

The Leipzig Debate and Theological Method

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I. Introduction

The Leipzig Debate is one of the iconic moments in the history of the Reformation.¹ The picture of Luther standing against Eck is part of a series of iconic moments, which includes Luther and Cajetan in 1518 and Luther before the emperor at Worms in 1521. It is the picture of the lonely monk before the authorities of the Roman Church. In the case of the Leipzig Debate, this picture is not quite correct. Luther was not alone; he was not even the first to debate Eck. That honor fell to his colleague Andreas Bodenstein von Karlstadt. Nor was the debate a confrontation with an ecclesiastical authority figure, but rather a meeting between colleagues. The debate is most famous for the discussion on ecclesiology, especially the authority of the pope and the councils. This essay, however, will look at the Leipzig Debate not as a contribution to ecclesiology, but rather to theological methodology.

But is this a fair reading of the Leipzig Debate? The Reformation started out as a debate on indulgences, but it soon became a debate on ecclesiology. The debate on the reformational turn in Luther's theology—that is, the question of what made Luther the Reformer and when it happened—focuses on Luther's teaching on justification and the mediation of salvation.² In all of this, questions of material dogmatics are at the center; theological method is not. On the other hand, the great

¹ On the Leipzig Debate in general, see the essays in Markus Hein and Armin Kohnle, eds., *Die Leipziger Disputation 1519, vol. 1, Leipziger Arbeitsgespräch zur Reformation*, Herbergen der Christenheit Sonderband 18 (Leipzig: Evangelische Verlagsanstalt, 2011). On the prehistory of the debate, see Kurt-Victor Selge, "Der Weg zur Leipziger Disputation zwischen Luther und Eck im Jahr 1519," in Bernd Moeller and Gerhard Ruhbach, eds., *Bleibendes im Wandel der Kirchengeschichte: Kirchenhistorische Studien* (Tübingen: J. C. B. Mohr, Paul Siebeck, 1973), 169–210. For the whole context and the aftermath of the debate, see Martin Brecht, *Martin Luther: His Road to Reformation 1483–1521* (Minneapolis: Fortress Press, 1985), 299–348. The text of the Leipzig Debate is found in Martin Luther, *Luthers Werke: Kritische Gesamtausgabe* [Schriften], 73 vols. (Weimar: H. Böhlau, 1883–2009), 59:433–605 (hereafter WA). There is no English translation of the debate. The most comprehensive summary in English is still W. H. T. Dau, *The Leipzig Debate in 1519: Leaves from the Story of Luther's Life* (St. Louis: Concordia Publishing House, 1919).

² For an introduction to the discussion on Luther's Reformation turn, see Brecht, *Martin Luther: His Road to Reformation 1483–1521*, 221–237.

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change in what Luther says compared to the theology of his time does at least imply a change in theological method.³ A fresh reading of the Latin text of the Leipzig Debate in the new edition of 1982 will highlight Luther's theological methodology.⁴

In the Leipzig Debate between Luther and Eck, the great topics are the authority of the councils, the primacy of the pope, and purgatory. These discussions show different theological methods in Luther and Eck in the different ways they argue and in what each of the disputants accept as a valid argument. Kurt-Victor Selge used the term *Autoritätengefüge*, "structure of authorities," in an article on the Leipzig Debate.⁵ Such a "structure of authorities" structures theological teaching and debate. What is meant by that? Theological statements are propositions, sentences that claim to be true. Theologians have to argue for the truth of such statements. Even to say, "But it is obvious; everybody sees it," is an argument. For practically all theological statements, though, such an appeal to a direct apprehension of the truth is not a viable option, for most theological statements do not state basic beliefs that, for example, are based on immediate sensory experience or are known a priori.⁶ Theological statements are most commonly derived from other statements. The question of authorities is thus twofold: First, what kind of statements are allowable as reasons for a theological statement (which raises the question of sources and authorities in theological argumentation)? Second, what are the rules to get from these statements to a theological statement? The second question does not need to concern us here much, because there was no controversy between Luther and Eck. Both used traditional logic in the Leipzig Debate. Whatever concern Luther had in regard to the use of logic in theology, in this debate he did not reject the syllogistic form of argument.⁷ At the beginning of the disputation, the disputants issued what was called a *protestatio*, a declaration of intent. Karlstadt said:

³ Cf. Leif Grane, *Modus loquendi theologicus Luthers Kampf um die Erneuerung der Theologie, 1515–1518* (Leiden, Netherlands: E. J. Brill, 1975).

⁴ The new edition by Franz Tobias Bos from 1982 is in WA 59:433–605. This presents a text based on more printed editions than what was published in 1884 (WA 2:254–383), and it adds many helpful footnotes.

⁵ Kurt-Victor Selge, "Das Autoritätengefüge der westlichen Christenheit im Lutherkonflikt 1517 bis 1521," *Historische Zeitschrift* 223 (1976): 591–617.

⁶ Two candidates for such basic beliefs could be the belief of the existence of God, if one accepts Alvin Plantinga's argument (cf., for example, Alvin Plantinga, *Warranted Christian Belief* [New York: Oxford University Press, 2000], 175–180), and the self-authenticating nature of Scripture (cf. Robert Preus, *The Theology of Post-Reformation Lutheranism*, vol. 1 [St. Louis: Concordia Publishing House, 1970], 296–300).

