However, much impious material appears in the debates of Cicero. This usually happens when we follow our own devices and the precepts of the mind rather than the precepts of the Holy Scripture (*LCT* (1521): 42(11-13)). Judgment according to human understanding is often unreliable due to our inherent blindness. So much so that even if certain forms of custom are engraved into our own minds it is difficult to understand them. The laws of nature are inscribed on the minds of human beings (*LCT* (1521): 42(17-18)). This means that the knowledge of these precepts has grown out of the mind of man. It was not discovered by our own ingenuity, but by our inborn capacity of judgment provided by God (*LCT* (1521): 42(17-21)).<sup>48</sup>

The principles of those laws which are properly applicable to man and to which we subject ourselves are the following: (1) God must be served (*LCT* (1521): 42(30))<sup>49</sup>; (2) because we are born into a society of life, no one should be injured (*LCT* (1521): 31-32))<sup>50</sup>; (3) human society requires that all things should be used jointly (*LCT* (1521): 42(33-34)).<sup>51</sup> We find the first law about the service of God in chapter one of Romans. There is no doubt that the apostle counts them amongst the natural laws. He says

46 “Est in gentibus conscientia factum defendens vel accusans; est igitur lex.”

47 “... quale illud est totum esse maius partibus, ita sunt quaedam in moralibus tum principia communia tum conclusiones primae – utendum est enim docendi gratia istorum vocabulis – regulae omnium humanarum functionum. Has recte vocaveris leges naturae.”

48 “Quod vero dico leges naturae a deo impressas mentibus humanis, volo earum cognitionem esse quosdam, ut isti loquuntur, habitus concreatos, non inventam a nostris ingeniis, sed insitam nobis a deo regulam iudicandi de moribus.” According to Melanchthon this agrees with the philosophy of Aristotle (*LCT* (1521): 42(22)).

49 “Deus colendus est.”

50 “Quia nascimur in quandam vitae societatem, nemo laedendus est.”

51 “Poscit humana societas, ut omnibus rebus communiter utamur.”

that God revealed His majesty to all mankind by the creation and administration of the entire world (*LCT* (1521): 42(35)-43(117)).<sup>52</sup>

The second law, where it is provided that nobody should suffer harm, can without doubt be collected from the necessity of the community where everybody is born bound and joined to everybody else (*LCT* (1521): 43(6-8)).<sup>53</sup> This is indicated in the Holy Scriptures, stating that it is unbecoming for man to live alone, but a life companion should be joined to him (*LCT* (1521): 43(9-10)). The law, therefore, provides that nobody should cause harm to anybody else, that means that we should eagerly love everybody else and that everybody should treat our benevolence with respect (*LCT* (1521): 11-13)).<sup>54</sup>

To the question of why state officials put guilty people to death, Melancthon answers that because Adam fell from the sinless state all of mankind are thereby branded with the mark of sin (*LCT* (1521): 43(17-19)). Often good people are injured by the wicked, therefore the human race should exert itself to preserve as much as possible the law not to injure people. Consequently those people who disturb the public peace and injure the innocent should be restrained and removed from society so that more people can be saved by removing those who cause injury. The law remains: cause no harm to anybody (*LCT* (1521): 43(21-25)).<sup>55</sup> But if somebody suffers injury, that one who caused the injury should be removed so that more people are not injured (*LCT* (1521): 43(26f.)). It is more important to save a multitude than to preserve one or two (*LCT* (1521): 43(27-28)).<sup>56</sup> Therefore that person who threatens an entire multitude with some or other crime, is removed. For that very reason there are officials of the state, punishments for the guilty and wars which all the jurists place under the heading of the law of nations (*LCT* (1521): 43(30-32)).

The third law dealing with the community of property obviously emanates from human society (*LCT* (1521): 43(33-34)).<sup>57</sup> Because if that community

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52 "Primam legem de colendo deo accepimus ex primo cap. ad Romanos, ubi non dubium est, quin inter naturales leges recenseat apostolus, cum inquit deum declarasse omnibus hominibus maiestatem suam conditione et administratione universitatis mundi."

