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### Luther's Reformation of Penance

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# LUTHER'S REFORMATION OF PENANCE


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A Seminar Paper Presented to the Faculty of  
Concordia Seminary, St. Louis,  
Department of Historical Theology  
In Partial Fulfillment of the  
Requirements for the Degree of  
Master of Sacred Theology

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By  
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May, 2005

Approved by   
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For my parents with love:

Armin and Suzanne Korsch



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# CHAPTER ONE

## A HISTORY OF PENANCE IN THE WESTERN CHURCH

### Introduction

The history of the practice of penance from the early church to the dawn of the Reformation in the Western church is a rich story of continual change. The early church did not have a uniform doctrine and practice of penance and neither did the Western church even after Martin Luther's lifetime. The purpose of this paper is to study and explain the reasoning behind Luther's initial rejection of the Roman Catholic doctrine and practice of penance as found in various writings of Luther up until his 1520 work *The Babylonian Captivity of the Church*. It is the thesis of this paper that while Luther's rejection of penance as a sacrament is made on the basis of Augustinian terminology, this is but a minor reason for Luther's decision, and that there are three substantive reasons for Luther's rejection of penance as a sacrament. First, Luther emphasizes faith as the way a Christian receives God's promises. Second, Luther redefines the essential marks or elements of a sacrament by the end of his writing of *The Babylonian Captivity of the Church*, along with his view of how the Roman sacrament of penance should be practiced. Third, Luther's emerging view of the relationship between penance and the sacrament of baptism causes him to cease viewing penance as a sacrament. Before considering Luther, a digest of the history of penance from the early church to the eve of the Reformation is presented in order to set the stage for a contextual examination of Luther's confrontation with Rome on the doctrine and practice of penance. When this is accomplished, this paper turns to examine several of Luther's published and unpublished writings concerning penance.

A final preliminary note is in order regarding the limits of this study: this paper shall examine Luther's writings concerning the sacrament of penance from his Ninety-five Theses of 1517 to *The Babylonian Captivity of the Church* of 1520. Only those writings that have an English translation will be examined, with the exception of one Latin writing. Additionally, Luther's further maturation in the area of the sacrament of penance, including the evangelical practice of confession and absolution as explained by Luther in the Large Catechism and the Book of Concord, shall not be pursued.

### **A History of Penance in the Early Church**

The practice of penance was a public affair in the early church. This is an important point to remember, as penance would not remain a public ritual as the Middle Ages passed. When a member of a church fell into open sin after baptism he was excluded from the sacramental fellowship of the church. Penance was the title given to the public ritual of the readmission of a sinner by the bishop into the church's sacramental fellowship.<sup>1</sup> The ritual of penance in the early church most often involved three steps: confession of sin to the bishop in private, a public display of contrition by the penitent (as ordered by the bishop), and finally the laying on of hands by the bishop to signify the readmission of the penitent sinner back into the church. The early church's adherence to the writings of *The Shepherd of Hermas*, whose author most likely was not attempting to set up a new system of penance, made penance more rigorous, admissible only

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<sup>1</sup> Cyprian's description of a typical case of penance for the lapsed provides a general definition of penance: "Sinners may do penance for a set time, and according to the rules of discipline come to public confession, and by imposition of the hand of the bishop and clergy receive the right of communion. . . ." Alexander Roberts and James Donaldson, eds. *The Ante-Nicene Fathers*. American ed., vol. 5 (Grand Rapids, Mich.: William B. Eerdmans, 1986), 290.



once to a baptized believer.<sup>2,3</sup> In addition, the capital sins of murder, fornication, and idolatry were said to be outside the authority of the church to administer penance. But as time passed and the church passed through various trials, some social in nature and others trials of persecution, penance was determined to be admissible for all three capital sins by the time of the Council of Ancyra in A.D. 314.<sup>4</sup> Later, in Emperor Constantine's reign, the Edict of Toleration swelled the ranks of the church, making it logistically impossible for the bishops to administer penance to the thousands of members of the Western church.

### **A History of Penance in the West from A.D. 650 to 1215**

In the period of time between 650 and the Fourth Lateran Council (1215), the Celtic form of penance grew to become dominant in the Western church, both in Britain and on the European Continent. This form of penance, brought by the Celtic missionaries to the Continent, was private in all aspects and was administered by priests as well as bishops. It dealt not only with major sins but also with lesser (venial) sins, and thus there was no longer a limit to the number of times a penitent believer could receive penance in a lifetime.<sup>5</sup> Steven Ozment notes that this monastic form of penance made the jump to the laity of the Continent: "From the penitential practices of the monks, especially those of Ireland and England, evolved the church's sacrament

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<sup>2</sup> Alexander Roberts and James Donaldson, eds. *The Writings of the Apostolic Fathers*. Ante-Nicene Christian Library, vol. 1 (Edinburgh: T. and T. Clark, 1867), 353.

<sup>3</sup> Oscar D. Watkins, *A History of Penance*, vol. 1 (New York: Burt Franklin, 1961), 71.

<sup>4</sup> Ibid., 286.

<sup>5</sup> While technically supposed to be private, confession could happen in a church full of penitents who could potentially eavesdrop on private confessions. If confessions occurred at a time of peak demand such as Holy Week, other confessors present might hear such confessions made to the priest. In late medieval Germany, penitents, scared of committing sin between their confession and reception of the Eucharist, flocked to confess shortly before they received the Eucharist between Palm Sunday and Easter Sunday. There are also instances in this time period in Germany of children confessing one after the other, in a group setting. See W. David Myers, *"Poor, Sinning Folk": Confession and Conscience in Counter-Reformation Germany* (Ithaca, N.Y.: Cornell University Press, 1996), 42-47.

of penance for the laity. Monks were required to confess their every sin privately to their abbot, who lived in close proximity to his charges.”<sup>6</sup> Oscar Watkins notes that this Celtic practice of penance was passed on from these priests to the laity of Europe through four main channels: (1) from monasteries of the Irish type in and around Frankish lands; (2) from the numerous copies of the English *Penitential of Theodore* found in the Frankish lands, which contained the Celtic practice of penance; (3) from influential missionaries such as St. Boniface, St. Willibald, St. Willehad, and St. Willebrord; and (4) from the small but influential group of English scholars, including Alcuin, assembled at the court of Charles the Great.<sup>7</sup> In another major shift occurring between the ninth and thirteenth centuries, when the Celtic system of private confession was firmly established on the Continent, making satisfaction for one’s sins increasingly became subservient to contrition as the essential element in the practice of penance.<sup>8</sup> The term *satisfaction* began to be used as the term for the acts of penance that were prescribed by the priest after private confession was made and absolution was granted. It is also noteworthy to point out that absolution was now granted before satisfaction was made for sins, whereas in the early church absolution was only granted after sufficient satisfaction was made by the confessor in full view of the church. Additionally, the confession of minor or venial sins gradually became an obligation.<sup>9</sup> Bengt Hagglund makes a key observation when he notes:

From the very outset, the use of the confessional was related to the office of the priest

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<sup>6</sup> Steven Ozment, *The Age of Reform, 1250–1550: An Intellectual and Religious History of Late Medieval and Reformation Europe* (New Haven: Yale University Press, 1980), 85.

<sup>7</sup> Watkins, *A History of Penance*, vol. 2, 762–63.

<sup>8</sup> Thomas N. Tentler, *Sin and Confession on the Eve of the Reformation* (Princeton: Princeton University Press, 1977), 16–19.

<sup>9</sup> Bengt Hagglund, *History of Theology*, trans. Gene J. Lund (St. Louis: Concordia Publishing House, 1968), 161.



and its power to bind and to loose. The priest could 'bind' a person either by excommunicating him or by prescribing another kind of penance; the priest 'loosed' a person by granting absolution. As a result of this, the confessional became the church's primary means of exercising discipline, and the strongest tie between priest and people.<sup>10</sup>

Between the ninth and thirteenth centuries on the Continent, the demand to make satisfaction for sins was strictly enforced. Then the Fourth Lateran Council of 1215 mandated that a complete confession of all sins be made at least once a year by the faithful who had attained the age of discretion.<sup>11</sup> By that time, the Celtic form of penance had become the form of penance practiced throughout the Roman church.