⁷ On Luther and logic, cf. Graham White, *Luther as Nominalist: A Study of the Logical Methods Used in Martin Luther's Disputations in the Light of Their Medieval Background*, *Schriften der Luther-Agricola-Gesellschaft* 30 (Helsinki: Luther-Agricola-Society, 1994); Stefan Streiff, "Novis linguis loqui": *Martin Luthers Disputation über Joh 1,14 "verbum caro factum est" aus dem Jahr*

First, we testify and want it to be testified everywhere, that we do not want to depart anywhere from the Catholic church a finger's breath. But if there is anything found of that kind, we want it to be regarded as something that has lapsed out of human ignorance, not intentionally, and that it should be seen now as recanted. We do not dictate to the judgment of the scholars, nor do we prejudge the authority of the public schools. Let each one's judgment remain inviolate, as long as the Scriptures are not treated indistinctly [*per nebulam*] but in their entirety. But we give to the sacred Scriptures this honor, that we do not want to assert or teach anything without them. In other things, which cannot clearly be taught from them, we give the first place only to the ecclesiastical writers.⁸

Eck said:

I state in theological candor: as I have taken up this task to the praise of God, the honor of the church, the salvation of souls, and the elucidation of the truth, it is not my intention to say or assert anything that is contrary either to the sacred Scriptures or to holy mother church. I am ready to be corrected and instructed by the apostolic see and by those to whose judgment we have submitted yesterday, according to custom, this our disputation.⁹

Luther stated: "In the name of the Lord, Amen. I embrace and follow the *protestatio* of both excellent lords, Andreas Karlstadt and Johannes Eck." Luther goes on stating that it was not his idea to discuss the primacy of the pope.¹⁰

These protestations were part of the medieval form of disputation.¹¹ Disputations have the purpose to discuss and clarify theological issues. For that, one needs some kind of freedom and the chance to explore and investigate different options. On the other hand, theologians had to be orthodox; they had to accept what was already received as truth by the church. Hence, in the protestation they ritually, so to speak, enacted their submission to church authorities and preempted any accusations that they were intending to go beyond the boundaries of church doctrine or to defy the ecclesiastical authorities. Thus, the protestations state the common base of the theological discussion and affirm the structure of authority to which the disputants submit. But the protestations at Leipzig also showed that

1539, *Forschungen zur systematischen und ökumenischen Theologie* 70 (Göttingen: Vandenhoeck and Ruprecht, 1993).

⁸ WA 59:433.19–29. All translations from WA 59 are my own.

⁹ WA 59:433.32–434.38.

¹⁰ WA 59:434.40–41.

¹¹ On the form of the disputation, see Anselm Schubert, "Libertas Disputandi: Luther und die Leipziger Disputation als akademisches Streitgespräch," *Zeitschrift für Theologie und Kirche* 105 (2008): 411–442.

there were differences. Karlstadt invoked the Catholic church but was silent on the authority of the pope, while emphasizing the sole authority of Scripture. Eck explicitly mentioned the apostolic see. Luther seemed to acknowledge the authority of the apostolic see and the *sola scriptura*, and he was open to correction from the apostolic see. But under what conditions? That is the question. The protestations therefore enumerate authorities: Scripture, ecclesiastical writers, the Catholic church, the apostolic see. The protestations do not explicitly state the relation between them, which became the source of conflict and finally a break in the Reformation. Thus, we will look at how the authorities of Scripture, church fathers, canon law, councils, and the papacy were used and described, and how these authorities related to one another in the Leipzig Debate.

II. The Authorities

Luther stated: “The word of God is, in fact, above all words of man.”¹² The supremacy of Scripture was an uncontroversial statement between Luther and Eck. More controversial was this question: How does this “being above” work itself out in the church? Additionally, the question of the canon becomes controversial in the context of purgatory.

The Leipzig Debate was not simply about the authority of the pope; it was also about purgatory. The Reformation, after all, started with the dispute on indulgences for the dead, a dispute about the power of the church to be able to free the souls in purgatory from temporal punishment. The existence of purgatory was a given for the medieval western church, deeply imbedded in the life of the church with its masses and prayers for the dead and with the sale of indulgences. At the time of the Leipzig Debate, Luther did not deny the existence of purgatory, but he denied that indulgences could influence the state of deceased Christians. But Luther did deny that there was scriptural proof for the existence of purgatory. Traditionally, 2 Maccabees 12:42–45 was quoted as a proof text for the existence of a state of the dead in which they profit from the intercession of the living.¹³ Luther raises the issue

¹² “Verbum enim dei super omnia verba hominum est.” WA 59:445.405–406.

