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AUCTORITAS IN ECCLESIA: JEAN GERSON AND
MARTIN LUTHER ON THE AUTHORITY OF
THE PAPACY AND GENERAL COUNCILS

A Thesis 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

by

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ABBREVIATIONS

- G* Jean Gerson, *Oeuvres Complètes*
- LW* *Luther's Works* (American Edition)
- WA* *D. Martin Luthers Werke. Kritische Gesamtausgabe.* (Weimar Edition)

INTRODUCTION

Much of the recent debate in Luther studies concerns Luther's relationship to his medieval predecessors and to his humanist contemporaries. Were the contributions of medieval theologians, and especially the late medieval scholastics, a vital component in Luther's theology, or does he owe more to the contributions of Renaissance humanism? For example, Heiko Oberman emphasizes the importance of late medieval nominalism as representing the "harvest" of medieval theological investigation.¹ According to Oberman, Luther directly benefited from this harvest by his entrance into the Augustinian order in Erfurt, and this Augustinian nominalism was decisive for his theological development.² A view contrary to Oberman's is proposed by Lewis Spitz. Spitz emphasizes Luther's rejection of scholasticism and his positive attitude toward the humanist disciplines as key elements in the Reformation.³

¹Heiko A. Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Grand Rapids: William P. Eerdmanns, 1967).

²Heiko A. Oberman, "Headwaters of the Reformation: *Initia Lutheri—Initia Reformationis*" in *Luther and the Dawn of the Modern Era*, ed. Heiko A. Oberman (Leiden: E. J. Brill, 1974), 40-88.

³Lewis W. Spitz, "Headwaters of the Reformation: *Studia Humanitatis, Luther Senior, et Initia Reformationis*" in *Luther and the Dawn of the Modern Era*, ed. Heiko A. Oberman (Leiden: E. J. Brill, 1974), 89-116.

Luther's ecclesiology provides fruitful ground for testing the validity of these hypotheses. The development of Luther's doctrine of the church continues to generate interest,⁴ especially in regard to the question of Luther's relationship to the medieval theologians. The earliest statements of Luther's doctrine of the church, those found in his first lectures on the Psalms, have been treated in this regard by Scott Hendrix.⁵ Hendrix has isolated specific themes found both in Luther and in medieval commentators on the Psalms for the purpose of comparison. The study presented here will approach Luther's statements on authority in the church, specifically the authority of the papacy and general councils, in much the same way. Since it has been suggested that Luther was influenced during his conflict with the pope by conciliarist theology,⁶ the fifteenth-century conciliarists provide an obvious point of comparison. Because both Theodor Kolde and Christa Tecklenburg Johns have examined Luther's position on conciliar authority in this light,⁷ some justification must be presented for yet another study on this topic.

⁴Cf. Michael Beyer, "Luthers Ekklesiologie," in *Leben und Werk Martin Luthers von 1526 bis 1546*, 2 vols. (Göttingen: Vandenhoeck & Ruprecht, 1983), 98-117.

⁵Scott H. Hendrix, *Ecclesia in Via: Ecclesiological Developments in the Medieval Psalms Exegesis and the Dictata Super Psalterium (1513-1515) of Martin Luther* (Leiden: E. J. Brill, 1974).

⁶See for example Remigius Bäumer, *Martin Luther und der Papst*, 5th ed. (Münster: Aschendorff, 1970), 36-42.

⁷Th. Kolde, *Luthers Stellung zu Concil und Kirche bis zum Wormser Reichstag, 1521* (Gütersloh: C. Bertelsmann, 1876); Christa Tecklenburg Johns, *Luthers Konzilsidee in ihrer historischen Bedingtheit und ihrem reformatorischen Neuansatz* (Berlin: Alfred Töpelmann, 1966).

Both Kolde and Johns treated conciliar theory in general terms and used broad strokes in describing conciliar ecclesiology. Although this certainly does not negate their conclusions, a point by point comparison between Luther and a single representative of conciliarism might prove useful in the continuing evaluation of Luther's relationship to his predecessors.