53 "Secundam legem, qua cavetur, ne quis laedatur, non dubium est colligi ex necessitudine communi, qua omnes omnibus devincti copulatique nascimur ..."

54 "Iubet itaque lex, ne quis laedatur, hoc est, ut certatim inter nos amemus omnes, ut benevolentiam nostram studio et officio omnes experiantur."

55 "...refrenandos tollendosque esse e medio, qui publicam pacem interturbant, qui innocentes laedunt, quo plures servari possint, sublatis iis, qui laeserant. Manet lex: neminem laede."

56 "Pluris est universam multitudinem servare quam unum aut alterum ..."

57 "Tertia lex de rerum communione plane ex ratione societatis humani generis oritur."

of friendship as it is usually called exists between friends, why should the same principle not be applicable to all human beings, seeing that all should stay together amongst themselves? (*LCT* (1521): 43(33-36)).<sup>58</sup>

Human caprice does not alter the common use of everything. This first law has to be amended so that nobody suffers harm. To that extent property should be shared as far as it is in keeping with public peace and the benefit of the multitude (*LCT* (1521): 43(6-8)). Furthermore in the place of the third law another one should be promulgated, namely that property should be divided when it is desirable for the ordinary welfare of the multitude. The condition of human affairs is of such a nature that the sharing of certain commodities is required. While natural things should be shared by everybody it has been decreed that their use should be communicated by purchase and sale, letting and hiring and other ways. From this we may gauge what is the origin of contract. Plato also stated in his fifth book on the laws that a state is well governed in which that common statement is adhered to as closely as possible: Everything belonging to friends is property owned jointly. This is true in the case of citizens to the extent that everybody's limbs, eyes, hands, feet, mouth, all serve the public interests. No better example of a well constituted state can be found, other than one in which the community of friends is observed. Therefore contracts can be found in terms of which the property belonging to everybody is shared by many so that a community of property cannot be excluded. These matters apply to the general formulae of the law of nature which may be arranged in the following way: (1) serve God; (2) because we are born into a common society of life, do not cause harm to anybody, but assist everyone with kindness; (3) if the causing of harm to anybody is inevitable, take proper care to cause as little harm as possible (*LCT* (1521): 44(26-37)). Those who disturb the public peace are excepted and for such purposes officials and penalties are provided; (4) divide the property for the sake of public peace, for the rest some people should alleviate the poverty of others (*LCT* (1521): 44(39)-45(2)).

There are people who would like to add specific opinions from the poets, the orators, and the historians who are accustomed to refer to the law of nations (*LCT* (1521): 45(3-4)). The writings of the Gentile writers should not rashly be accepted as laws. Many views commonly held follow the wicked emotions of our nature and not the laws.

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58 "Nam si inter pauculos amicos valere debet, quod vulgo dicitur ... id est, ut sint inter amicos omnia communia: cur non idem valeat inter omnes homines, siquidem debebant ita inter se omnes cohaerere, ut cohaerent fratres cum fratribus, liberi cum parentibus, parentes cum liberis?"

The good man is obedient to the civil laws which are fair and just. This means both divine and natural law. If anything is decided upon which is in conflict with those, there is no way in which such a decision can escape being unjust (*LCT* (1521): 26f.)).

#### 4.2.5 *The role of natural law*

Melanchthon states that in the same way in which the eyes are divinely equipped with sight the human mind has a certain amount of knowledge with which man can know and form an opinion about many matters (*LPT* (1559): 138).<sup>59</sup> He refers to the usual divisions in philosophy like the beginnings of visible objects, the knowledge of numbers, order, syllogisms, geometrical principles and physics (*LPT* (1559): 138).<sup>60</sup> These are the sources, says Melanchthon, of many useful things in life. What would life be without numbers or without order? Others are practical principles such as the complete natural distinction between that which is good and that which is bad. These practical principles should be as clear and as firm as the knowledge of numbers, because if the origin fails there is an onset of darkness and mankind fails to distinguish between that which is good and that which is bad (*LPT* (1559): 138). Therefore people do not constantly act in accordance with this knowledge: God has to be obeyed, adultery has to be avoided, and honourable agreements should be observed in the same way as effect is given to the knowledge that two times four amounts to eight (*LCT* (1559): 138).<sup>61</sup> The knowledge of the laws still remains but man's obedience is poor on account of the stubbornness of the heart. Knowledge of the law is evidence that we originated from God who should be obeyed, and it is an indictment of disobedience (*LPT* (1559): 138). Doubt and stubbornness is a clear indication that human nature is imperfect as indicated by man's monstrous sins. St. Paul explains this in the following words: "Truth is held captive by injustice."<sup>62</sup> This means that true knowledge is impressed upon man and that God is the one and eternal mind (*LPT* (1559): 139).<sup>63</sup> He is the Founder and Keeper of everything. He is wise, good and just and God