¹³ “And they turned to supplication, praying that the sin that had been committed might be wholly blotted out. The noble Judas exhorted the people to keep themselves free from sin, for they had seen with their own eyes what had happened as the result of the sin of those who had fallen. He also took up a collection, man by man, to the amount of two thousand drachmas of silver, and sent it to Jerusalem to provide for a sin offering. In doing this he acted very well and honorably, taking account of the resurrection. For if he were not expecting that those who had fallen would rise again, it would have been superfluous and foolish to pray for the dead. But if he was looking to the splendid reward that is laid up for those who fall asleep in godliness, it was a holy and pious thought. Therefore he made atonement for the dead, so that they might be delivered from their sin” (2 Macc 12:42–45; NRSV).

of the canonicity of Maccabees. From Jerome, he knows that there was a difference of opinion in the early church, and he uses this to state that, since Maccabees are disputed books, they cannot be used in theological debate to decide the issue. A doubtful book is not a canonical book, it cannot serve as a canon of truth, and thus Luther here for the first time opts for the Masoretic canon against the canon of the Vulgate.¹⁴ Against Luther, Eck argues for the canonicity of Maccabees by quoting Augustine and Ivo of Chartres. Strangely, he does not refer to the bull of the Council of Florence, *Cantate Domino* (February 4, 1442), which included Maccabees in the canonical books, though he does refer to the bull of union with the Greeks, *Laetentur caeli*, of the same council, which affirms the existence of purgatory.¹⁵

Both sides agree that Scripture is authoritative. But there are differences in the understanding of Scripture, and so the question of interpretation becomes an issue, and with it the question of hermeneutics as theory of interpretation. Here, Luther is inside the bounds of tradition, when he privileges the literal sense to prove a point, for even when medieval exegesis proposed the fourfold sense of Scripture and made extensive use of the allegorical, tropological, and anagogical senses, nevertheless, it was also commonly accepted that to establish dogmatic statements, only the literal sense was decisive.¹⁶

Against Eck's use of allegorical and typological exegesis, Luther argues that in a theological debate only the genuine and proper sense of the Scripture counts.¹⁷ Eck had quoted Bernard of Clairvaux, who had argued that the hierarchical constitution of the church was following a heavenly pattern. For Christ said in John 5:19: "Truly, truly, I say to you, the Son can do nothing of his own accord, but only what he sees

¹⁴ WA 59:528.2938–2939; 547.3569–3579. Bernhard Lohse, *Martin Luther's Theology, Its Historical and Systematic Development* (Minneapolis: Fortress Press, 2011), 124: "On the question of scriptural authority, we should emphasize that it was at the Leipzig Disputation that Luther first clearly distinguished the canonical writings in the authentic sense from the Apocrypha, that is, from writings contained not in the Hebrew but in the Greek Old Testament."

¹⁵ WA 59:528.2858–2863; 531.3030–3031. Cf. Heinrich Denzinger, *Enchiridion Symbolorum definitionum et declarationum de rebus fidei et morum [Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals]*, 43rd ed. (San Francisco: Ignatius Press, 2012), no. 1335; no. 1304.

¹⁶ Thomas Aquinas, *Summa Theologiae*, I.1, 10 ad 1: "Thus in Holy Writ no confusion results, for all the senses are founded on one—the literal—from which alone can any argument be drawn, and not from those intended in allegory, as Augustine says (Epis. 48). Nevertheless, nothing of Holy Scripture perishes on account of this, since nothing necessary to faith is contained under the spiritual sense which is not elsewhere put forward by the Scripture in its literal sense." See *The Summa Theologiae of St. Thomas Aquinas*, trans. Fathers of the English Dominican Province, 2nd ed. (London: R. & T. Washbourne, 1912–25; online edition, Kevin Knight, 2017), <http://www.newadvent.org/summa/1001.htm#article10>.

¹⁷ WA 59:445.412–415.

the Father doing. For whatever the Father does, that the Son does likewise.”¹⁸ When that is combined with the instruction that Moses is to make the tabernacle according to the vision (Exod 25:40), with the heavenly Jerusalem (Rev 21:2), and with the fact that in heaven the seraphim and cherubim are under one head, Eck concludes that the church on earth follows this heavenly pattern, and the primates and patriarchs are under one head.¹⁹ Luther rejects Bernard and Eck’s argument, because it relies on an “alien sense” of Scripture.²⁰ The method of Bernard is one of persuasion, not proof. Luther does not reject typological or allegorical exegesis out of hand, but such an exegesis cannot be proof for a theological point. It can only persuade and adorn a theological point that is established by the proper sense of Scripture, which is the literal or historical sense.²¹

Luther accuses Eck of using isolated quotes of Scripture in the debate. To argue from Scripture cannot mean that one simply quotes verses. Rather, one has to consider the whole of Scripture and understand the verses in the wider context. One must put the “entire Scriptures before one’s eyes” and find an agreement between verses that seem to disagree.²²

Eck raises the issue of the connection of exegesis and tradition. Luther, so Eck, in his exegesis relies on his own reason, whereas Eck rests on the church fathers.²³ For in exegesis, one should not study alone—studying alone is the mother of errors—but the opinion of the fathers and of holy mother church is to be accepted.²⁴ Eck says it is Bohemian—i.e., Hussite—to want to understand the

¹⁸ Unless otherwise indicated, Scripture quotations are from the ESV® Bible (The Holy Bible, English Standard Version®), copyright © 2001 by Crossway, a publishing ministry of Good News Publishers. Used by permission. All rights reserved.

¹⁹ WA 59:441.271–279.

²⁰ WA 59:464, 995.