In summary, the practice of penance found on the Continent from 650 to 1215 was far removed from the ancient practice of penance. The new Celtic form of penance that came to be used by the Roman church in the West was private in almost all instances and highly tied to the office and power of the priest. Satisfaction, or acts of penance, were now enforced for minor as well as major sins, and satisfaction was now to be made after the absolution was granted. The whole process of penance was now a repetitive ritual, to be performed by the pious at least once a year.

### **A History of Penance in the West from A.D. 1215 to the Eve of the Reformation**

A consideration of the developments in the practice of penance from 1215 to the eve of the Reformation concludes this brief survey of the history of the doctrine and practice of penance in the West. To begin, penance was officially recognized as a sacrament in the Roman church at the Council of Florence (1439) in the decree *Exsultate Deo*,<sup>12</sup> which confined the number of

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<sup>10</sup> Ibid.

<sup>11</sup> This is found in Lateran IV's canon xxi, "Omnis utriusque sexus." Myers, 29–32.

<sup>12</sup> Joseph Gill, *The Council of Florence* (Cambridge: Cambridge University Press, 1959), 307. It is likely that penance was viewed as a sacrament by many in the West well before this decree was put in place in 1439.

recognized sacraments to seven: baptism, confirmation, the Lord's Supper, penance, extreme unction, ordination, and marriage.<sup>13</sup> *Exsultate Deo* is taken almost verbatim from St. Thomas Aquinas's (d. 1274) *De articulis fidei ecclesiae sacramentis*.<sup>14</sup> Aquinas, in turn, most likely arrived at this list of seven sacraments from studying Peter Lombard's (d. 1160) renowned *Sentences*, which became the standard medieval textbook on theology in the West.<sup>15</sup>

The chief theme in the period of 1215 to the eve of the Reformation is systematization. The historian Mary Mansfield describes penitential manuals in this period, saying, "We find three parts of penance, four senses of binding and four of loosing, fourteen species of avarice, three advantages of contrition, and so forth."<sup>16</sup> By the eve of the Reformation, the Roman sacrament of penance had been "perfected" by the scholastics. Penance was now completely systematized along with a doctrine of sin that was complementary to it. Or perhaps it is more accurate to say that the practice of penance was systematized to reflect the systematized doctrine of sin now held in the Roman church. According to official teaching, sin carried with it both guilt and penalty. The guilt of sin brought eternal damnation. If one died with the guilt of sin unabsolved, the sinner went to hell. If the sinner died with the guilt of his sin absolved, he would eventually enter heaven. Apart from guilt, sin also carried a penalty. This penalty was a penalty to be payed back to God in this life if possible in the form of good works. It would not be out of

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<sup>13</sup> *The Oxford Encyclopedia of the Reformation*, s.v. "Sacraments," by Carter Lindberg, 3: 463. In the High Middle Ages there was no clear consensus on the number of sacraments in the Western church. Hugh of Saint Victor (d. 1141), for example, who was a respected theologian, listed as many as thirty sacraments. Many theologians agreed on the number seven, however, and penance made most of the lists.

<sup>14</sup> *New Catholic Encyclopedia*, 2d ed., s.v. "Armenians, Decree for," by W. F. Hogan, 1: 712.

<sup>15</sup> Lindberg, 3: 463.

<sup>16</sup> Mary C. Mansfield, *The Humiliation of Sinners: Public Penance in Thirteenth-Century France* (Ithaca, N.Y.: Cornell University Press, 1995), 19.

line to associate the late medieval concept of “penalty” with the early church’s concept of “doing penance.” In any case, sin in the Roman church of the late Middle Ages was defined as carrying with it earthly consequences called penalties.

The Roman, systematized sacrament of penance was divided into three parts: contrition, confession, and satisfaction. The first step, contrition, stated that the sinner must be genuinely remorseful for his sins in order to receive forgiveness. In the second step, confession, the sinner was required to individually confess each of his sins to the priest in private. If a sin was not confessed, it could not be forgiven. Along with the confession came the formal aspect of the sacrament of penance, namely the absolution. Upon the completion of the penitent’s confession, the priest pronounced his absolution in Christ’s stead. Absolution remitted the guilt of sin and, as stated, constituted the formal aspect of the sacrament of penance. The third and final step in the Roman sacrament of penance, satisfaction, involved “making good” on the priest’s orders associated with the penalty of one’s sin. The priest would assign, according to canon law, a penalty to each sin confessed, and it was the responsibility of the penitent to complete this task to remove the penalty incurred. The penalties assessed for sins fell into three classes: prayer or other types of devotional works, fasting or other types of bodily chastisement, and almsgiving. If a believer died without working off the penalty for all his sins, he went to purgatory, the entry to heaven, where he finished working off his penalties so that he could enter heaven in a ritually clean state before God.

From as far back as the penitential manuals of the ninth century, it was written that a sinner could have his penance exchanged for another form of punishment or the penitent could even purchase the services of another who would perform his penance for him.<sup>17</sup> This practice

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<sup>17</sup> Hagglund, 159–60.



was an early form of indulgence. While it is not within the scope of this paper to explain indulgences in depth, it will suffice to note that indulgences were an invention of the Roman church that served as an ecclesiastical pardon, granting partial or full remission of the total penalty associated with all of one's past sins.

In summary, the practice of penance became increasingly systematized by the scholastics from the close of the Fourth Lateran Council of 1215 until the eve of the Reformation. Penance became an official sacrament of the Roman church, and the concept of indulgences was born to deal with the penalty associated with sin. Contrition became the chief element of the sacrament of penance, and the old practice of doing penance became relegated to the third step of the sacrament, namely, satisfaction.

Having investigated the history of the doctrine of penance in the Western church up until the eve of the Reformation, this paper will now turn to its primary goal of examining Luther's ultimate rejection of the Roman sacrament of penance by 1520, finalized in Luther's work *The Babylonian Captivity of the Church*.

## CHAPTER TWO

### LUTHER'S REFORMATION OF PENANCE

#### **The Indulgence Issue: The Ninety-five Theses, 1517, and the *Explanations of the Ninety-five Theses*, 1518**

The event that eventually led Luther to investigate the Roman practice of penance was the sale of indulgences near Wittenberg. In the fall of 1517, the people of Wittenberg were going outside of town (thus crossing the border and going out of Electoral Saxony) to buy indulgences issued in association with the completion of St. Peter's basilica in Rome. Luther's famous Ninety-five Theses, written in 1517, raised serious objections to the theory of indulgences, as the Wittenberg faithful were confusing the penalty-remitting aspect of indulgences with the actual remission of sin itself and hence justification.<sup>18</sup> Shortly, Luther would come to renounce the entire Roman doctrine of indulgences, which flowed from the treasury of merits. Along with this Luther, would renounce the concept of purgatory itself, saying:

The saints have no extra credits. . . . There is no such thing as supererogation. If there were any superfluous credits, they could not be stored up for subsequent use. The Holy Spirit would have used them long ago. Christ indeed had merits, but until I am better instructed I deny that they are indulgences. His merits are freely available without the keys of the pope. Therefore I claim that the pope has no jurisdiction over purgatory. I am willing to reverse this judgement if the Church so pronounces. If the pope does have the power to release anyone from purgatory, why in the name of love does he not abolish purgatory by letting everyone out?<sup>19</sup>

This can be said to be Luther's initial disagreement with Rome, which would draw him into a

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<sup>18</sup> See especially thesis 32, "Those who believe that they can be certain of their salvation because they have indulgence letters will be eternally damned, together with their teachers." Martin Luther, *The Ninety-five Theses, 1517*, in *Luther's Works*, American Edition, vol. 31 (Philadelphia: Muhlenberg Press, 1957), 28. All subsequent quotations of the American Edition will include the initials *LW* along with the title, date, volume number, and page number being quoted.

<sup>19</sup> Roland Bainton, *Here I Stand: A Life of Martin Luther* (New York: Abingdon-Cokesbury Press, 1950), 81-82.



rethinking not only of indulgences but ultimately the Roman doctrine and practice of the sacrament of penance itself. Luther would soon realize that the root of the indulgence issue was fundamentally an argument about the sacrament of penance.<sup>20</sup>

As noted above, Luther's 1517 critique of the sale of indulgences just outside the city of Wittenberg led to his drafting of the Ninety-five Theses. In this work, amidst comments on the nature of indulgences and other issues, the Reformer refers to the Roman sacrament of penance. In Luther's second thesis he writes, "This word [repentance] cannot be understood as referring to the sacrament of penance, that is, confession and satisfaction, as administered by the clergy."<sup>21</sup> This thesis is related to the sacrament of penance in a secondary fashion, to be sure, but it furnishes sufficient evidence to place Luther in 1517 as holding to the formal Roman definition of the sacrament of penance: that is, as being comprised of contrition, confession, and satisfaction.