Jean Gerson is by no means an arbitrary choice for such a comparison. As one of the foremost representatives of fifteenth century conciliarism, his influence as a theologian was felt throughout the fifteenth and at the beginning of the sixteenth centuries, especially but not exclusively in conciliarist circles.⁸ In addition, he was one of the few late medieval theologians whom Luther genuinely admired. Luther often quoted Gerson's views with approval, particularly with regard to the phenomenon of spiritual *Anfechtungen*. Finally, Gerson and Luther experienced similar theological training. Both were educated at nominalist universities, and both displayed an interest in mystical theology. Gerson is a natural point of comparison between Luther and late medieval thought.

The present study attempts to make such a comparison in the area of ecclesiology. Chapter 1 briefly outlines the influences, academic and otherwise, that

⁸"Johannes Gerson kann zu Recht als Maßgebliche Autorität für diejenigen französischen und deutschen Theologen des 15. wie des beginnenden 16. Jahrhunderts bezeichnet werden . . ." Christoph Burger, *Aedificatio, Fructus, Utilitas: Johannes Gerson als Professor der Theologie und Kanzler der Universität Paris* (Tübingen: J. C. B. Mohr, 1986), 10. According to Remigius Bäumer, Gerson's views permeate the writings of conciliarists in the early sixteenth century. *Nachwirkungen des konziliaren Gedankens in der Theologie und Kanonistik des frühen 16. Jahrhunderts* (Münster: Aschendorff, 1971).

shaped Gerson's thought. This is followed by a detailed discussion of one of Gerson's conciliar treatises, *De Auctoritate Concilii*, in Chapter 2. Chapter 3 highlights several of Gerson's other conciliar treatises and developments in conciliarism from the Council of Constance to the end of the fifteenth century. The discussion of Luther begins in Chapter 4 with a sampling of influences relative to his theological development. Chapter 5 outlines the development of Luther's view of the authority of the papacy and general councils. Chapter 6 presents a comparison between Gerson and Luther on the subject of authority in the church and draws some general conclusions about Luther's relationship to conciliarism, late medieval scholasticism and humanism.

CHAPTER 1

JEAN GERSON: FORMATIVE INFLUENCES

In order to understand Gerson's statements on authority in the church, it is necessary to explore the intellectual and political climate that influenced the development of his thought. Gerson was a product of the scholarship that had preceded him at the University of Paris, especially the nominalist tradition as represented in his day by Pierre d'Ailly. In addition, he was influenced by the writings of theologians of a more mystical bent, such as Pseudo-Dionysius and Bonaventure. Gerson's intellectual development was also affected by the more pernicious influence of the papal schism that had divided the church. Much of his activity both as chancellor of the University of Paris and as doctor of theology was directed toward healing the schism. Nominalism, mysticism, and the schism all helped to shape Gerson's thought.

Gerson and the Schism

When Jean le Charlier was born in Gerson-les-Barbey, the popes had resided at Avignon for 56 years.¹ Shortly after he began his studies at the University of

¹The best biography of Gerson is still Johann Baptist Schwab, *Johannes Gerson: Professor der Theologie und Kanzler der Universität Paris*, 2 vols. (Würzburg, 1858; reprint, New York: Burt Franklin). Also helpful are John B. Morrall, *Gerson and the Great Schism* (Manchester: The University Press, 1960) and James L. Connolly, *John Gerson: Reformer and Mystic* (St. Louis: B. Herder Book Co., 1928).

Paris, the return of the papacy to Rome resulted in schism when Clement VII was elected pope by the French cardinals as rival to the newly-elected Roman pope, Urban VI. Thus the Great Western Schism provided the background for Gerson's education and early career.² This event was supremely important for the development of his thought. Many of his ecclesiological writings were directed toward specific events associated with the schism, underscoring the fact that his larger doctrine of the church was shaped by his experience in attempting to restore unity to a divided Christendom.