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59 The philosophers call this the knowledge of first things in Greek.

60 "(A)c vulgaris divisio nota est, alia esse principia speculabilia, ut notitias numerorum, ordinis, syllogismi, principia geometrica, physica ..."

61 "Deo obediendum est; adulterium est vitandum; honesta pacta sunt servanda, sicut huic notitiae: bis quatuor sunt octo."

62 Romans 1: 18.

63 "(H)is verbis exposuit: veritatem iniustitia detinent, id est, etsi impressa est hominibus vera notita, quod sit Deus una quaedam aeterna mens ..."

should be obeyed according to the distinction drawn between good and bad. But these virtues are held captive by injustice; they do not reign, and injustice governs and fights with true knowledge manifesting itself in an aversion to the wishes of God, contempt of God, trust in man's own strength and also attacks on and fights with the Divine Light inherent in the mind (*LPT* (1559): 139).

The natural light should not be extinguished from the mind but should rather be kindled. The mind should be strengthened so as to recognise those practical principles and to embrace them. The precepts of natural law are equal to the immutable decrees of God (*LPT* (1559): 139). Paul states in Romans 1: 19: "God shows this to them", similarly in Romans 2: 15: "The work of the written law in their minds"; Romans 1: 21: "They who know the law of God." The following is therefore a true definition of the law of nature: the law of nature is knowledge of the divine law placed in the nature of man. Therefore it is said that man was created in the image of God, because in His image,<sup>64</sup> that is to say, the knowledge of God shines in man (*LPT* (1559): 139).

Although the image of God does not shine in human nature informed by corruption, the knowledge of God still remains. Therefore the first law of nature is to acknowledge that there is only one God. The eternal Soul wise, just, good; the Creator of everything, blessing the good and punishing the unjust. From Him comes our capacity to distinguish between good and bad. In accordance with this distinction He should be obeyed. God should be invoked and from Him all good should be expected. Melancthon refers to Paul who quotes and explains the first law of nature in Romans 1. It is clearly in agreement with the First Precept (*LPT* (1559): 140).

The laws and statements against taking an oath and the penalty for perjury belong to this precept. The same applies to the penalties for all those who blaspheme against God (*LPT* (1559): 140). The third precept applies when we read about acceptable statements and honourable ceremonies (*LPT* (1559): 141).

To Melancthon the natural laws which are in accordance with the First Table are more obscure than the subsequent rules dealing with the civil society (*LPT* (1559): 141).<sup>65</sup> Reason naturally understands the distinction

64 "(E)st ergo vera definitio legis naturae: legem naturae esse notitiam legis divinae naturae hominis insitam; ideo enim dicitur homo ad imaginem Dei conditus esse ..."

65 "Hactenus recensui leges naturae convenientes cum prima tabula, quae sunt obscuriores, quam sequentes, quae de civili societate loquantur."

between human and animal life, justice, chastity, truth, temperance, modesty, goodwill and all divine virtues (*LPT* (1559): 141). It also understands that virtues were created to serve God. Even ability is no consideration even though God adds obvious benefits to being a member of such a society. Firstly we should realise that society should be reasonable and that order and government is required. The first source of government is parental power (*LPT* (1559): 141).<sup>66</sup> Over the course of time this served as a model for the power exercised by state officials who rule and defend the entire society (*LPT* (1559): 141).<sup>67</sup> The fifth precept applies to the statement which provides that nobody should be harmed by unlawful violence (*LPT* (1559): 141). Reason teaches us that these injuries are avoided not only as a matter of public convenience but for the sake of justice for which the human mind is equipped with a measure of sensitivity. Justice demands that the innocent should be protected and that the officials should curb the activities of wicked members of society or remove them altogether (*LPT* (1559): 141).