In his *Explanations of the Ninety-five Theses*, completed and published in 1518, Luther makes additional comments on each thesis, including his second thesis. Here Luther makes a distinction between "real penance" and sacramental penance. Sacramental penance should not be equated with bearing one's cross (Matt 16:24) or mortification of the flesh, which Luther defines as "real penance."<sup>22</sup> Additionally, Luther notes that sacramental penance is an outward act of a believer that "presupposes inward penance without which it has no value."<sup>23</sup> Bernhard Lohse

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<sup>20</sup> Martin Brecht, *Martin Luther: His Road to Reformation, 1483–1521*, trans. James L. Schaff (Philadelphia: Fortress Press, 1985), 358.

<sup>21</sup> *Ninety-five Theses, 1517, LW 31: 25*. Luther's discovery is made here at least in part by the fact that he is examining Erasmus's newly published Greek New Testament, as the Reformer later elaborates in the *Explanations of the Ninety-five Theses*.

<sup>22</sup> *Explanations of the Ninety-five Theses, 1518, LW 31: 85*.

<sup>23</sup> *Ibid.*



makes the connection between faith and repentance at this point, noting, "The consequence Luther drew from the New Testament is that repentance and faith are synonymous: a faith that does not include repentance ignores the radicality of sinful existence. A repentance that is not inseparably bound to faith becomes 'performance' and leads to 'works-righteousness.'"<sup>24</sup>

Perhaps the most interesting comment of Luther on the sacrament of penance in the *Explanations of the Ninety-five Theses* is his comment regarding the institution of penance, "There is no teaching of Christ concerning sacramental penance but it is legally instituted by the popes and the church (at least with respect to its third part, namely satisfaction), and is thereby changeable by the will of the church."<sup>25</sup> Luther here casts some doubt on the scriptural foundation of the sacrament of penance as a whole and especially on the doctrine of satisfaction. While he grants that the papacy and the Roman church have legally instituted sacramental penance, this quotation from 1518 demonstrates his initial hesitation about the biblical basis for the sacrament of penance, for Luther does not clearly see Christ instituting the sacrament of penance in Scripture. Luther backs this assertion exegetically, noting that the Latin Vulgate text of Matthew 4:17, which read *penitentiam agite*, that is, "do penance," is properly translated from the Greek New Testament to mean "be penitent" or, literally, "change your mind."<sup>26</sup> In a letter accompanying the treatise to his superior of the Augustinian Order, Vicar Staupitz, Luther comments on this discovery. Roland Bainton recounts, "This was what Luther himself called a 'glowing' discovery. In this crucial instance a sacrament of the Church did not rest on the institution of

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<sup>24</sup> Bernhard Lohse, *Martin Luther's Theology: Its Historical and Systematic Development*, ed. and trans. Roy A. Harrisville (Minneapolis: Augsburg Fortress, 1999), 102.

<sup>25</sup> *Explanations of the Ninety-five Theses, 1518, LW 31: 85.*

<sup>26</sup> Bainton, 88.



Scripture.”<sup>27</sup> While this discovery should be viewed as a legitimization of Luther’s shifting view of sacramental penance, found after the fact, it is worthy nonetheless as it shows Luther beginning more and more to value Scripture as the basis for his decisions regarding the validity of the Roman sacrament of penance. Thus, in his 1518 treatise *Explanations of the Ninety-five Theses*, the Reformer sees the sacrament of penance as edifying only if the believer is repentant, and he begins to question the biblical basis of the institution of the sacrament of penance. Luther calls sacramental penance an institution of the church that can be changed by the church.

### **The *Sermo de Poenitentia*, 1518**

Sometime in 1518 Luther prepared the *Sermo de Poenitentia*, which was published in October of that year.<sup>28</sup> The *Sermo de Poenitentia* is presented in a disputation form and deals with contrition in detail, providing two corollaries that summarize Luther’s thoughts on contrition, with some lesser treatment of confession. In the *Sermo de Poenitentia*, Luther laments the Roman conception of contrition, saying that it is impossible to be truly contrite and that all the teaching on contrition can be summarized in the proverb “The best penitence is a new life.”<sup>29</sup> Luther’s first corollary concerning penance states, “True contrition is not from us but the grace of god. Therefore we must despair of ourselves and we must flee to his mercy.”<sup>30</sup> Luther

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<sup>27</sup> Ibid.

<sup>28</sup> To the writer’s knowledge, the *Sermo de Poenitentia* has yet to be translated into English. Grateful thanks is extended to Mr. Micheal Hanel, seminarian at Concordia Seminary, and Professor George Pepe, of the Department of Classics of Washington University, for their translation of *Sermo de Poenitentia* to which this author is indebted.

<sup>29</sup> Martin Luther, *Sermo de Poenitentia*, 1518, in *D. Martin Luthers Werke. Schriften*, vol. 1 (Weimar: Hermann Bohlau, 1883), 321. All subsequent quotations of the Weimar Edition will include the initials *WA* along with the title, date, volume number, and page number being quoted.

<sup>30</sup> *Sermo de Poenitentia*, 1518, *WA* 1: 322. “Contritio vera non est ex, sed ex gratia dei: ideo desperandum de nobis et ad misericordiam eius confugiendum.”



now holds to a monergistic view of contrition—contrition cannot be humanly produced but is a gift of God. Luther's second corollary deals with the scope of contrition:

Contrition begins in the penitent, but does not cease through his entire life until death and does not as most people think last just for the hour of confession. Thus you are able to understand what those say, that it is necessary to repent in love and with a good intent in as much as God has granted the aid of grace. No one ought to tell the priest that he is contrite, nor ought the priest to require [it] unless he can say, 'I do not know whether I am contrite and yet I ask the lord and believe that I am contrite by his grace and that every day I ought to repent more.'<sup>31</sup>

Contrition is false, Luther explains, if it remains only for the duration of the confession. True contrition for Luther is a lifelong action of repentance. No one can ever be sure if they are contrite, but if this is so it is by the power of God. As for confession, Luther states that no one should presume to confess their venial sins but not all their mortal sins.<sup>32</sup> The Reformer then qualifies this statement by adding, "it is impossible to know all your mortal sins."<sup>33</sup> Luther then consoles the reader by urging him not to put his faith in his contrition but in the words of Christ given to Peter in Matthew 16:19, "whatever you loose on earth will be loosed in heaven."<sup>34</sup> Therefore, in the *Sermo de Poenitentia*, Luther stresses God's work in the act of confession and claims that it is impossible for a Christian to confess all of his mortal sins.

### *The Sacrament of Penance, 1519*

In late 1519, Luther published a sermon called *The Sacrament of Penance*, in which he

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<sup>31</sup> Ibid. "Contritio incipit in poenitente, sed non cessat per totam vitam usque ad mortem, et non (ut multi putant) durat per horam confessionis duntaxat. Ecce sic habes, quomodo intelligas quod illi dicunt, oportere poenitere in charitate et cum bono proposito, quantum deus auxilium gratiae dederit. Nullus debet sacerdoti respondere se esse contritum, nec sacerdos requirere, nisi quod potest dicere 'Nescio an sim contritus. Rogo tamen dominum atque confido me sua gratia contritum et quottidie magis onterendum.'"

<sup>32</sup> Ibid.

<sup>33</sup> Ibid. "Quia impossibile est ut omnia mortalia cognoscas."