Jean Gerson entered the University of Paris as a member of the College of Navarre in 1377.³ Here he first encountered his mentor and lifelong friend Pierre d'Ailly, who became rector of Navarre in 1380 and chancellor of the university in

²General works on the history of the schism include John Holland Smith, *The Great Schism* (New York: Weybright and Talley, 1970); E. Delaruelle, E.-R. Labande, and Paul Ourliac, *L'Église au temps du Grand Schisme et de la crise conciliaire (1378-1449)* (Paris: Bloud & Gay, 1962); Clinton Locke, *The Age of the Great Western Schism* (New York: The Christian Literature Company, 1896); Louis Salembier, *The Great Schism of the West*, trans. M. D. (London: Kegan Paul, Trench, Truebner, and Company, 1907); Louis Gayet, *Le Grand Schisme d'Occident*, 2 vols. (Florence: Loescher et Seeber, 1889). Gayet's work concludes with the election of Clement VII and includes selections from contemporary documents from the Vatican archives. The intellectual history of the schism is treated by Walter Ullmann, *The Origins of the Great Schism: A Study in Fourteenth-Century Ecclesiastical History* (London: Barnes, Oates, & Washbourne, 1948); George Jefferis Jordan, *The Inner History of the Great Schism* (London: William & Norgate, 1930). The classic work on the schism and the kingdom of France is Noël Valois, *La France et le Grand Schisme d'Occident*, 4 vols. (Paris: Alphonse Picard et Fils, 1902). For a collection of primary sources relative to the schism see C. M. D. Crowder, *Unity, Heresy and Reform, 1378-1460: The Conciliar Response to the Great Schism* (New York: St. Martin's Press, 1977).

³Schwab, 57. A brief history of the college of Navarre is found on 66-67.

1389.⁴ In 1381, Gerson received the Bachelor of Arts degree and began to study theology at the university. His program progressed with the aid of d'Ailly, and when the latter was appointed almoner and confessor to Charles VI, King of France, Gerson was invited to preach at court.⁵ In a sermon preached before the king, Gerson first discussed publicly the need to end the schism.⁶ As a result of his appearances at court, he obtained the patronage of the king's powerful uncle, Philip, Duke of Burgundy.⁷ Thus his rise through the ranks of the ecclesiastical hierarchy was assured.

Gerson's interest in the schism increased as he progressed through the academic ranks at the University of Paris. A portion of the disputation for his master's degree, argued under the topic *De jurisdictione spirituali*, concerned the

⁴Works on d'Ailly include Louis Salembier, *Le Cardinal Pierre d'Ailly, Chancelier de l'Université de Paris, Évêque du Pay et Cambrai 1350-1420* (Tourcoing: Georges Frère, 1932); Paul Tschackert, *Peter von Ailli (Petrus de Alliaco): Zur Geschichte des Grossen Abendländischen Schisma und der Reformconcilien von Pisa und Constance* (Gotha: Perthes, 1877); Alan E. Bernstein, *Pierre d'Ailly and the Blanchard Affair: University and Chancellor of Paris at the Beginning of the Great Schism* (Leiden: E. J. Brill, 1978); Francis Oakley, *The Political Thought of Pierre d'Ailly: The Voluntarist Tradition* (New Haven, Conn.: Yale University Press, 1964); Agnes Elizabeth Roberts, "Pierre d'Ailly and the Council of Constance: A Study in 'Ockhamite' Theory and Practice," *Transactions of the Royal Historical Society*, 4th ser., vol. 18, (London, 1935), 123-42.

⁵Schwab, 87.

⁶This was on Epiphany, 6 January 1391. According to Valois, Gerson "did not omit to mix in with printed reflections on the feast of the day numerous allusions to the present situation." 2:395.

⁷By 1393 Gerson had been appointed almoner to the duke and later in that year received from him a benefice in Bruges. Morrall, 6.

schism.⁸ Gerson soon received his doctorate in theology, and when d'Ailly resigned his position as chancellor in 1395, Gerson was chosen to succeed him.⁹ It was a difficult period for the university since it was greatly concerned with finding a way to heal the schism.¹⁰ In 1394 before Gerson assumed the duties of chancellor, the university had voted in favor of the voluntary abdication of both popes, the *via cessionis*.¹¹ By 1398, however, when it became clear that Benedict XIII, the Clementine pope, would not abdicate despite his promises made before assuming the tiara, the university supported a withdrawal of obedience from him by the kingdom of France.¹² Opposing the position of his patron, the Duke of Burgundy, Gerson

⁸Ibid., 34.