²¹ Luther does not use these terms here, but cf. his first lectures on Galatians: “This kind of game may, of course, be permitted to those who want it, provided they do not accustom themselves to the rashness of some, who tear the Scriptures to pieces as they please and make them uncertain. On the contrary, these interpretations [i.e., the tropological, allegorical, and analogical senses] add extra ornamentation, so to speak, to the main and legitimate sense, so that a topic may be more richly adorned by them, or—in keeping with Paul’s example—so that those who are not well instructed may be nurtured in gentler fashion with milky teaching, as it were. But these interpretations should not be brought forward with a view to establishing a doctrine of faith.” Martin Luther, “Galatians” (1519): vol. 27, p. 311, in *Luther’s Works, American Edition*, vols. 1–30, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955–76); vols. 31–55, ed. Helmut Lehmann (Philadelphia/Minneapolis: Muhlenberg/Fortress, 1957–86); vols. 56–82, ed. Christopher Boyd Brown and Benjamin T. G. Mayes (St. Louis: Concordia Publishing House, 2009–), hereafter AE.

²² WA 59:575.4475–4478.

²³ Eck says he does not accept his own exegetical solutions, but rests on the holy fathers: “Quare nostro sensui non innitatur sed sanctis patribus.” WA 59:523.2807.

²⁴ WA 59:506.2257–2259.

Scriptures better than the popes, councils, doctors, and universities.²⁵ After all, both Arius and Athanasius had a text of the gospel John 14:28, “The Father is greater than I,” but the question is who understood it properly.²⁶ Since there are different and divergent interpretations of Scripture, there must be a way beyond exegesis to determine the right interpretation of Scripture.

Luther does not engage this question directly. He does not set out to prove that one does not need the magisterium and tradition to tell one what the proper meaning of a text is. Rather, he engages in exegesis and brings forth the arguments why a text should be understood in this way and not in another. Underlying such a procedure is the conviction that the text can be understood. He quotes Augustine, who demands that all authors are to be evaluated by the divine Scriptures, whose authority is greater than the capacity of the whole of humanity. Luther does not condemn the interpretation of the fathers, but follows those who are closest to the Scriptures. “And before all things, when the Scriptures are clear, I embrace the [Scriptures] themselves.”²⁷ With that, Luther brings in the question of the clarity of Scripture, which will become a prominent theme in the coming years and which undergirds his criticism of the traditional system of authorities. Only because the Scriptures can be understood by the present reader by himself is it possible to evaluate the tradition. Only because the Scriptures are clear can they be the ultimate proof for a theological statement.

Thus, when Eck quotes Jerome for the thesis that Peter is made the head of the church so that there may be no schism—and uses this against Luther, who understands 1 Corinthians 3:5 in combination with 1 Corinthians 1:12–13 as stating that the unity of the church is not based on a person—Luther can say that Paul should not be deserted for Jerome’s sake.²⁸ Luther does not reject the appeal to church fathers in theological debate. But Luther reserves the right to evaluate them; i.e., he does not submit to their authority automatically. That is true also in regard to the exegesis of the church fathers. While Eck wants to settle exegetical questions by appeal to the interpretation of the church fathers, Luther wants to look for himself and is not afraid to maintain his exegesis against the exegesis of the church fathers. He is supported in this by the fact that the exegesis of the church fathers is less than unanimous, especially in the controversial interpretation of Matthew 16:18. What is the rock on which Christ builds his church? Luther quotes fathers who favor his interpretation that this rock is Christ or the confession of Christ, and not the person of Peter. The moment the “church fathers” are no

²⁵ WA 59:470.1176–1179.

²⁶ WA 59:469.1148–1151.

²⁷ WA 59:509.2350–2356.

²⁸ WA 59:445.397–401.

longer a theologically cohering group, appealing to “the church fathers” no longer can settle any theological issue. Here Luther destroys the function of the church fathers as a norm in the church. If the church fathers do not agree among themselves, then one cannot simply claim them for one position. Thus, Luther uses historical arguments to deconstruct “the fathers” as an authority that is in itself cohering and consistent.²⁹

On the other hand, Luther is more than happy to quote the church fathers when they support his position. Does Luther want to eat his cake and have it too? Not necessarily. First, Luther thinks that this critical use of the church fathers is in harmony with the church fathers’ position. Luther sets against Eck’s quotations from the church fathers the rule of Augustine that all writers must be evaluated by Scripture.³⁰ The church fathers—at least Augustine—have not set up themselves as authorities in the church which should be blindly obeyed. Who, then, follows the church fathers faithfully: Luther, who respects them as teachers of the word of God who are mindful of their fallibility and submit to the word of God; or Eck, who treats them as infallible oracles? While medieval theology was aware of divergences among the church fathers, it saw its task as reconciling their opinions. Luther draws a different consequence: because they contradict one another, the theologian has to decide who is right. That means that theologians have to weigh their interpretations of Scripture and themselves must do the groundwork of exegesis instead of collecting the exegesis of the fathers and handing down the result of this collecting as the true interpretation of Scripture.