<sup>34</sup> *Sermo de Poenitentia, 1518, WA 1: 323*. This English biblical citation is from the New International Version (NIV). All subsequent biblical quotations are from the NIV unless otherwise noted.



simultaneously began to redefine the sacrament in his own terms and criticize the Thomistic view of the sacrament of penance with its elements of contrition, confession, and satisfaction. Luther begins by redefining the sacrament of penance as being composed of absolution, grace, and faith.<sup>35</sup> Absolution for Luther involves the priest's declaration of forgiveness to the penitent according to Christ's command to Peter in Matthew 16:19, a repetition of the remark noted above in the previous year's *Sermo de Poenitentia*. Grace is defined as the effective aspect of the sacrament, that is the forgiveness of sins that the penitent receives as delivered in the words of absolution. Lastly, faith, the subject to which much of this treatise is dedicated, involves firmly believing the absolution according to Christ's words. Faith is central for Luther because without it the sacrament can have no efficacy. His argument is Augustinian in its insistence that sacraments do not have in themselves the power to remove sin; rather, faith alone accomplishes this:

Everything, then, depends on this faith, which alone makes the sacraments accomplish that which they signify, and everything that the priest says come true. For as you believe, so it is done to you. Without this faith all absolution and all sacraments are in vain and indeed do more harm than good. There is a common saying among the teachers that goes like this: Not the sacrament, but the faith that believes the sacrament is what removes sin. St. Augustine says this: The sacrament removes sin, not because it takes place, but because it is believed.<sup>36</sup>

Against Rome's view that the sacrament of penance (and indeed all sacraments) yield their benefits *ex opere operato*, Luther holds to Augustine's teaching that the sacraments gain their power through faith in God's promises given with the institution of the sacraments. This marks an early turning point in Luther's discussion of the sacrament of penance. From this time forward in this writing and in subsequent writings on the subject, Luther begins to concern

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<sup>35</sup> *The Sacrament of Penance, 1519, LW 35: 11.*

<sup>36</sup> *Ibid.*

himself as much about faith, and ultimately justification, as he does about the constituent parts of the sacrament of penance. From this discovery flows the immediate corollary that the forgiveness of the guilt of sin does not lie in the pope's jurisdiction or any priest's but in Christ's word alone, as faith appropriates Christ's word of forgiveness.<sup>37</sup>

Luther's new emphasis on faith and his insistence that justification lies outside of the papacy's jurisdiction make sense considering the fact that Luther's heresy trial had been in suspended animation for more than a year due to the death of Emperor Maximilian. More important, Luther's debate with Dr. Johann Eck in August of 1519 over whether the pope had a special power of forgiveness and whether the pope's authority extended into purgatory had ended badly for Luther. Luther insisted that the word of God was the sole authority in all matters of faith with great force, but he was out-maneuvered by Eck into declaring that some articles of John Hus that were condemned were truly Christian.<sup>38</sup> After this Luther knew that he was doomed to excommunication in Rome.

Luther's newly forged elements of the sacrament of penance gain a unity and cohesiveness in the area of faith, compared to which the Thomistic view of the sacrament begins to look very disjointed with its contrition, confession, and acts of satisfaction. But in his criticism of the current practice of the sacrament of penance, Luther never says that the sacrament itself should be abolished. Rather, Luther calls the sacrament of penance a "most worthy, gracious and holy sacrament."<sup>39</sup> Luther also notes that while there are many other defects with the old view of the sacrament of penance, this does not matter much as long as faith is present

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<sup>37</sup> *The Sacrament of Penance, 1519, LW 35: 12.*

<sup>38</sup> E. Gordon Rupp, *The Righteousness of God: Luther Studies* (London: Hodder and Stoughton, 1953), 3.

<sup>39</sup> *The Sacrament of Penance, 1519, LW 35: 10.*



because faith makes all things right.<sup>40</sup> Luther's criticism of the Thomistic view of penance deals chiefly with contrition, but he has words for the church's practice of confession and satisfaction also. As for the old view of contrition and its involvement in the sacrament of penance, Luther once again denies that anyone can ever be fully contrite for his sins. If one believes he is completely contrite for his sins, Luther says this person is presumptuous and the notion fabricated, for no one can have sufficient contrition for his sin.<sup>41</sup> With regard to confession and the requirement that all mortal sins be confessed, Luther argues that not even the doctors know how to distinguish mortal sins from venial sins in all cases and, besides that, quoting Psalm 19:12, he argues that everyone has mortal sins that are hidden from their attention.<sup>42</sup> Therefore, talk about full confession of every mortal sin can only lead to disturbing the consciences of the faithful. Finally, Luther critiques the doctrine of satisfaction with a simple statement, "The best kind of satisfaction is to sin no more and to do all possible good toward your fellow-man, be he enemy or friend. This kind of satisfaction is rarely mentioned; we think to pay for everything simply through assigned prayers."<sup>43</sup> Luther sees the living of a sanctified life as the highest form of satisfaction.

Before leaving *The Sacrament of Penance*, one final point shall be made. Luther justifies penance as a sacrament by using an Augustinian definition of the essential elements of a sacrament. In this 1519 defence in favor of the sacramental nature of penance, Luther calls the

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<sup>40</sup> *The Sacrament of Penance*, 1519, *LW* 35: 19–20.

<sup>41</sup> *The Sacrament of Penance*, 1519, *LW* 35: 18. Earlier in the thirtieth thesis of his Ninety-five Theses (see *LW* 31: 28), Luther had stated that no one can be sure of the integrity of his own contrition; now he states that no one can ever have complete contrition for his sin.

<sup>42</sup> *The Sacrament of Penance*, 1519, *LW* 35: 20.

<sup>43</sup> *Ibid.*

words of absolution the verbal signifier of the sacrament: "That is why [penance] is called a sacrament, a holy sign, because in it one hears the words externally that signify spiritual gifts within, gifts by which the heart is comforted and set at peace."<sup>44</sup> At this point Luther is not troubled by the fact that there is no physical object involved in the ritual of penance, something that should be involved if he wishes to carry on employing a comprehensive Augustinian definition of a sacrament. Thus, in *The Sacrament of Penance*, Luther's second publication dealing exclusively with the sacrament of penance, the Reformer begins to move away from the classic Thomistic definition of penance and define penance as being composed of absolution, grace, and faith. Of these elements of penance, faith is the most important for Luther. The Reformer follows Augustine, noting that faith in the promises of Christ gives a sacrament its power. Additionally, Luther continues to hold to the Augustinian definition of a sacrament and to penance as a sacrament despite the fact that penance does not have a physical element associated with it.

### **Luther's December 18, 1519, Letter to George Spalatin**

Luther's letter to his good friend George Spalatin on December 18, 1519, demonstrates the continual friction the Reformer's newly found *sola Scriptura* principle produced when brought beside the Roman sacramental system. In the letter Luther writes:

There is no reason why you or any man should expect from me any sermon on the other sacraments [besides baptism, the Lord's Supper, and penance], until I learn by what text I can prove they are sacraments. I esteem none of the others a sacrament, for that is not a sacrament, save what is expressly given by a divine promise exercising our faith. We can have no intercourse with God save by the word of him promising and by the faith of man receiving the promise. At another time you will hear more about their fables of the seven sacraments . . .<sup>45</sup>

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<sup>44</sup> *The Sacrament of Penance*, 1519, LW 35: 11.

<sup>45</sup> Martin Luther, *Luther's Correspondence and Other Letters*, ed. and trans. Preserved Smith and Charles Jacobs, vol. 1 (Philadelphia: Lutheran Publication Society, 1913), 263–64.



By late 1519, Luther was seriously rethinking the Roman sacramental system on the basis of Holy Scripture. A sacrament must have a promise of God to which a Christian can cling, Luther clearly states. Martin Brecht analyzes this letter:

Two things in this statement are noteworthy. Luther was already questioning confirmation, matrimony, ordination, and extreme unction as sacraments. He gave notice that he would furnish proof for this enormous reduction in the church's sacramental practice. He emphasized here . . . how the divine promise was what constituted the sacraments he recognized.<sup>46</sup>

Ordination, marriage, extreme unction, and confirmation were now questionable sacraments in the Reformer's thinking. Penance was still included in his list of sacraments, but within a year Luther would change his thoughts and ultimately reject penance as a sacrament altogether.

### *A Discussion of Confession, 1520*

In 1520, the following year, Luther wrote *A Discussion of Confession*, a work that deals chiefly with the first two parts of the Roman sacrament of confession, that is, contrition and confession. Similar in many respects to the general themes of the *Sermo de Poenitentia* and *The Sacrament of Penance*, Luther spends most of his time speaking about faith in the promises of God and abuses of the Roman sacrament of penance. Luther begins this document with an introductory note on faith. The Reformer notes that almost all Christians are placing their trust in the work of their confession and not on the promises of God for the forgiveness of sin.<sup>47</sup> In this error, Luther sees a great deviation, a deviation from trusting God at his word that he will forgive confessed sin because he has promised to do this, to a trust that God forgives sin because the sin has been confessed sufficiently or that the sufficient confession of

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<sup>46</sup> Brecht, 365.