The law against unlawful killing published in the Mosaic Law was not the first measure to be adopted to curb unlawful killing. From the very outset God added an outstanding testimony to the judgment of nature when He put a curse on Cain as punishment for fratricide. The law contained in Genesis 9: 6 was later promulgated to outlaw murder and to instruct officials to punish the crime (*LPT* (1559): 142).<sup>68</sup> These are the words of the text: “Whoever sheds human blood his blood will be shed,” that is, by an official (*LPT* (1559): 142). Man was created in the image of God which means that to understand, one must invoke and propagate God, and to be just, God preferred that His servant and priest should not suffer violence but wished that he should be protected and assisted so that he can serve and invoke God. God Himself is the Avenger when His image is disturbed as the result of His servant and priest being killed. Therefore God adds significant testimony to the laws of nature so they are not extinguished in this darkness of the human head (*LPT* (1559): 142).

In the sixth instance is the judgment of reason which distinguishes the life of man from that of the animal. It states that man should contract a marriage subject to certain specific laws. This law disapproves of loose

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66 “Primum igitur agnoscit ratio in hac societate, ordine et gubernatione opus esse, et primus fons gubernationis est parentum auctoritas ...”

67 “(A)d hanc imaginem postea traditur potestas magistratibus, qui totam societatem regunt et defendunt.”

68 “(C)um maledicitur et punitur Cain propter interfectum fratrem: promulgatur et postea lex Gen. 9. 6., quae prohibet homicidia, et punire praecipit per magistratus.”

morals and adultery (*LPT* (1559): 142).<sup>69</sup> The judgment is in accordance with reason as testified by many marriages (*LPT* (1559): 142). There are many transgressions of this order in this corruption of nature but God sanctified this law concerning marriages once and for all in Paradise. Afterwards he punished wayward lusts in the flood and in other instances. This is what we are taught by the law of nature (*LPT* (1559): 142).

The seventh precept applies to the statement: everybody has due reason to see that the separation of ownership is in agreement with the nature of people and that property should pass from one owner to another by way of contract because men are bound to each other by reciprocal obligations to exercise justice and benevolence (*LPT* (1559): 142).<sup>70</sup> The philosophers call this natural judgment the law of nature and it contains a great mass of proofs and many examples (*LPT* (1559): 142). The platonic confusion does not agree with this nature of men for which it is necessary that there should be separate spheres of power and separate states so that wickedness can be curbed (*LPT* (1559): 142).<sup>71</sup> To serve God we must keep within the just limits of our contracts, not to defraud others, but rather to help them keep that which belongs to them (*LPT* (1559): 143).

The eighth precept is a judgment fixed in the mind of man which provides that truth should be loved and protected and falseness should be avoided (*LPT* (1559): 143). If this were not the case, there would have been no lasting contracts, there would have been no obligations and relations of peace, there would have been no confidence in agreements and the courts would work without any purpose (*LPT* (1559): 143). Truth should be looked for in the arts, in medicine and in other disciplines. What a disaster in life it is when falsehoods are passed off for the truth and poison is prescribed instead of medicine. Consequently God always mixes infinite profits with His laws. Let us not always look at the profits alone but much rather at the order created by God. Let us love and protect this order which is the preservation of truth in order to serve God (*LPT* (1559): 143).

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69 “Ad sextum pertinet iudicium rationis, quod discerhens hominum et pecudum vitam jubet homines certis legibus matrimonia contrahere, et improbat vagos concubitus et adulteria ...”

70 This involves the principle of *suum quique triburere*: “Ad septimum pertinet dictum: suum quique tribuere. Videt ratio distinctionem dominiorum convenire huic naturae hominum, et res per contractus communicandas esse, ut mutuis officiis homines inter se devinciantur et exercent justitiam et beneficentiam ...”

71 “Nec platonica illa confusio convenit haic naturae hominum, in qua necesse est distincta esse imperia et distinctas civitates, ut coerceri mali possint: quare et res distingui necesse est.”