Besides the church fathers, medieval church law served as an authority in the medieval church. The *Corpus Iuris Canonici* is a collection of church law documents, some of which are official, others private, which came into being between 1140 and 1503.³¹ The *Corpus Iuris Canonici* was a growing body up to the time of the Reformation. In our context, the *Decretum* of Gratian is of the greatest interest because it contains the oldest documents. Since it contains statements by church fathers, councils, and popes, there is some overlap with what has been said and will be said. Canon law is treated as a separate norm not for systematic reasons—in theology canon law could be subsumed under tradition, councils, and the papacy. Rather, historically speaking, the *Corpus Iuris Canonici* served as an authoritative collection of the binding tradition, even though it started as a private enterprise.

Canon law was not divorced from theology, as if it concerned only legal matters in the narrow sense. This is so, first, because canon law was regarded as containing

²⁹ WA 59:464.985–992.

³⁰ WA 59:509.2352–2355.

³¹ *Corpus Iuris Canonici*, ed. E. Friedberg, 2 vols. (Leipzig: B. Tauchnitz, 1879; reprint, Graz: Akademische Druck- u. Verlagsanstalt, 1959).

laws that are *de iure divino*. These are laws that are either part of natural law (to be known by nature) or given in revelation (as it is contained in Scripture and tradition). Whatever is *de iure divino* is absolutely binding on the church. Second, there are laws *de iure humano*, which are binding on the church as positive law, but which can be changed.

Luther had studied the *Corpus Iuris Canonici* in the months preceding the debate.³² Before the Leipzig Debate, he had made the historical claim that the primacy of jurisdiction of the pope was only four hundred years old. The primacy of the pope was developed in the *Corpus Iuris Canonici* as a legal claim. Luther deals with it the same way he dealt with the church fathers. He critically evaluates it with Scripture and history, he uses the parts of it that support his position, and he shows contradictions in the *Corpus Iuris Canonici* that make it impossible to use it as a norm. Luther also uses a “marginal canonical tradition,”³³ namely, the commentary by Nicolaus de Tudeschis (Panormitanus), which says that one layperson relying on better authority can be right against pope and council.³⁴

The decree of Anacletus played a great role in the discussion. According to tradition, Anacletus I was the second or third successor to Peter as bishop of Rome. Thus, any documents written by him would be proof from the first century for the primacy of the papacy. The *Corpus Iuris Canonici* contains several documents by Anacletus on the primacy of the pope. In the *Decretum Gratiani* I, distinction XXI, c. 2 titled “The Roman church has received the primacy from Christ,” the second letter to the Italian bishops by Anacletus is quoted.³⁵ The third letter to all bishops by Anacletus is quoted in *Decretum Gratiani*, distinction XXII, c. 2, titled “The Roman Church has gained primacy not from the apostles, but from the Lord himself.”³⁶ The sources for these letters are the “Pseudo-Isidorian Decretals,” a collection of sources of canon law containing a large amount of forgeries that originated in the ninth century.³⁷

The letter by Anacletus, if genuine, would have contradicted Luther’s claim that the primacy of the pope was a relatively recent innovation. Luther rejects the argument by claiming that it is not genuine. Luther was right, as we now know. But how does he argue against the genuineness of Anacletus? Luther calls the decree

³² Brecht, *Martin Luther*, 307.

³³ Selge, *Autoritätengefüge*, 609.

³⁴ Luther, *Ad dialogum Silvestri Prieratis de potestate papae responsio* (1518), WA 1:656.30–33.

³⁵ *Corpus Iuris Canonici* I.69–70.

³⁶ *Corpus Iuris Canonici* I.73–74.

³⁷ Georg May, “Kirchenrechtsquellen. I. Katholische,” *TRE* 19, 10–11:8–47.

frigidissimus, a term he uses over and over again, “very cold” or “very weak.”³⁸ A good Christian, he says, cannot believe that this decree was authored by the martyr Anacletus, because he calls Peter the “head” and the Roman church the “center” (*cardo*).³⁹ The argument is first a linguistic one: Anacletus states that Peter is called *Kephas*, that is, “head,” because he is to hold the position of primacy.⁴⁰ But this is obviously a crude linguistic mistake: *Kephas* is understood in the letter to be derived from the Greek *kephale*, when it is really Aramaic. Such an error is unlikely in a bishop of the first century.⁴¹ Second, he calls the Roman church the “center” of the church, even though, as Luther repeatedly states in other places, the church’s center for the first decades was Jerusalem. The preeminent position of Rome is thus something that has come about in history, but cannot be made in a dogmatic statement about the constitution of the church. Luther engages in a form of critical historical research instead of assuming the historical truth of the tradition.

At the time of Luther, the debate between conciliarism and papalism had not yet been decided dogmatically, but practically conciliarism had lost. The last ecumenical council before the Leipzig Debate, the Fifth Lateran Council (1512–1517), showed that the council had become an instrument of the curia. There was still resistance, and the call for a free council (a council not controlled by the pope, as it was raised by the adherents of reform) was not yet a formal act of rebellion, but a possibility in the Roman Catholic structure of authorities.