<sup>47</sup> Martin Luther, *A Discussion of Confession, 1520*, in *Works of Martin Luther*, trans. C.M. Jacobs, vol. 1 (Philadelphia: Muhlenberg Press, 1915), 81.

the penitent is worthy of forgiveness in and of itself.<sup>48</sup> To the notion that a confession can be worthy of forgiveness in and of itself Luther reminds the reader, “[God] has promised pardon to those who do confess; that is, not because of the worthiness or sufficiency of our confession (for there is no such worthiness or sufficiency), but because of the truth and certainty of His promise as says the [twenty-fourth] Psalm: ‘For Thy Name’s sake, O Lord, pardon mine iniquity’.”<sup>49</sup> For Luther, confession of sin is nothing else than “an occasion by which God is called to the fulfillment of His own promise [that he forgives our sins], or by which we are trained to believe that we shall without doubt obtain the promise.”<sup>50</sup> Thus faith in the promises of God in Christ once again is a main theme when Luther treats the confession of sins.

After citing scriptural support for this claim, Luther moves on to a discussion of contrition. In this discussion, Luther begins to redefine contrition in a manner that is compatible with his own views. First, he teaches that a person must never go to the sacrament of penance and make a confession if he is not truly repentant and wishes to amend his life.<sup>51</sup> This is contrary to the Roman doctrine of attrition, which stated that if a man was not contrite, the desire to be contrite was sufficient to be counted as true contrition. Speaking to the Roman doctrine of attrition Luther comments:

For the doctrines about the forming of a good purpose [of not sinning], which have been handed down to us and are everywhere taught, are not to be understood in the sense that a man should of himself form and work out this good purpose. Such an understanding is death and perdition; . . . And yet very many are grievously

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<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid., 84. This kind of confession, Luther states, would be coming to God with a false heart and be a sin against God, which must be avoided.



tormented by this idea, because they are taught to strive after the impossible.<sup>52</sup>

Luther elucidates this further, noting that he believes contrition, properly understood, should only amount to an intention to stay away from major open and mortal sins such as adultery, homicide, robbery, and so on, in addition to lesser concrete sins.<sup>53</sup> Moving on to the topic of confession, Luther advocates that hidden sins and sins of the mind should not be mandated to be verbally confessed to the priest, as this is simply Rome terrorizing penitents.<sup>54</sup> Only sins committed against the first eight commandments should be confessed; all else would take forever to confess and could not be confessed completely.<sup>55</sup> The casuistry of sins, that is, the assignment of degrees of guilt for particular sins, is also attacked as infringing on a matter that is the prerogative of God alone, and that for the prestige of the pope and priesthood.<sup>56</sup> Luther also severely criticizes the scholastic distinction of mortal and venial sins for the first time, stating that this distinction provokes the laity to think nothing of sins deemed venial and to become so afraid of a mortal sin that faith in Christ can be driven out.<sup>57</sup> If this were not enough, Luther, getting more assertive, criticizes the decree of the Fourth Lateran Council concerning mandatory confession of sin once a year, stating, “the doctrine which is contained in the Decretals and is current in the Church, to wit, that every Christian should once a year make confession of all his sins (so the words run), is either a devilish and most murderous doctrine, or else is sorely in need of a loose

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<sup>52</sup> Ibid., 85.

<sup>53</sup> Ibid., 85–86.

<sup>54</sup> Ibid., 86.

<sup>55</sup> Ibid., 91–92.

<sup>56</sup> Ibid., 86–87.

<sup>57</sup> Ibid., 88.

interpretation.”<sup>58</sup>

In summary, in *A Discussion of Confession*, Luther reiterates the centrality of faith in the believer's life. Faith in God's promise of forgiveness in Christ is a prerequisite for the beneficial use of the Roman sacrament of penance. The sacrament of penance is for Luther an exercise that strengthens the faith already present in a believer whose conscience is oppressed by guilt and is never to be taken as a work whose action brings about forgiveness independent of the penitent's disposition. Luther begins to redefine contrition as an act that should seek to avoid crass open sins as well as other lesser but yet still open and concrete sins. In the area of confession, Luther again begins to redefine, stating that only outward infractions against the first eight commandments should be confessed and that all else should be remitted to the mercy of God. Noteworthy also is Luther's rejection of the distinction between mortal and venial sins for the sake of confession and his rejection of the Fourth Lateran Council's decree that all believers must annually make a confession of all mortal sins.

It is evident that Luther's criticism of the Roman sacrament of penance and its supporting decretals is becoming substantial and increasingly clearly reasoned by the year 1520. These well-substantiated criticisms, together with Luther's positive teaching of the sacrament of penance, that is, Luther's gradual redefinition of the Roman sacrament of penance, begin to come into tension with each other. The resulting friction is evident in many of Luther's published writings thus far and especially in his December 1519 letter to Spalatin as cited above. Luther's promise in that letter—namely, to expose the sacraments of the Roman church that do not have biblical support—will come to fruition in his 1520 writing *The Babylonian Captivity of the Church*.

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<sup>58</sup> Ibid., 88–89.



### *The Babylonian Captivity of the Church, 1520*

Having looked at two of Luther's earlier works on the sacrament of penance, what remains is a careful examination of *The Babylonian Captivity of the Church*, the treatise in which Luther finally breaks with Rome and ceases to call penance a sacrament. In this examination, Luther's reasons for breaking with the Roman sacramental view of penance will be presented. Luther begins the treatise by reducing the number of sacraments from seven to three: "To begin I must deny that there are seven sacraments, and for the present maintain that there are but three: baptism, penance, and the bread."<sup>59</sup> But this does not last long, for roughly one hundred pages later in the same work, Luther finally rejects penance as a sacrament.<sup>60</sup> Since Luther's thoughts on penance change as *The Babylonian Captivity of the Church* proceeds, this work will be examined diachronically. While a ten-page section of *The Babylonian Captivity of the Church* is dedicated to the sacrament of penance and shall be examined in depth, Luther's treatment of baptism is also most instructive, as it is evidence of his developing thought *vis a vis* the sacrament of penance. Since Luther covers baptism before penance, the section on baptism will be covered first.

It is in *The Babylonian Captivity of the Church* that Luther makes a strong, new argument against the prestige of the sacramental nature of penance. By examining the relationship between penance and the sacrament of baptism, Luther comes to the conclusion that baptism is the fundamental sacrament and that penance is a rite subordinate to baptism. Speaking in a generally critical tone, Luther begins the section on baptism in *The Babylonian Captivity of the Church* by

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<sup>59</sup> *The Babylonian Captivity of the Church, 1520, LW 36: 19.*

<sup>60</sup> One wonders if this is a tactical move and if Luther already knew before he wrote *The Babylonian Captivity of the Church* that he would reduce the number of sacraments to two, but wished to first get his foot in the door by eliminating the four obviously weak cases for sacraments before dropping penance as a sacrament.

noting that of all the sacraments, the sacrament of baptism alone has been preserved by God, “untouched and untainted by the ordinances of men.”<sup>61</sup> This being the case, Luther explains that the devil has managed to succeed in quenching the power of baptism in all adults, “so that there are scarcely any who call to mind their own baptism, and still fewer who glory in it; so many other ways have been discovered for remitting sins and getting to heaven.”<sup>62</sup> It is useful for the purpose of this study to see the reason why the Reformer believes that baptism is now being forgotten in the church:

The source of these false opinions is that dangerous saying of St. Jerome either unhappily phrased or wrongly interpreted—in which he terms penance ‘the second plank after shipwreck,’ as if baptism were not penance. Hence, when men have fallen into sin, they despair of the ‘first plank,’ which is the ship, as if it had gone under, and begin to put all their trust and faith in the second plank, which is penance.<sup>63</sup>

It is not completely clear here when Luther says, “as if baptism were not penance,” if he is referring to the sacrament of penance or a penitential attitude. The latter is more likely, as shortly hereafter Luther speaks of “how Christians ought to live.”<sup>64</sup> Whether or not Luther is making a close connection between the sacrament of baptism and the sacrament of penance here, as he will later in the treatise, this citation is still noteworthy because Luther traces a major problem concerning the Roman sacrament of penance: the sacrament of penance is being misused by Rome in the place of the sacrament of baptism as the fundamental sacrament that exercises a believer’s faith in the remission of sins.

Luther insists that a penitent believer should, first and foremost, be exhorted to remember

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<sup>61</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 57.