The laws of nature according to the sequence of the Decalogue are clear and the sequence correctly follows the way indicated by reason (*LPT* (1559): 143). It is useful to follow this sequence so that the usefulness of the law of nature and the Decalogue becomes apparent. It is useful in many instances to look at it, secondly to let us understand that the very laws of nature are divine (*LPT* (1559): 144). The divine law, in the form of natural law, resounds from heaven. The Lord claims that He is the author of natural law and demands obedience in terms of that knowledge. Through natural law God accuses mankind of disobedience. God wishes his voice of judgment to sound against sin (*LPT* (1559): 144).

## **5. The implications of the Lutheran-Melanchthonian perspectives on God's universal revelation through natural law**

The early Reformational approach to man's ethical involvement in the world relied heavily on the Pauline approach to ethics contained in his epistles to the Corinthians, the Romans and the Galatians. Paul's ethical position in his letter to the Romans particularly, served as the model for both Luther and Melanchthon's approach to the evangelical involvement in society. The Lutheran interpretation of Paul's natural law ethics contained a number of important elements for answering the questions regarding whether natural law is antithetical to Christian ethics; whether there is any basis for communication between evangelical Christians and other Christian denominations and non-Christians relating to ethical issues; whether there is a coherent worldview undergirding the evangelical involvement in ethical issues concerning society, and to what extent natural law-based ethics should be taken seriously in the world.

To Luther and Melanchthon the law is closely related to man's position, calling and duties in the world, God's "appointment" of man in creation and God's commandments to live together in the world. The light of Scripture is of fundamental importance for understanding man's ethical calling and responsibility towards God and society. Man's ethical relationships have to be determined in the light of the absolute demands of God's law and the role of human laws in man's inter-personal relationships. Man is dependant on God's grace and love and therefore man has no rights towards God. Natural law is of divine origin and because man is completely subject to God, man is also subject to the demands of divine and natural law. Because of man's sinful nature, man is compelled to accept and apply the principles of natural law in order to promote justice in the world. Man-made (or positive) law has to be tested against the standards set by natural law because sin also impacts upon



man's lawmaking capabilities. Although man has a natural knowledge of this "deeper" or more "fundamental" law of nature, the principles of natural law are, as an act of God's graceful involvement in the world, confirmed by the Word of God. Because law finds its origin in God's creational and providential work in the world, there is no room for espousing deistic views of law and justice.

The Lutheran argument in favour of natural law ethics has to be considered against the backdrop of the Greek and Roman conceptions of the existence of "good," "true," "right" or "ideal" legal precepts, called natural law. Natural law as such is of divine origin and is given with man's being and functioning in the world. The demands of natural law flow from man's createdness in the image of God, man's fall into sin and the restoration of God's image in man through the death and redemptive work of Christ. Although it is impossible for man to meet the demands of natural law to make "ideal" law and perform "perfect" works of justice because of sin, man remains under the duty to aspire to the divine ideals set by the law of nature.

Although law has a "static" or "creational" dimension, because of its "createdness" by God, it plays a dynamic role in man's existence as a creature subject to God's ethical demands. The dynamic application and development of the precepts of natural law (as a spiritual law of love) are made possible by and through the working of God's Spirit in man. This implies that the principles of natural law are immutable and remain of universal application, although the practical adherence to these principles may differ from place to place, from time to time and from legal system to legal system. Although the "fixed" nature of natural law is reflected in the fact that it originates from God's creational will and man's createdness in the image of God, the "historical" and "existential" application and enforcement of the precepts of natural law are subject to the providential work of God, through His Spirit, in creation.

Natural law appeals to, and is closely associated with, man as a divine creature endowed with a specific task and status in God's eschatological plan with the world and with man's role in it. The typical features of natural law are expressed in its universality, its uniqueness as divine precepts to ensure and provide the essential order in society, and in its providing norms for guaranteeing a basic order of love in human relationships. In the early Lutheran Reformation law functions as the aspect of enforcement in ethical relationships to ensure that the dual demands of love are maintained in society. The spiritual law of love serves as the provider of the order which is necessary for maintaining social

relationships, economic endeavors and virtuous practices to the service of God. The appeals of natural law are reflective of God's universal revelation of love and grace; they provide a basis for cultural engagement across cultural and political boundaries and contribute towards an order in which love and virtue can be cultivated; they provide the rigour among evangelicals to adopt a Biblical worldview approach to cultural engagement and to the influencing of public life.