That meant, on the other hand, that the authority of the council was sacrosanct. Luther’s statements on councils are somewhat conflicted. On the one hand, he relativizes them, because they are fundamentally assemblies of men—godly men, even saintly men, yes, but still men. And therefore their word has to be evaluated.⁴² If a theologian would have to accept the councils as a formal authority *qua* council, then one had to show that they were inerrant. Thus, Luther challenges Eck to prove

³⁸ WA 59:462.938–940: “hoc est unum de frigidissimis decretis, quod impugno, nec ullus mihi persuadebit, hoc decretum esse sanctissimi pontificis.” When used of arguments, the word *frigidus* means “failing to produce the effect intended, making no appeal, feeble, flat, lame,” and the like. See P. G. W. Glare, ed., *Oxford Latin Dictionary* (Oxford: Clarendon Press, 1982), 736, s.v. “frigidus” 8.b.

³⁹ WA 59:465.1028–1031. “Ad decreta nihil dico, quae dixi frigidissima, et praesertim istius Anacleti multum iactati hac hora quod bonus christianus non credit Anacleti martyris, qui Cephas interpretatur caput et Romanam ecclesiam vocat cardinem.” Cf. *Corpus Iuris Canonici* 73–74 (Decr. Grat I, dist, 22, c. 2).

⁴⁰ *Corpus Iuris Canonici* I.74.

⁴¹ WA 59:477.1404–478.1408: “Nondum enim confutavit quod idem decretum Cephan interpretatur caput, quae inscitia tanto pontifici non est tribuenda, praesertim eo tempore ubi floruerunt linguae et Iudaeorum habebatur copia. Sed et hoc constat, librum decretorum nondum esse approbatum.”

⁴² “Romani pontifex et concilia sunt homines, ergo probandi sunt et sic tenendi, nec eximendi ab hac regula apostolica.” WA 59:480.1473–1475.

that councils cannot err, have not erred, or do not err.⁴³ Because councils do not have this kind of formal authority, if a theological proposition is supported only with proof from a council, then one does not have a proof that is by divine right.⁴⁴ In this question, no one's person is to be regarded, be it council or pope, but the content has to be judged.⁴⁵

Therefore, when Eck claims that the council of Florence has decided the question of purgatory, for Luther this does not settle the question. A council cannot make what is not in Scripture to be scriptural (i.e., a council cannot establish a theological proposition without scriptural support). Luther compares this with the question of canonicity: the church cannot make gospels; it can only recognize gospels. Thus, councils can only recognize what Scripture says; they cannot go beyond it.⁴⁶ Almost twenty years later, he will express this in the Smalcald Articles: "This means that the Word of God—and no one else, not even an angel—should establish articles of faith."⁴⁷ Luther denies that God will always keep the majority of the church in the truth. For him, the example of the Arian controversy, where for some time the majority of the church subscribed to some christological heresies, is proof for rejecting the idea that the majority will be always right.⁴⁸

While this is all quite radical, Luther also makes positive use of the councils. He quotes the Council of Nicaea against the primacy of the pope.⁴⁹ He even says—though as a historical statement, not as a dogmatic statement—that councils and the church have not erred in questions of faith, and that concerning the rest it is not necessary not to err.⁵⁰ Eck says that a council cannot be wrong because it is governed by the Holy Spirit. Luther answers that "in these things in which it is governed by the Holy Spirit, that is in matters of faith" the councils have not erred. Here, at least, Luther continues: "And as I say somewhere, I have not said that the council was wrong in giving indulgences, but it can be wrong."⁵¹ This can be understood as saying that councils are prevented from error in theological matters, while they are not so prevented in other matters, which would be something like a limited

⁴³ WA 59:508.2307–2310.

⁴⁴ WA 59:513.2485.

⁴⁵ WA 59:557.3902.

⁴⁶ Against the claim that the Council of Florence has decided the question on purgatory, Luther says that a council cannot make that which is not in Scripture that it is in Scripture, just as the church cannot make gospels, even though it has approved the gospels. See WA 59:535.3170–3174.

⁴⁷ SA II II 15. Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Minneapolis: Fortress Press, 2000), 304.

⁴⁸ Against Eck, Luther denies that the majority of the church cannot err; see the example of Arianism in WA 59:567.3890.

⁴⁹ WA 59:475.1322.

⁵⁰ WA 59:547.3578–3580.

⁵¹ WA 59:567.4218–4221.

inspiration of the councils. But with everything else that Luther has said, this statement seems to be at least confusing. Even in matters of doctrine, that a council is governed by the Holy Spirit is something that has to be established, not something that can be taken for granted.

For Eck, the church is what stands behind tradition, canon law, councils, and papacy as the source and norm for theological statements. “Church” means here a constituted organization, structured by the hierarchy that governs, but of course not simply a human organization, but one that is at the same time the body of Christ and in which the Holy Spirit rules. As such, the church has an indefectibility from the truth and can serve itself as a standard of truth.

Luther does agree with Eck that the church cannot err in matters of faith.⁵² But then he immediately rejects the importance of this statement for the present situation by saying that indulgences are not a matter of faith. “Matters of faith” seem to be much more narrowly defined than what Eck means.

With the faith in the indefectibility of the church comes the faith that the church will always be right. This means that the church hands down what is true and that its institutions say what is true, and hence theologians have to submit to these institutions. Luther has lost faith in the enduring and infallible truth of the church as it was constituted in his time, and thus he refuses to let his statements be evaluated by tradition, councils, and the papal magisterium.