<sup>62</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 57–58.

<sup>63</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 58.

<sup>64</sup> *Ibid.*



the promise given to him in his baptism and that the sacrament of baptism has a place of primacy among the other sacraments:

This message [Mark 16:16] should have been impressed upon the people untiringly. . . . Their baptism should have been called to their minds again and again, and their faith constantly awakened and nourished. For just as the truth of this divine promise, once pronounced over us, continues until death, so our faith in it ought never to cease, but to be nourished and strengthened until death by continual remembrance of this promise made to us in baptism. Therefore, when we rise from our sins and repent, we are merely returning to the power and faith of baptism from which we fell, and finding our way back to the promise then made to us, which we deserted when we sinned. For the truth of the promise once made remains steadfast, always ready to receive us back with open arms when we return. And this, if I mistake not, is what they mean when they say, though obscurely, that baptism is the first sacrament and the foundation of all others, without which none of the others can be received.<sup>65</sup>

Here Luther firmly connects repentance with baptism, showing how repentance is a return to faith in the promise of grace given in baptism. Since God's promise of forgiveness administered and received in the sacrament of baptism is valid throughout the entire life of a Christian, a sure and ready refuge, it follows that the sacrament of baptism is the fundamental sacrament upon which the God-given promises of all other sacraments build. Relating the sacrament of penance to the sacrament of baptism, Luther warns of relying on the sacrament of penance over the promise contained in the sacrament of baptism, saying, "But as for contrition, confession of sins and satisfaction, along with all those carefully devised exercises of men: if you rely on them and neglect this [baptismal] truth of God, they will suddenly fail you and leave you more wretched than before."<sup>66</sup> Penance is not superior but inferior to baptism for Luther, because baptism most clearly holds out God's promise of forgiveness. While all sacraments were instituted to nourish the faith, Luther is saying, albeit in an indirect way, that penance has been hijacked by Rome and

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<sup>65</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 59.

<sup>66</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 61.

made into a work where *ipso facto* uncertainty abounds.<sup>67</sup> For Luther the power of baptism is not lost by sins of commission. There is no other way for a sinner to reach heaven but through the death and rebirth given by baptism. Nothing else, not even penance, gives this death and rebirth. As Luther says, "Understand that this is the significance of baptism, that through it you die and live again. Therefore, whether by penance or by any other way, you can only return to the power of your baptism, and do again that which you were baptized to do and which your baptism signified."<sup>68</sup> The idea that Christians can do no more than return to the power of their baptism, which is to die to sin and be reborn in faith through the promise of God, becomes a major theme in Luther's treatment of the believer's spiritual life in *The Babylonian Captivity of the Church*. This theme becomes part of the ammunition Luther uses to reject penance as a sacrament in this work.

In summary, in the section of *The Babylonian Captivity of the Church* where Luther treats the sacrament of baptism, he claims a primacy for baptism among all the other sacraments as the foundational sacrament and in this gains a powerful reason to reduce the importance of the Roman sacrament of penance. Luther harshly criticizes Jerome's writing that minimizes the importance of the sacrament of baptism in a believer's life and replaces the promises of baptism with the practice of penance. For according to Luther, only the sacrament of baptism has the power to cause a believer to die to sin and rise to new life in Christ due to the promise of God attached to baptism. All other sacraments, including the sacrament of penance, build upon this promise of ever-present forgiveness given in the sacrament of baptism. What is more, the sacrament of penance, by the very fact that it is loaded with works and regulations made by men,

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<sup>67</sup> Ibid.

<sup>68</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 69.



always carries with it an inherent uncertainty with regard to obtaining God's grace and forgiveness. After all is said, baptism is held as the primary sacrament, and the theme of returning to the power (and promise) of one's baptism rises in ascendancy as the highest thing a justified believer can do, eclipsing the prestige of the sacrament of penance in the process.

A ten-page section of *The Babylonian Captivity of the Church* is devoted to the sacrament of penance, and it is here that Luther makes his appraisal of the Roman sacrament of penance. Luther begins by noting that he has already written on the subject in treatises and disputations but that now he will briefly repeat this material here.<sup>69</sup> This introductory comment is useful, as it notifies the reader that Luther is now summarizing his previously held position on the sacrament of penance in a brief form. Luther starts by noting that Rome has completely abolished the sacrament of penance through its practice of the sacrament because Rome has not retained any of what is proper to a sacrament. He writes, "For this sacrament [penance] like the other two [the Eucharist and baptism] consists in the word of divine promise and our faith, and they have undermined both of them."<sup>70</sup> This phrase must be kept in mind, as it is important to note that in his first brush with penance here in *The Babylonian Captivity of the Church* Luther still feels free to use a definition of a sacrament that is not strictly Augustinian in its terminology of the necessary components of a sacrament. In the place of God's promise of the remission of sin, Rome now only talks about its authority to forgive sins. Luther states that Rome has hijacked both components of the sacrament of penance, the divine word associated with it and the believer's faith in these words.<sup>71</sup> Christ's promise of forgiveness attached to the sacrament of

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<sup>69</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 81.

<sup>70</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 81–82.

<sup>71</sup> *Ibid.*

penance as found in Matthew 16:19, Matthew 18:18, and John 20:23, and the believer's faith in these words, have been hijacked by Rome, and the sacrament of penance has been brought to serve Rome's ambition to have ecclesiastical authority over Christians.<sup>72</sup> Luther's explanation is as follows, "But in all their [the Papists'] writing, teaching, and preaching, their sole concern has been, not to teach what is promised to Christians in these words, or what they ought to believe, and what great consolation they might find in them, but only through force and violence to extend their own tyranny far, wide, and deep."<sup>73</sup> According to Luther, Rome has replaced faith with the Thomistic view of penance: "They have divided penance into three parts—contrition, confession, and satisfaction; but in such a way that they have removed whatever was good in each of them, and have established in each of them their caprice and tyranny."<sup>74</sup>

With regard to contrition, Luther's final analysis is that Rome has exchanged the orthodox doctrine of contrition for a completely corrupt teaching of the nature of contrition.<sup>75</sup> Luther's explanation of Rome's false teaching concerning contrition is as follows: Rome has made the believer's display of penance, or sorrow of heart, replace faith in God's promise of forgiveness.<sup>76</sup> In addition, Luther laments the fact that Rome tolerates and perhaps even endorses the concept of attrition.<sup>77</sup> The cause of contrition for Luther is the Law:

A contrite heart is a precious thing, but it is found only where there is an ardent faith

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<sup>72</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 82.

<sup>73</sup> Ibid.

<sup>74</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 83–84.

<sup>75</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 85.

<sup>76</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 84.

<sup>77</sup> Ibid. The scholastic invention of attrition involved a supposed hatred of sin arising not out of love for God, but out of lesser motives such as fear of punishment. Rome taught that the power of the Office of the Keys turned attrition into worthy contrition through the grace given in the sacrament of penance.



in the promises and threats of God. Such faith, intent on the immutable truth of God, makes the conscience tremble, terrifies it and bruises it; and afterwards, when it is contrite, raises it up, consoles it, and preserves it. Thus the truth of God's threat is the cause of contrition, if it is believed. By such faith a man 'merits' the forgiveness of sins. Therefore faith should be taught and aroused before all else. Once faith is obtained, contrition and consolation will follow inevitably of themselves.<sup>78</sup>

The Law kills all human playacting with regard to displays of penance and terrifies the conscience. This for Luther is the source of contrition, and the trembling conscience can only be restored by hearing God's promise of forgiveness in faith. Then consolation will come on its own and not through a work of contrition.<sup>79</sup> Luther concludes his commentary on the Roman concept of contrition by saying, "I will say nothing now of the insurmountable task which they have imposed upon us, namely that we are to frame contrition for every sin. That is impossible."<sup>80</sup> Thus, trust should be put not in contrition but in God's promise of the forgiveness of sin.

As Luther turns to the second and third parts of the Roman sacrament of penance, he notes that their chief flaws are not necessarily doctrinal but that they "have become the chief workshops of greed and power" in the Roman church.<sup>81</sup> In treating Rome's view of confession, the Reformer objects to the reservation of sins by Rome. In this practice certain types of hidden sins had to be reserved by the priest hearing the confession to be absolved by his bishop or the pope himself. This practice was often used by bishops and the popes to gain political sway over Christian rulers and for financial gain, as Roman bishops and popes typically collected fees for

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<sup>78</sup> Ibid.