Luther and Melancthon's interpretation and application of the Pauline model of natural law ethics reflects the inclusivity of St. Paul's ethical approach – because virtue is contained in man's service of God and man's ethical position is regulated by God's law (divine and natural), it encompasses both the "Petrine" and "Disciple's" dimensions to ethics. Furthermore, both virtue and obedience to the precepts of the Torah, in response to love of God, through faith and the working of the Holy Spirit, have their place in God's eschatological involvement with man in this world – sometimes forgotten conceptions in the ongoing evangelical quest for advancing the discourse on restoring the moral fiber of societies torn apart by conflict, or by social and political differences.

The acceptance and development of the Pauline system of natural law ethics by Luther and Melancthon also produced important consequences for their views on ethics and rights. Broadly speaking the implications of the Lutheran interpretation of the Pauline system of natural law ethics can be grouped together under two headings: firstly, the inadequacy of the boundary normally drawn between jural duties and ethical duties, and secondly, defining natural law in terms of the intercommunication between human beings. Concerning the relationship of and distinction between jural and ethical duties, Luther and Melancthon focus on the principle of social benevolence as the foundation of natural law ethics. Under the moral law of mutual benevolence there is an ethical obligation to make sacrifices to protect others from evil or to procure for them the greatest possible good, even though we are not bound under any jural obligation to make such sacrifices. Such moral duties flow from the precepts of mutual love stated by Christ. However, there is always an infringement of right and consequent violation of the moral-jural law, when we force others to make sacrifices for us or to cause harm to third parties. The interplay between the principle of benevolence and the moral-jural law in the Lutheran system of ethics comes very close to Cicero's statement to the effect that without doing evil, anyone can try to use what is his own; but he has no right to harm others in doing so.

On the other hand, knowingly preventing good to others or causing them harm with actions that bring no advantage, but exercised under the pretext of using one's rights, means acting injuriously and in bad faith, not sanctioned by any moral law. Consequently there is no obligation in others to respect either the freedom of these actions or the rights on which they are based.

From a jurial point of view, acting in a way which avoids harm to oneself or obtains some good, without harm to others or impediment to their good, does not injure another's right, no matter how right of fact is employed. Such activity is always jurally lawful and valid, and can sometimes be upheld by force.

Melanchthon's views on the natural right of ownership flow from the principle that the foundation of right is found in the divine precept, and in man's createdness in the image of God with the natural inclination to love his fellow-man. In effect it means that the proper, original source of human right is contained in the obligation that others have of not causing harm by disturbing the freedom and rights of others. This obligation is nothing other than an aspect of our duty to love our fellows, a duty imposed by nature. In effect it means that morality is the sole source of right. Furthermore it implies that rights have moral limits, and if moral limits did not exist, there would be no criteria to determine them. Subjected to guidance by the principle of social benevolence, rights (for example the right of ownership) are limited by circumstances, all of which are reduced finally to a moral principle, that is, to appropriating things in a way that preserves respect for others.

Luther and Melanchthon contributed substantially to the understanding of a distinctly Reformational conception of the term nature. To Luther and Melanchthon nature is reflective of man furnished with reason, morality and relationships towards his fellow men, towards whom he must observe the moral precepts. Therefore, to them, man is not an isolated being with strict, inflexible rights, without regard for other co-existent human beings. By implication man's rights (human rights) are moral relationships between individuals, not simply qualities inherent to the nature of the individual. By implication this means that the social dimension of natural rights entails that the bearer of a right does not, in the first place, have a right to anything, but only a right to exclude others derived from the moral obligation of others to allow themselves to be excluded. If this obligation did not exist, the right would no longer exist. The Lutheran meaning of nature focuses on man as a human being and his intercommunication with others; only excluding the positive laws of civil society, expressing the

right proper to each individual. Applied to ownership, for example, this sees ownership elevated to the status of right only so far as moral obligation seals and informs it.