⁹Schwab, 96-97.

¹⁰On the universities and the conciliar movement see R. N. Swanson, *Universities, Academics and the Great Schism* (Cambridge: Cambridge University Press, 1979); idem, "The University of Cologne and the Great Schism," *Journal of Ecclesiastical History* 28:1-15; F. J. P. Bliemetzrieder, "Antwort der Universität Wien an diejenige zu Paris, 12 Mai 1396, wegen der Zession der Beiden Päpste," *Studien und Mitteilungen aus dem Benedictiner- und dem Cistercienser-Orden* 24 (1903):100-105; Margaret Harvey, "The Letters of the University of Oxford on Withdrawal of Obedience from Pope Boniface IX," *Studies in Church History* 11 (1975):187-98; idem, "The Letter of Oxford University on the Schism, 5 February 1399," *Annuaire Historiae Conciliorum* 6 (1974):121-34; Walter Ullmann, "The University of Cambridge and the Great Schism," *Journal of Theological Studies* N. S. 9 (1958):53-77; Dieter Girgensohn, "Die Universität Wien und das Konstanzer Konzil," in *Das Konzil von Konstanz: Beiträge zur seine Geschichte und Theologie*, F. S. Hermann Schäufele, ed. August Franzen and Wolfgang Müller (Freiburg, Basel, Wien: Herder, 1964), 252-81; Antony Black, "The Universities and the Council of Basle: Ecclesiology and Tactics," *Annuaire Historiae Conciliorum* 6 (1974):341-51.

¹¹Valois, 3:33-37.

¹²Ibid., 140-41.

disapproved of the withdrawal and refused to vote.¹³ Gerson supported Benedict, not from a conviction that he was the true pope, but because Gerson felt continued obedience to him on the part of France was "the sole way open to peace."¹⁴ When Benedict was besieged at Avignon and then held prisoner by the French, Gerson retired to his benefice at Bruges and even considered resigning as chancellor.¹⁵

When obedience was restored to Benedict in 1403, Gerson resumed his attempts to end the schism. Although at this time many seriously proposed the *via concilii*, that is, turning the matter over to the decision of a general council, Gerson held to the *via cessionis*. He supported the idea of a council only after unproductive visits to the rival popes in 1407 and 1408.¹⁶ Thus when the Council of Pisa was summoned by a coalition of rebellious cardinals from both obediences, Gerson backed it wholeheartedly.

The Council of Pisa, which Gerson himself did not attend, deposed both popes and elected a third, Alexander V, who was soon succeeded by John XXIII. Since neither the pope at Rome nor the pope at Avignon recognized Pisa's sentence of

¹³Ibid., 165, 180.

¹⁴Connolly, 64-65.

¹⁵Morrall, 11.

¹⁶In 1406, Gerson proclaimed the triumph of the *via cessionis* when Gregory XII voiced a willingness to abdicate. Valois, 3:479-80. Gerson, in his visit to Avignon during the winter of 1403-1404, had already noted Benedict's reluctance to follow the *via cessionis*. However, the chancellor still hoped to negotiate a settlement along these lines as part of an embassy to both popes in 1407-1408, when petty disagreements between the two popes revealed that neither desired to withdraw his claim to the papacy. Morrall, 12.

deposition, the council merely succeeded in making the schism a three-way affair.

Therefore a second council was called at Constance in 1414.

Gerson arrived at Constance as head of the French delegation in February of 1415.¹⁷ There he played a leading role in the condemnation of Jan Hus,¹⁸ preached on several occasions at the request of the council,¹⁹ and served on a commission appointed to examine the question of canonizing Bridget of Sweden.²⁰ However, his overriding concern was the dispute with Jean Petit over the doctrine of tyrannicide, an issue Gerson took up before the council at the request of the king of France.²¹ Petit was under investigation for defending the murder of the Duke of Orleans by the Burgundian faction. Gerson, in spite of his patronage by the Duke of Burgundy, argued the case against Petit at Constance. As John Morrall points out, the issue was perhaps more important for what it prevented than for what it accomplished.

