

Formula of Concord, Art VI. Third Use of Law

⁹ Hence, because of the desires of the flesh the truly believing, elect, and reborn children of God require in this life not only the daily teaching and admonition, warning and threatening of the law, but frequently the punishment of the law as well, to egg them on so that they follow the Spirit of God, as it is written, “It is good for me that I was afflicted that I might learn thy statutes” (Ps. 119:71). And again, “I pommel my body and subdue it, lest after preaching to others I myself should be disqualified” (1 Cor. 9:27), and again, “If you are left without discipline in which all have participated, then you are illegitimate children and not sons” (Heb. 12:8). Dr. Luther thoroughly explains this at greater length in the summer portion of the Church Postil, on the Epistle for the Nineteenth Sunday after Trinity.¹

¹⁰ It is also necessary to set forth distinctly what the Gospel does, creates, and works in connection with the new obedience of believers and what function the law performs in this matter, as far as the good works of believers are concerned. ¹¹ **The law indeed tells us that it is God’s will and command that we should walk in the new life, but it does not give the power and ability to begin it or to do it.** It is the Holy Spirit, who is not given and received through the law but through the preaching of the Gospel (Gal. 3:2, 14), who renews the heart. ¹² Then he employs the law to instruct the regenerate out of it and to show and indicate to them in the Ten Commandments what the acceptable will of God is (Rom. 12:2) and in what good works, which God has prepared beforehand, they should walk (Eph. 2:10). He also admonishes them to do these, and when because of the flesh they are lazy, negligent, and recalcitrant, the Holy Spirit reproves them through the law. In this way the Holy Spirit simultaneously performs both offices, “he kills and brings to life, he brings down into Sheol, and raises up.”² His office is not alone to comfort but also to rebuke, as it is written, “When the Holy Spirit shall come, he will convince the world (to which the Old Adam belongs) of sin and of righteousness and of judgment.”³ ¹³ Sin is everything that is contrary to the law of God, ¹⁴ and St. Paul says, “All Scripture is inspired by God and profitable for teaching, for reproof.”⁴ But to reprove is the real function of the law. As often, therefore, as Christians trip, they are rebuked through the Spirit of God out of the law. But the same Spirit raises them up again and comforts them with the preaching of the holy Gospel.

¹⁵ In order as far as possible to avoid all misunderstandings, to teach and to maintain the strict distinction between the works of the law and those of the Spirit, we must observe with special diligence that in speaking of good works that are in accord with the law of God — for otherwise they are not good works — the word “law” here has but one meaning, namely, the immutable will of God according to which man is to conduct himself in this life. ¹⁶ The distinction between works is due to the difference in the individuals who are concerned about living according to the law and the will of God. **For as long as a person is not reborn, lives according to the law, and does its works merely because they are commanded, from fear of punishment or in hope of reward, he is still under the law.** St. Paul calls the works of such a man “works of the law” in the strict sense,⁵ because his good works are extorted by the law, just as in the case of bondservants. Such people are saints after the order of Cain.⁶

¹⁷ But when a person is born anew by the Spirit of God and is **liberated from the law** (that is, when **he is free from this driver** and is driven by the Spirit of Christ), he lives according to the immutable will of God as it is comprehended in the law and, in so far as he is born anew, he does everything from a free and merry spirit. **These works are, strictly speaking, not works of the law but works and fruits of the Spirit,** or, as St. Paul calls them, the law of the mind and the law of Christ. According to St. Paul, such people are **no longer under law but under grace** (Rom. 6:14; 8:2). ¹⁸ Since, however, believers are not fully renewed in this life but the Old Adam

clings to them down to the grave, the conflict between spirit and flesh continues in them. According to the inmost self they delight in the law of God; but the law in their members is at war against the law of their mind.⁷ Thus though they are never without the law, they are not under but in the law, they live and walk in the law of the Lord, and yet do nothing by the compulsion of the law.¹⁹ As far as the Old Adam who still adheres to them is concerned, he must be coerced not only with the law but also with miseries, for he does everything against his will and by coercion, just as **the unconverted are driven and coerced into obedience by the threats of the law** (1 Cor. 9:27; Rom. 7:18, 19).