The dynamics of benevolence related to rights within the context of social life reveal to us that a right is always a relationship between people who are free to act, in a moral sense, while others are obliged to respect, in a moral sense, that freedom of action. A number of important implications flow from this truth: Firstly, the foundation of all law is the principle of love expressed in the idea of justice; secondly, the main aim of jurists should not be to make laws, but to interpret the supreme law of justice as an expression of love; thirdly, positive law cannot be the source of rights; fourthly, positive laws are to be judged by justice; fifthly, the supreme natural moral law of justice is expressed in the precept to love others for what you know them to be, and to respect the rights they have; in the sixth place, justice is the principle source of right and the source of all the various kinds of rights; seventh, the science of justice, namely jurisprudence, is the unshaken foundation of all human authority and of all laws made by such authorities. In the last mentioned sense there is truth in the Latin expression *Fiat justitia, ruat coelum* (let justice prevail, whatever the consequences) – this is the first principle of law in the human heart and the most simple, basic foundation of all law is justice, a message that has to be carried by those who live in faith and are led by the Spirit.

## Bibliography

- DARYL, C.J. 2002. *The Unformed Conscience of Evangelism: Recovering the Church's Moral Vision*. Downer's Grove: Intervarsity Press.
- FREEMAN, C. 2003. *The Closing of the Western Mind. The Rise and Fall of Reason*. London: Pimlico.
- KOOIMAN, W.J. 1963. *Philippus Melancthon*. Amsterdam: Uitgeverij W. Ten Have NV.
- LUTHER, M. 1883-1987. *Werke. Kritische Gesamtausgabe (WA)* (78 vols.). Weimar: Hermann Böhlau Nachfolger.
- LUTHER, M. 1960. *Luther's Works, Volume 34: Preface to the Complete Edition of Luther's Latin Writings*. Spitz, Lewis W. & Lehmann, Helmuth T. (Eds.). Philadelphia: Fortress Press.
- LUTHER, M. 1972. *Luther's Works, Volume 25: Lectures on Romans*. Ed. Hilton C. Oswald. St. Louis: Concordia Publishing House.
- LUTHER, M. 1974. *Luther's Works, Volume 10: First Lectures on the Psalms*. Ed. Hilton C. Oswald. St. Louis: Concordia Publishing House.
- MELANCTHON, PHILIP. s.a. *Loci Communes Theologici*. In: Detzer, Joan Andrea, *Philippi Melancthonis Opera Omnia, Vol. I: Locus Theologicos Continens*. Erlangen.
- MELANCTHON, PHILIP. 1521-1522 [1951]. *Unterschied zwischen weltlicher und Christlicher Fromkeyt*. In: Stupperich, Robert, (Red.), *Melancthons Werke, Vol. I: Reformatorische Schriften*. Güttersloh: C. Bertelsmann Verlag.

- MELANCHTHON, PHILIP. 1521 [1952]. *Loci Communes Rerum Theologicarum Seu Hypotyposes Theologicae* In: Engelland, Hans (Red.), *Melanchthons Werke, Vol. 2(1): Loci Communes von 1521; Loci Praecipui Theologici von 1559 (1. Teil)*. Güttersloh: C. Bertelsmann Verlag.
- MELANCHTHON, PHILIP. 1555 [1965]. *Melanchthon on Christian Doctrine. Loci Communes 1555*. Transl. and ed. by Clyde I. Manschreck. Grand Rapids, Michigan: Baker Book House.
- MELANCHTHON, PHILIP. 1559 [1952]. *Loci Praecipui Theologici* In: Ed. Hans Engelland, *Melanchthons Werke, Vol. 2(1): Loci Communes von 1521; Loci Praecipui Theologici von 1559 (1. Teil)*. Güttersloh: C. Bertelsmann Verlag.
- SAUNDERS, E.P. 2002. *Paul*. Oxford: Oxford University Press.
- WITTE, JOHN. 2002. *Law and Protestantism. The Legal Teachings of the Lutheran Reformation*. Cambridge: Cambridge University Press.