¹⁷Connolly, 175.

¹⁸On the trial of Hus at Constance see Peter of Mladonovice, *John Hus at the Council of Constance*, trans. Matthew Spinka, (New York: Columbia University Press, 1965); Eustace J. Kitts, *Pope John the Twenty-third and Master John Hus of Bohemia*, (London: Constable and Comp., Ltd., 1910); Emile de Bonnechose, *Reformers Before the Reformation. The Fifteenth Century. John Huss and the Council of Constance*, trans. Campbell Mackenzie, (New York: Harper and Brothers, 1844); Schwab, 527-609.

¹⁹Gerson preached on a number of occasions at Constance. The most important of these sermons were *Ambulate dum lucem habetis*, which was delivered on 23 March 1415 and dealt with the defection of John XXIII from the council, and *Prosperum iter*, preached three days after the departure of Emperor Sigismund to negotiate the abdication of Benedict XIII. Jean Gerson, *Oeuvres Complètes*, ed. by P. Glorieux (Paris: Desclée & Cie., 1960-1973), 5:39-50, 471-80.

²⁰Schwab, 364-67.

²¹Valois, 3:315-20; Schwab, 609-46.

Gerson, the only leader of the first rank [at Constance] who remained uncommitted by office to a vested interest in postponing reform, was deprived by his extremism in the Petit affair from exercising his due influence.²²

Whether the reason was the Petit affair or not, Gerson remained in the background of the debate concerning the authority of the council over the pope.²³

Gerson paid a price for his relentless opposition to Petit. The Burgundian faction had won the upper hand in Paris during Gerson's absence at Constance, and as a result he was never able to resume his duties at the university. He spent the last ten years of his life in Lyons, where his brother was prior of the Celestine convent. Gerson devoted his days there to contemplation, correspondence, and the education of choirboys until his death in 1429.²⁴

Nominalism and Mysticism

Numerous philosophers, theologians and mystics contributed to Gerson's development through their writings. Augustine, according to D. Catherine Brown, played the largest role of any of the fathers in Gerson's French sermons.²⁵ G. H. M. Posthumus-Meyjes states, "No theologian had more significance for Gerson than

²²Morrall, 95.

²³Louis Pascoe believes that Gerson's relative inactivity at Constance can be explained by his lack of interest in the specific areas of reform undertaken at the council. Louis B. Pascoe, *Jean Gerson: Principles of Church Reform* (Leiden: E. J. Brill, 1973), 13.

²⁴Morrall, 16; Schwab, 758-73.

²⁵D. Catherine Brown, *Pastor and Laity in the Theology of Jean Gerson* (Cambridge: Cambridge University Press, 1987), 29.

the *doctor seraphicus*, Bonaventure."²⁶ In addition, Gerson had no doubt absorbed the ideas of the great conciliar thinkers at the University of Paris, Conrad of Gelnhausen and Henry of Langenstein, although he also differed with them on a number of points.²⁷ In general terms, however, there is no doubt Gerson's thought owes its shape to two great influences: nominalism and mysticism.

According to Johann Schwab, Gerson's studies at the University of Paris under Pierre d'Ailly were sufficient evidence of his nominalist theology.²⁸ Walter Dress agrees in emphasizing Gerson's adherence to nominalism, at least in theory. In addition, he points out that Gerson was greatly influenced by the neoplatonic mysticism of Pseudo-Dionysius.²⁹ Although in many points nominalism and mysticism are mutually exclusive schools of thought, Gerson succeeded, according to Dress, in steering a middle course between the two. Following Ockham, he emphasized the positive meaning of the law and the sovereign will of God. However,

²⁶G. H. M. Posthumus-Meyjes, *Jean Gerson: Zijn Kerkpolitiek en Ecclesiologie* ('S-Gravenhage: Martinus Nijhoff, 1963), 296.