The universal jurisdiction of the pope was commonly accepted. This not only extends to matters of organization (e.g., that all bishops have to be confirmed by the pope), but also to theological matters. This universal jurisdiction is by divine right, so Eck.⁵³

Luther does not deny that the papacy has primacy in the church at the time of the Leipzig Debate. Even though he first entertains the thought that the papacy is the antichrist while preparing for the Leipzig Debate, he does not mention this thought in the debate. Rather, he defends the position that the papacy exists by human right. For Luther, the exalted position of the papacy in the church did not come about without the will of God. Therefore, he can say that the papacy exists because of the will of God. Its authority has to be obeyed according to Romans 13. But Luther rejects the infallibility and final authority of the papacy in the church. This means that in the discussion of theological statements a simple recourse to papal decisions is not a decisive argument.

Luther argues for his position first exegetically. The first proof is from Scripture, “You are Peter, and on this rock I will build my church, and the gates of hell shall

⁵² WA 59:557.3888–3890.

⁵³ Eck asserts this at the very beginning of his disputation with Luther: WA 59:436.101–437.129.

not prevail against it. I will give you the keys of the kingdom of heaven, and whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven” (Matt 16:18–19). This passage refers, so Luther, not to the person of Peter, but to the faith of Peter or the content of the faith, the confession of Peter.⁵⁴ Second, Peter is here in the persona of all the apostles and all believers, and thus, as he speaks for the apostles, so also the answer is directed to all the apostles.⁵⁵

Luther also uses the church fathers in his argumentation, some of whom support his exegesis. Additionally, Luther argues that there are Christians and Christian churches, namely the Greek churches, which are not under the jurisdiction of the pope. On this basis, he concludes that the church can exist without the jurisdiction of the bishop of Rome.⁵⁶

Luther uses thus not only Scripture, but also the church fathers, history, and experience for his view of the papacy. The last argument is certainly the weakest, as the back-and-forth with Eck shows. For Eck denies flat out that there are true churches that are not under the jurisdiction of the pope. True enough, the Greek churches had many saints, but that was at a time in which they did not deny the supremacy of the papacy, even if they did not explicitly affirm the primacy of the pope. But the present Greek churches that reject the jurisdiction of the pope are schismatic and heretical.

The question that is not discussed in Leipzig is this: What makes a church a church? When Luther says that the Greek churches are true churches, he presupposes that being in union with the Church of Rome is not a condition for being a church. But that really presupposes what he has to prove; hence Eck is not impressed by the argument. In the background of Luther’s arguments is his view that where the gospel and the faith that is created by the gospel are present, there is the church. This is of course a completely different concept of ecclesiology than Eck’s, for whom the papacy is divinely instituted in the church and therefore church and papacy cannot be separated.

The conflict over the authority of the papacy in the church and thus also in theology comes to a head-on collision when Eck quotes the decree “Cum postquam” by Leo X. It was published on November 9, 1518, after Luther’s meeting with Cardinal Cajetan, to give a magisterial definition and support for the practice of granting indulgences and to make it impossible for Luther to claim that the

⁵⁴ WA 59:456.754–457.764.

⁵⁵ WA 59:495.1918–1924.

⁵⁶ WA 59:462.930; 462.968.

church had no definite position so that he had the right to advocate his view of indulgences. It is directed to the Emperor Maximilian. It reads:

And lest in the future anyone should allege ignorance of the doctrine of the Roman Catholic Church concerning such indulgences and their efficacy or excuse himself under pretext of such ignorance or aid himself by pretended protestations, but that these same persons may be convicted as guilty of notorious lying and be justly condemned, We have decided that you [sc. Maximilian] should be informed by these present <writings> that the Roman Church, which the other churches are bound to follow as their mother has decreed:

The Roman pontiff, successor of Peter, bearer of the keys, and the vicar of Jesus Christ on earth, in virtue of the power of the keys—to which it belongs to open the kingdom of heaven by taking away the obstacles in Christ's faithful (namely, the guilt and the punishment due to actual sins: the guilt indeed, through the sacrament of penance, by the temporal punishment due to actual sins according to divine justice by means of ecclesiastical indulgence)—can, for reasonable causes, concede indulgences from the superabundant merits of Christ and the saints to the same faithful of Christ, who are members of Christ by the bond of charity, whether in this life or in purgatory; and, by granting an indulgence for both the living and the dead in virtue of apostolic authority, he has been accustomed to dispense the treasury of merits of Christ and the saints <and> to confer the indulgence itself by way of absolution or to apply it by means of suffrage.

And, therefore, all those, whether living or dead, who have truly obtained all such indulgences are freed from the temporal punishment due to their actual sins according to divine justice in a measure equivalent to the indulgence granted and acquired.

And by the tenor of these present <writings> . . . in virtue of apostolic authority, we decree that this must be held and preached by all under penalty of *latae sententiae* <automatic> excommunication.⁵⁷

This document was written to leave no wriggle room, so no wonder Eck uses it. What is Luther's reaction when he is confronted with this solemn affirmation and declaration of the teaching authority of the pope? Luther says: "He [Pope Leo X!] does not articulate it sufficiently nor does he prove one syllable what he said. I have spoken more fully about that in my *Proceedings at Augsburg*."⁵⁸ One could not more

⁵⁷ Denzinger, *Enchiridion Symbolorum*, nos. 1447–1449.