<sup>79</sup> On the subject of humanly produced contrition, Luther adds, "If [their] sins are regarded apart from the truth of God, they will excite afresh and increase the desire for sin rather than lead to contrition." *The Babylonian Captivity of the Church*, 1520, LW 36: 85.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

the absolution of reserved sins. Luther points out the potential for corruption, noting that while certain secret sins of the pope's choosing are mandated to be reserved, greater sins bear no such reservation.<sup>82</sup> Luther does not object to the concept that the confession of sins is necessary and important, adding that he is in favor of the private form of confession despite the fact that there is no basis for this in the Scriptures because, "If we accept [the word of absolution] in faith, we find peace in the mercy of God speaking to us through our brother."<sup>83</sup> Luther concludes his comments on confession by once more critiquing the need for confessing the circumstances attendant to each sin, in addition to confessing the sins themselves, by saying, "With Christians there is only one circumstance—that a brother has sinned."<sup>84</sup>

Finally, Luther turns to briefly treat the Roman concept of satisfaction. In his initial attack Luther says, "To begin with, they have taught [satisfaction] in such a manner that the people have never had the slightest understanding of what satisfaction really is, namely, the renewal of a man's life."<sup>85</sup> Luther picks up from his position stated in previous works, stressing that satisfaction is not doing prescribed works but dying to sin. Luther's view of satisfaction is summed up neatly and echoes the earlier comments of his *Sermo de Poenitentia* when he says of those making confession:

They believe that their life is changed in the one moment of contrition and confession, and there remains only to make satisfaction for their past sins. . . . No thought is given to the mortifying of the flesh. . . . This perverse error is greatly encouraged by the fact that we absolve sinners before the satisfaction has been completed, so that they are more concerned about completing the satisfaction, which is a lasting thing, than they are about contrition, which they suppose to be over and

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<sup>82</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 86.

<sup>83</sup> *Ibid.*

<sup>84</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 89.

<sup>85</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 89.



done with when they have made confession.<sup>86</sup>

Thus, Luther's criticism of satisfaction is that the faithful believe that the work of satisfaction is more important to their sanctification than continual contrite living. Mortification of the flesh is true satisfaction for Luther. Satisfaction is a continual dying to sin, and this is the work that should be given to sinners as they leave confession. The Reformer proceeds to close the discussion quickly, pointing the reader back to his previous works concerning the indulgence controversy.

In summary, Luther states that his treatment of the sacrament of penance in *The Babylonian Captivity of the Church* is a summary of his previous writing on the subject. Luther opens the section containing his direct commentary on the Roman sacrament of penance by stating that Rome has forfeited the requirements of a sacrament by virtue of its practice of the sacrament of penance. A sacrament must display a promise of God's forgiveness (as found in the Scriptures) and aid in creating faith in that promise. The Roman sacrament of penance does none of this. Rather, it focuses on works dictated by the priest, to be carried out by the confessor, which do nothing to aid the mortification of the flesh. The Roman practice of penance also has the tendency to make contrition displace faith in Christ. Luther has many doctrinal questions about the Roman theory of contrition in particular, as well as about confession and satisfaction, and he lists these methodically as he treats each case. Luther lauds the private confession of sins, although this does not have a direct biblical mandate. Up until this point it can be stated that Luther infers that Roman penance is not a valid sacrament because it is not based on God's work and his promises found in Scripture.

At this point in *The Babylonian Captivity of the Church*, Luther has yet to definitively

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<sup>86</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 90.

state that penance is not a sacrament. But at the conclusion of the work Luther finally makes the break, declaring that penance is not a sacrament. Hence there is some synthesis of the Reformer's thoughts on penance and a yet articulated view of the essential marks needed for a sacrament which have not been formulated at this point. These critical missing elements for Luther's rejection of penance as a sacrament shall now be examined.

After Luther's treatment of the sacrament of penance, *The Babylonian Captivity of the Church* continues with the Reformer's rejection of the sacramental status of confirmation, marriage, ordination, and extreme unction. Luther's rejection of their sacramental status is an aid in clarifying his view of the essential marks needed for a sacrament. A treatment of these four sacraments follows. In the section on confirmation Luther asks the question, "But if everything the apostles did is a sacrament, why have they not rather made preaching a sacrament?" He continues, "I do not say this because I condemn the seven sacraments, but I deny that they can be proved from the Scriptures."<sup>87</sup> The conclusion Luther reaches in the confirmation section is that a sacrament must be divinely instituted by Christ and extend a divine promise that can be grasped by faith.<sup>88</sup> By these criteria, confirmation is rejected as a sacrament. Marriage is rejected by these same criteria and the additional Augustinian criterion that it does not carry with it a sign. Luther explains:

We have said that in every sacrament there is a word of divine promise, to be believed by whoever receives the sign, and that the sign alone cannot be a sacrament. Nowhere do we read that the man who marries a wife receives any grace from God. There is not even a divinely instituted sign in marriage, nor do we read anywhere that

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<sup>87</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 91.

<sup>88</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 92.



marriage was instituted by God to be a sign of anything.<sup>89</sup>

Thus, in his rejection of marriage as a sacrament, Luther uses the lack of a divine promise and, more pertinently, for the first time, the reasoning that a Roman sacrament is to be rejected because the supposed sacrament does not have a sign associated with it. As for ordination, Luther does not reject it for lack of a sign, the laying on of hands, but because nowhere in Scripture is there any promise of grace attached to ordination.<sup>90</sup> For this reason Luther is in favor of keeping ordination as a church rite but not as a sacrament. Luther then adds a fresh, new, and powerful thought, "Let this stand fast: The church can give no promises of grace; that is the work of God alone. Therefore she cannot institute a sacrament."<sup>91</sup> This is a major development in Luther's thought within *The Babylonian Captivity of the Church*. "The church is not above the gospel," Luther says, and for this reason she cannot institute a sacrament; that is God's prerogative.<sup>92</sup>

While the reader would hope that Luther would expand his comments on this subject, he does not, but suddenly begins churning out a batch of new reasons to reject Roman sacramental theory. He continues in a different line of thinking shortly thereafter: "For the invention of sacraments is of recent date."<sup>93</sup> Taking a historical approach to the sacraments, Luther is most likely referring here to the fact that, as noted above, the Roman church only officially set the

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<sup>89</sup> Ibid. In the first part of this work dealing with the Lord's Supper, Luther speaks of God's promises together with signs saying, on page 43, "This is surely true, that to every promise of his, God usually adds some sign as a memorial or remembrance of the promise, so that thereby we may serve him the more diligently and he may admonish us the more effectually."

<sup>90</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 106–07.

<sup>91</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 108.

<sup>92</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 107.

<sup>93</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 109.

number of sacraments at seven at the Council of Florence in 1439, an event that happened fewer than one hundred years prior to Luther's own day. Luther then jumps from a historical critique to a textual critique of Rome's sacramental theology. He criticizes Dionysius the Areopagite's contribution to sacramental theology, which he believes has heavily influenced Roman sacramental thought, saying that Dionysius' writings are more Platonist than Christian.<sup>94</sup> Luther sees Dionysius as allegorizing church rites, and it can be interpolated that Luther is charging Dionysius (or at least those who later read and use Dionysius) of investing church rites with sacramental status through allegories. Luther exclaims, "Therefore a thing does not need to be a sacrament simply because Dionysius so describes it."<sup>95</sup>

In the last of the four Roman sacraments Luther rejects, that of extreme unction, he notes that extreme unction lacks "both a promise and a sign, which, as I have maintained all along, do constitute a sacrament."<sup>96</sup> Once again, Luther makes the Augustinian observation that a sacrament is comprised of both a divine promise and a sign. This statement of Luther's refers back to an earlier statement in *The Babylonian Captivity of the Church* in which he declares, "We may learn from this that in every promise of God two things are presented to us, the word and the sign, so that we are to understand the word to be the testament, but the sign to be the sacrament. And as there is greater power in the word than in the sign, so there is greater power in the testament than in the sacrament . . . ."<sup>97</sup> Luther is now repeating and clarifying his strict definition of a sacrament, with the addition that only Christ can give a promise with a sign

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<sup>94</sup> Ibid.

<sup>95</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 110.

<sup>96</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 118.