²⁰ Believers, furthermore, require the teaching of the law so that they will not be thrown back on their own holiness and piety and under the pretext of the Holy Spirit's guidance set up a self-elected service of God and without his Word and command, as it is written, "You shall not do every man whatever is right in his own eyes, but heed all these words which I command you. You shall not add to it nor take from it" (Deut. 12:8, 28, 32).

²¹ Believers, furthermore, require the teaching of the law in connection with their good works, because otherwise they can easily imagine that their works and life are perfectly pure and holy. But the law of God prescribes good works for faith in such a way that, as in a mirror, it shows and indicates to them that in this life our good works are imperfect and impure, so that we must say with St. Paul, "I am not aware of anything against myself, but I am not thereby acquitted" (1 Cor. 4:4). Thus, when Paul admonishes those who have been born anew to do good works, he holds up before them precisely the Ten Commandments (Rom. 13:9), and he himself learns from the law that his works are still imperfect and impure (Rom. 7:18, 19). David says, "I will run in the way of thy commandments" (Ps. 119:32), but also, "Enter not into judgment with thy servant; for no man living is righteous before thee" (Ps. 143:2).¹

Romans 8:1-3 There is therefore now **no condemnation** to those who are in Christ Jesus, who do not walk according to the flesh, but according to the Spirit. 2For the law of the Spirit of life in Christ Jesus has made me free from the law of sin and death. 3For what the law could not do in that it was weak through the flesh, God did by sending His own Son in the likeness of sinful flesh, on account of sin: He condemned sin in the flesh,

Romans 6:22-23 But now having been **set free from sin**, and having become slaves of God, you have your fruit to holiness, and the end, everlasting life. 23For the wages of sin is death, but the gift of God is eternal life in Christ Jesus our Lord.

Galatians 3:10-13 For as many as are of the works of the law are **under the curse**; for it is written, "Cursed is everyone who does not continue in all things which are written in the book of the law, to do them." 11But that no one is justified by the law in the sight of God is evident, for "the just shall live by faith." 12Yet the law is not of faith, but "the man who does them shall live by them." 13Christ has redeemed us from the curse of the law, having become a curse for us (for it is written, "Cursed is everyone who hangs on a tree"),

Galatians 5:13 For you, brethren, have been called to liberty; only do not use liberty as an opportunity for the flesh, but through love serve one another.

1 Timothy 1:8 But we know that the law is good if one uses it lawfully,

¹Tappert, T. G. (2000, c1959). *The book of concord : The confessions of the evangelical Lutheran church* (The Formula of Concord: 2, VI, 9-21). Philadelphia: Fortress Press.

SECTION XII: THE LAW IS TO BE PREACHED IN THE CHURCH,
AGAINST THE ANTINOMIANS

The error of the Antinomians is attacked.

§ 204. The threefold use of the Law shows clearly that the madness of the Antinomians must be repudiated. They think that God's moral Law must be banned and eliminated from the church. We oppose them with the following syllogism: Whatever God Himself has solemnly published, and the prophets and apostles and even Christ Himself repeated and stressed to their hearers, and its treatment is not only useful but also necessary—this must by no means be banished from the bounds of the church. The moral Law: (1) Was published solemnly by God Himself on Mount Sinai (Exodus 20). (2) It was repeated by all the prophets because, in addition to explaining the promise of grace, they were also expositors of the Law, which is evident. (3) And it was stressed by Christ Himself and His apostles to their hearers in the New Testament. Matt. 5:17: "I have not come to destroy the Law but to fulfill it." Rom. 3:31: "We do not destroy the Law by faith, but we uphold it." (4) It has use that is connected with a necessity, for it restrains the unrebborn by outward discipline; by accusing sin it drives us to Christ; it prescribes the norm of good works to the reborn; it accuses their old flesh; it accuses the imperfection and uncleanness that still clings to their inchoate obedience, lest they be carried away into secret raptures, the license of the flesh, self-chosen worship, or to confidence in their own righteousness. To put it briefly, unless the pure, complete, and unstained doctrine of the Law is preserved in the church, the article of justification will not stand in purity and integrity, neither will the doctrine of good works nor orthodoxy regarding sin and free choice.