²⁷Connolly's statement that in 1407 Gerson "was converted fully to the doctrine of Henry of Langenstein" is true only in the general sense that he embraced the idea of calling for a council to end the schism, 169-70. As Pascoe points out, Gerson refused to follow Langenstein in depriving the papacy of real authority, making it "merely an institution of the church gathered in council," 29.

²⁸Schwab, 291.

²⁹Walter Dress, *Die Theologie Gersons: Eine Untersuchung zur Verbindung von Nominalismus und Mystik im Spätmittelalter* (Gütersloh: C. Bertelsmann, 1931), 75-76.

in contrast to Ockham, Gerson needed to find a way to make an "inner connection" between the human spirit and church authority. He found it in mystical theology.³⁰

Two principal objections have been noted in regard to this interpretation of Gerson's nominalism and mysticism. First of all, André Combes emphasizes the independent nature of Gerson's thought and minimizes his dependence on nominalism. He characterizes the role d'Ailly played in Gerson's development as that of simply setting him on his course. In discussing Ockham's influence on Gerson in general, he states, "Ockham is far from imposing himself on Gerson as an exclusive or principal master."³¹ According to Combes, Gerson was predominantly a mystical thinker who was only slightly influenced by nominalism.

Combes is certainly correct in emphasizing the importance of mysticism in Gerson's theology. However, the influence of nominalism cannot be discounted. Gerson's education was nominalist in orientation, and this training shows itself in his writings. As David Schmiel points out, Gerson, in the tradition of Pseudo-Dionysius, followed both the *via propria* of traditional theology and the *via mystica*.³² Thus we find nominalism and mysticism, in varying degrees, throughout Gerson's theology.

The second difficulty lies in the reinterpretation of nominalism advocated by Heiko Oberman. According to Oberman, nominalist thought did not destroy the great

³⁰Ibid., 10-11, 29.

³¹André Combes, *Jean Gerson: Commentateur Dionysien*, 2 vols. (Paris: Librairie Philosophique J. Vrin, 1940), 1:426-27.

³²David Schmiel, *Via Propria and Via Mystica in the Theology of Jean le Charlier de Gerson*, Graduate Study No. X, School for Graduate Studies, Concordia Seminary, St. Louis, Missouri (St. Louis: Oliver Slave, Ltd., 1969), 5-6.

synthesis of theology and philosophy achieved in the Middle Ages. The result of nominalist theology was not a lack of confidence in the stability of the created order but rather a new understanding of God's work *de potentia ordinata*. Rather than depend on the ability of reason to discover truth, the nominalists emphasized the reliability of God's covenants. Oberman sees in Gerson a vindication for this more positive view of nominalism as well as an argument for the basic compatibility of nominalism and mysticism. The latter is achieved by crediting to Gerson a new understanding of the nature of the mystical union.

If, however, we find one of Gerson's descriptions of mysticism acceptable, according to which mysticism is the outreach of the soul to a union with God through the desire of love, which resides not in the intellective but in the affective power of the soul and has not the *verum* but the *bonum* as its object, we find that the sources themselves allow for an affective type of mysticism which in nominalistic circles replaced speculative mysticism.³³

The object of mystical union is not the essence of God, which would be an unattainable goal for the nominalist, but the will of God, which lies within the *potentia ordinata* and is therefore attainable within the nominalist system. Thus, according to Oberman, Gerson achieved a workable synthesis of nominalism and mysticism.

There are, however, numerous difficulties with this view. Oberman himself admits the type of mysticism espoused by Gerson later in life is "an essentialistic type of mysticism hardly compatible with the philosophy of Occam."³⁴ In addition, as

³³Oberman, *Harvest*, 331.

³⁴*Ibid.*, 316.

Steven Ozment points out, Oberman's use of Gerson's definition of mysticism is suspect. In this definition, *conformitas voluntatis* is seen by Oberman as conformity to God's revealed will. Ozment maintains the term means something quite different.