<sup>97</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 44.



attached to it.<sup>98</sup> Luther will shortly use this definition to reject penance as a sacrament. Finally, the following statement of Luther is helpful: “We do not deny, therefore, that forgiveness and peace are granted through extreme unction; not because it is a sacrament divinely instituted, but because he who receives it believes that these blessings are granted to him.”<sup>99</sup> Here Luther reaches another important conclusion, already stated in various other ways, that the reception of grace is not attached to the sacraments of the church but to faith in God’s promises. As Luther wraps up his discussion of the four sacraments he has just “delisted,” He places the blame for the corruption at the foot of the lecturers of the universities, who, in his view, have influenced the teaching of the Roman church over time.<sup>100</sup>

In summary, Luther’s rejection of the sacramental status of confirmation, marriage, ordination, and extreme unction is based on several principles that help clarify the Reformer’s definition of the essential marks of a sacrament. Luther’s definition of a sacrament is as follows: a sacrament must be divinely instituted by Christ and must extend a divine promise with the aid of a physical sign that can be grasped by faith. It follows that the church cannot create a sacrament and therefore that confirmation, marriage, ordination, and extreme unction are church rites, nothing more. The lack of distinction between church rites and sacraments has come through the universities, especially in the works of Dionysius. Faith can and does grasp the promise held in a church rite such as extreme unction. Luther’s waffling on the Augustinian definition of a sacrament is over: a promise of God is not a sacrament unless a visible sign is attached. Additionally, the promises of God, not the sacraments, convey God’s grace. This is in

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<sup>98</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 118.

<sup>99</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 122.

<sup>100</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 123.

direct conflict with the assumption of most in the West in Luther's day, that the Church mediated salvation through the sacraments and thus that the grace of God was contained in the sacraments.<sup>101</sup>

What remains in *The Babylonian Captivity of the Church* is a synthesis of the Reformer's teaching of penance with his now fully articulated sacramental theology. Luther does this when he declares at the very end of the work that penance is not a sacrament. Luther bases his decision on strict Augustinian terminology:

Nevertheless, it has seemed proper to restrict the name of sacrament to those promises which have signs attached to them. The remainder, not being bound to signs, are bare promises. Hence there are, strictly speaking, but two sacraments in the church of God—baptism and the bread. For only in these two do we find both the divinely instituted sign and the promise of forgiveness of sins. The sacrament of penance, which I added to these two, lacks the divinely instituted visible sign, and is, as I have said, nothing but a way and return to baptism. Nor can the scholastics say that their definition fits penance, for they too ascribe to the true sacrament a visible sign, which is to impress upon the senses the form of that which it effects invisibly. But penance or absolution has no such sign. Therefore they are compelled by their own definition either to admit that penance is not a sacrament and thus to reduce their number, or else to bring forth another definition of a sacrament.<sup>102</sup>

One gets the feeling that Luther is getting off on a technicality here. As he begins to rethink his sacramental theology together with the nature and work of baptism in the Christian life in the course of this writing, it seems as if Luther uses Augustinian sacramental terminology, with its demand for a visible sign, as the means to legitimize his final rejection of penance as a sacrament. But this may be only the figurative straw that broke the camel's back. While this is a convenient reason, it surely cannot be the main reason why Luther rejects penance as a sacrament, since a year before this in *The Sacrament of Penance* Luther was willing to

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<sup>101</sup> Brecht, 358.

<sup>102</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 124.



acknowledge the validity of Roman penance despite the fact that a physical element was missing. Moreover, in his first treatment of penance in this work, he felt free to call penance a sacrament despite it not having a physical element.<sup>103</sup> Thus, Luther's rejection of penance as a sacrament must go deeper than Augustinian definitions of a sacrament, and this shall now be discussed.

Luther's rejection of penance as a sacrament in *The Babylonian Captivity of the Church* might seem to be an afterthought, using a strict Augustinian definition to reject penance as a sacrament because penance does not have a visible sign attached to it. As Luther works out his sacramental theology from 1517 to 1520, he is on the one hand critiquing the Roman practice of penance with its many doctrinal flaws involved in the steps of confession, contrition, and satisfaction, and on the other hand developing his own theology of penance. Luther's chief criticism of the Roman practice of penance is that its three steps, especially contrition, speak nowhere of faith in Christ. In addition, Rome's three steps of penance do not have any backing in Scripture. Luther is also very wary of the fact that Roman penance, with its multitude of prescriptions for what the penitent must do, makes penance into a work *ipso facto*, where uncertainty of forgiveness abounds.

But Luther is also grappling with sacramental theology and penance from a positive stance as he seeks to articulate an evangelical practice of penance and an evangelical understanding of the nature of a sacrament. Luther's sacramental theology continually develops, even during the writing of *The Babylonian Captivity of the Church*. He insists that the church has no power of its own to institute a sacrament; a sacrament can only be instituted by Christ, and this institution must be found in Scripture. Not only must a sacrament be instituted by Christ himself, but a sacrament must have a visible element, which when received gives the promises of

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<sup>103</sup> *The Babylonian Captivity of the Church*, 1520, LW 36: 81–82.

forgiveness of sins and exercises the believer's faith. This is the key. Furthermore, Luther describes baptism as the foundational sacrament and gives it primacy among all the other sacraments. While penance and the sacrament of baptism are similar in that they emphasize daily dying to sin, true repentance, only the sacrament of baptism has the power to cause a believer to die to sin and rise to new life in Christ due to the promise of God attached to baptism. This, together with Luther's strong emphasis that faith is what receives the blessings of God, allows penance to become expendable. All other sacraments, including the sacrament of penance, only build upon this preexistent promise of ever-present forgiveness given at baptism.

Luther's articulation of an evangelical practice of penance involves a falling further and further away from scholastic definitions of grace and forgiveness and increasingly toward the Word of God as his sole rationale for the forgiveness of sin. The Roman sacrament of penance is based on a work-driven, atomistic view of sins that is bolstered by Rome's claims to forgive trespasses against papal law. Luther does not allow Rome to share in the authority vested in the promise of the forgiveness of sin found in the Scriptures. Only Christ can forgive sins through the ways he has mandated in the Word. This is not to say that Luther rejects all of church tradition; it is simply to say that he defines the practice of penance in evangelical terms, so the Reformer feels comfortable keeping private confession, which is not mandated in Scripture, because it is a useful way to apply the forgiveness of sins won by Christ and promised to the believer in Scripture. Augustinian definitions of sacraments no longer carry the same weight that they first did. Luther is now completely content to let an evangelical practice of penance rest on the authority of the Word of God without worrying if penance is defined as a sacrament.

### **Conclusion**

Why, then, did Luther reject Roman penance as a sacrament? While Luther's rejection of



penance as a sacrament is made on the basis of Augustinian terminology, as found at the end of *The Babylonian Captivity of the Church*, this is but a convenient reason for his decision, which was based on far more compelling reasons. The three main reasons Luther rejected penance as a sacrament are that Rome's sacrament of penance shut out faith; that he had been redefining the essential elements of a sacrament as the institution by Christ in the Scriptures of a visible element with a promise of forgiveness of sins attached, which exercises faith; and that he now saw baptism as the fundamental and primary sacrament, to which penance was only a corollary. Luther could not tolerate Rome's sacrament of penance, whose many works of contrition, confession, and satisfaction all had the potential of leading the penitent away from Christ and toward their own actions. Luther was faced with the choice of either reforming the Roman sacrament of penance or rejecting it altogether. He chose to reject the sacrament of penance based on his new thinking about the primacy of the sacrament of baptism and to reform the Roman sacrament of penance into a rite of penance to be used to remind the sinner of his baptismal grace. Luther's redefinition of the essential elements of a sacrament was part of his evangelical and positive reform of the Roman sacramental system. While keeping the Augustinian elements of a sacrament as the presence of a visible element with a promise of forgiveness attached, Luther emphasized that the institution of a sacrament must be by Christ himself, ruling out any possibility that Rome could institute a sacrament on its own. He also emphasized that all sacraments must exercise faith in the forgiveness of sins through Christ alone. Rome's excessive rules and regulations attached to its sacrament of penance were not from Christ and must be abandoned. Finally, as mentioned, Luther's discovery of the primacy of holy baptism and its power to aid the believer in dying to sin and living a sanctified life was the great evangelical discovery that freed him to "delist" penance as a sacrament and see it as a

useful corollary to baptism, which would aid the penitent Christian to remember the promise of forgiveness of sin that Christ gave in his baptism.



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