The arguments of the Antinomians.

§ 205. (1) The props the Antinomians use to confirm their error fall apart easily. (1) "1 Tim. 1:9: 'The Law was not laid to the righteous man.' The reborn are righteous."

We respond. Not all who are in the external fellowship of the church are reborn and renewed, nor are those who are reborn and renewed wholly free from their old flesh. The Law was not laid to the righteous according as they are free from the curse of the Law by faith in Christ, and from faith they begin to show a willing obedience to the Law. At the same time, these righteous people are partly "still carnal and sold under sin" (Rom. 7:14). Therefore they need the mirror of the Law, for in it they see the filth of their sin which still clings to them and have a prescribed norm to follow in doing good works. Therefore the Law was not laid to the righteous with respect to its first use, according as the Holy Spirit leads them to obey the Law willingly, nor do they need its whipping. Second, [the Law was not laid to the righteous] with respect to condemnation. In this sense some note that the apostle said νόμος οὐ κεῖται δικαίῳ ["the Law is not laid to the righteous"], not οὐ τίθεται ["is not given"]. Matt. 3[:10] uses this same formula, seemingly with the same meaning: "The ax is laid to the root of the tree." Bernard (Letter 11): "Fittingly it does not say 'the just have no Law' or 'the righteous are without the Law,' but 'the Law was not

SECTION XIII: THE NECESSITY OF RENDERING OBEDIENCE TO THE DIVINE LAW

The Law must be obeyed.

§ 207. Moreover, this obedience which is owed to the Law must have its beginning **in the reborn in this life**. For Scripture describes those who truly believe and are reborn in this way: They are guarded against external lapses and sins against conscience. They walk in good works and give outward obedience in accord with the Law. The Holy Spirit begins in them new impulses of heart, mind, will, and all their members according to each of the Commandments. In their spirit—that is, by the new powers given them by the Holy Spirit—they battle against their corrupted desires and mortify their flesh. However, because in all of this they do not fulfill as much as the Law demands, they also acknowledge the uncleanness and weakness that still clings to them and to their works. They confess that they are righteous in God's sight by faith, not by their own works. They implore that their sins be covered and that they be ruled by the Holy Spirit. By such faith, which lights their way, and by the true fear of God, good works are done.

To this belongs Luther's observation **that we use God's Law "lawfully"** [1 Tim. 1:8] in this way: (1) If we consider every day what the Law requires of us. (2) If we thank God for sending His Son as our Redeemer, who freed us from the curse of the Law. (3) If we further make confession of our sins by which we have transgressed the Law and hope for their forgiveness through Christ. (4) If we add prayer that He may make us zealous for good works by His Spirit and write His Law onto our heart.

Chemnitz lists the summons that should invite us to obey the Law in this order ([*Loc.*] *de lege*, ch. 8, p. 255): (1) **True faith** longs to be free from sins, and therefore it will be a tireless encourager to avoid sins and to do good works. (2) Along with faith is given the **Holy Spirit**, who drives us to do good. Therefore one must be careful not to sadden nor drive out this Guest. (3) **The love of God**, manifested toward us by so many benefits, should make us love God and keep His Commandments, for it is the nature of a lover to be obedient to his beloved. (4) **Out of filial reverence** we should be very careful not to offend God, our kind Father. Now, just as love reminds itself of God's benefits, promises, and examples of rewards by which the inner man is sweetly invited to obedience, so also filial reverence reminds itself of God's wrath, warning, and examples of punishments by which the outer man is coerced and restrained.¹

The means that lead us to sincere obedience are: the hearing of and meditation on the Word, sincere prayer, fleeing from opportunities for sin, etc. Ps. 1:2: "Blessed is the man who meditates on the Law of the Lord day and night." Ps. 119:11: "I have laid up Your word in my heart that I might not sin against You." Deut. 6:6–8: "The words which I command you this day shall be upon your heart; and you shall teach them diligently to your children; you shall talk of them when you sit in your house and when you walk by the way and when you lie down and when you rise. And you shall bind them as a sign upon your hand," etc.

¹ Chemnitz's Works 8:792.