⁵⁸ WA 59:559.3978–560.3980. Regarding the *Proceedings at Augsburg* (1518), see AE 31:264–270; WA 2:9.25–13.5.

tersely express the difference in how to prove a theological statement than by this exchange between Eck and Luther.

III. The Consequences for Theological Method

Luther did not set out to attack the complex structure of norms of the late medieval church of Scripture, tradition, councils, and papacy. His first concern was biblical exegesis and justification, then the debate on indulgences. But when Luther was confronted with the norm of councils and papacy in the meeting with Cajetan,⁵⁹ he had to evaluate their significance for theological method. Luther, finding himself in a conflict between what he had found in Scripture and other theological authorities, could not deny what he had found in Scripture. Of course, he was haunted by questions: Are you alone wise? Are all others wrong?⁶⁰ The question could not be answered for Luther by an appeal to ecclesiastical authorities, tradition, or majorities, but by Scripture, because the claims of authority of ecclesiastical authorities, tradition, and majorities had to be evaluated by Scripture itself. Hence, the Scriptures were not only acknowledged as the highest authority—that was not controversial—but the Scriptures were no longer seen as a unity with tradition and magisterium, and thus Scripture could be used critically to evaluate tradition and magisterium. It is this critical function of Scripture that causes the break in the western church.

That does not mean that Luther rejects all tradition. But he rejects the concept that there is a harmonious body of teachings handed down authoritatively in a church that is infallibly guided by the Holy Spirit. This picture does not do justice to tradition itself, which is not harmonious, nor to the state of the church whose hierarchy is in opposition to the central teaching of Scripture. What those before us have taught can be used gladly, after those teachings are evaluated by Scripture. But tradition is neither necessary for the understanding of Scripture, nor is it binding on the church by divine right where it goes beyond Scripture. Luther never deviated from this view; hence his remark in the preface to his collected writings in German: “I would have been quite content to see my books, one and all, remain in obscurity and go by the board.”⁶¹ Why? “Neither councils, fathers, nor we, in spite of the

⁵⁹ *Proceedings at Augsburg* (1518), AE 31:253–292.

⁶⁰ Early on, Luther had to face this question: Why do you think you alone are right, and all the others are wrong (WA 1:611.8; 625.15)? Charles V raised the issue at Worms in 1521: “Yl est certain, que ung seul frère erre en son opinion laquelle est contre toute la crestienneté tant du temps passé mille ans et plus que du present.” Selge, *Autoritätengefüge*, 607.

⁶¹ Luther, “Preface to the Wittenberg Edition of Luther’s German Writings” (1539), AE 34:283; WA 50:657.1–2.

greatest and best success possible, will do as well as the Holy Scriptures, that is, as well as God himself has done.”⁶²

As the example of purgatory shows, Luther had not drawn all conclusions from his position at the time of the Leipzig Debate. Only later would he come to reject purgatory because of its lack of biblical support. This raises questions about whether the Scripture principle was not the most fundamental principle for Luther. Some researchers have proposed exactly this.

Ernst Kähler states in his article “Observations on the Problem of Scripture and Tradition in the Leipzig Debate of 1519” that the fact that Luther did not reject purgatory in the early Reformation shows the “paramount significance” of his “overall theological conception.”⁶³ Whatever can agree with it—like Luther’s rather idiosyncratic view of purgatory at the time of the Leipzig Debate—can stay. What Kähler means is that Luther does not start with the Scripture principle; what drives his theological thinking is not opposition to tradition or to the ecclesiastical hierarchy, but the gospel of free forgiveness on account of Christ. It is historically true that Luther’s reformational turn—however one defines it and whenever one dates it—is not the assertion of *sola scriptura*. But to say that Luther’s theological argumentation in the Leipzig Debate is not driven by the *sola scriptura* speaks against the text. For Luther, the authority of Scripture is always the authority of rightly understood Scripture, and rightly understood Scripture is the one that leads to the proclamation of justification without works through faith. But for Luther, Scripture has formal authority because it is the word of God over and against human traditions. The reason Luther did not reject purgatory at the time of the Leipzig Debate is therefore not the absence of the Scripture principle, but because it took Luther time to work out the consequences of his insights.⁶⁴

⁶² Luther, “Preface to the Wittenberg Edition of Luther’s German Writings” (1539), AE 34:284; WA 50:657.25–27.

⁶³ Ernst Kähler, “Beobachtungen zum Problem von Schrift und Tradition in der Leipziger Disputation von 1519,” *Hören und Handeln: Festschrift für Ernst Wolf zum 60. Geburtstag* (München: Chr. Kaiser Verlag, 1962), 226.

⁶⁴ Luther discusses the question of the biblical foundation of purgatory in a letter to Spalatin some months after the Leipzig Disputation (November 7, 1519, WA BR 1:552–555) and comes to the conclusion that purgatory is not an article of faith and that no one who does not believe in purgatory should be called a heretic.