The *conformitas voluntatis* of mystical union, an extremely rare experience granted a few chosen *viatores* in this life, normally refers to a special contact with God beyond that possible within and through the ordained means of grace (the *potentia ordinata*); it is momentary yet real communion with the Will of God (*potentia absoluta!*) above his will system of salvation³⁵

The *conformitas voluntatis*, therefore, is not compatible with nominalist theology and, Ozment argues, any mysticism which aims for less is no mysticism at all.

One conformed in will with God in mystical union has not only reaped the fullest possible benefits from the ordained media of salvation, but has also risen above them to God himself. Until the latter movement is made, until the *potentia ordinata* is transcended, it can be argued that there is, properly speaking, no mysticism.³⁶

There can be no true synthesis of nominalism and mysticism without seriously compromising one or the other. As Ozment concludes, "mysticism and nominalism appear to be diametrically opposed in their basic ideological bents."³⁷

What then was the relationship between nominalism and mysticism in Gerson's thought? Ozment describes Gerson's mystical theology as a penitential-affective

³⁵Steven Ozment, "Mysticism, Nominalism and Dissent," *The Pursuit of Holiness in Late Medieval and Renaissance Religion*, ed. Charles Trinkaus with Heiko A. Oberman (Leiden: E. J. Brill, 1974), 71.

³⁶*Ibid.*, 71.

³⁷*Ibid.*, 91.

mysticism centered in the adherence of man's spirit to God through intimate love.³⁸ Gerson believed the knowledge of God gained through mystical experience was superior to that acquired through intellectual investigation because of "the greater purity of the affective powers *post peccatum Adae*."³⁹ Gerson did not minimize the importance of speculative theology but saw it as being in "a *correlative and reciprocal* relationship" with mystical theology.⁴⁰ However, this is far from the "synthesis" of nominalism and mysticism described by Oberman.⁴¹

In the final analysis Gerson's mysticism must be seen as an attempt to transcend the limitations of the nominalist system. In dealing with the concrete problems of the schism, this dimension of his thought is not readily apparent. Nevertheless traces of Gerson's unique theological outlook can be found in his ecclesiological writings. As will be seen, both nominalism and mysticism informed and shaped his doctrine of the church.

³⁸Steven E. Ozment, *Homo Spiritualis: A Comparative Study of the Anthropology of Johannes Tauler, Jean Gerson and Martin Luther (1509-16) in the Context of Their Theological Thought* (Leiden: E. J. Brill, 1969), 73.

³⁹*Ibid.*, 71.

⁴⁰Emphasis in original. *Ibid.*, 64. See also Johann Stelzenberger, *Die Mystik des Johannes Gerson* (Breslau: Müllur & Seiffert, 1928), 54.

⁴¹Although David Schmiel also speaks of a synthesis in Gerson's theology, his conclusions are similar to Ozment's in emphasizing the superiority of the *via mystica* to the *via propria*, 95.

CHAPTER 2

DE AUCTORITATE CONCILII: GERSON'S CONCILIAR ECCLESIOLOGY

The latter part of 1408 and the first months of 1409 found Jean Gerson working diligently for the success of the Council of Pisa, set to convene on 25 March 1409. One of the documents Gerson produced during this period, the treatise commonly referred to as *De auctoritate concilii*, is the subject of this investigation of his ecclesiology.¹ Internal evidence indicates this document must be dated between 15 November 1408 and 25 March 1409, that is, after the opposition council convoked by Benedict XIII but before the proposed beginning of the Council of Pisa.² Although Gerson would have been a fairly recent convert to the conciliar position at this time, his concern for the welfare of the church led him to champion the conciliar

¹Jean Gerson, *Oeuvres Complètes*, ed. by P. Glorieux (Paris: Desclée & Cie., 1960-1973) 6:114-23. All translations are mine unless otherwise noted.

²The third doubt of the tenth article of *De auctoritate concilii* refers to Benedict's council in the past tense and also speaks of the gathering at Pisa which is yet to take place: ". . . , vel ista quae facta est per Benedictum in festo Omnium Sanctorum, vel praesens de qua agimus quae per dominos cardinales a consentientibus nominatis cardinalibus apud alios Pisis existentibus, fiet XXV Martii." *De auctoritate concilii*, Article 10, (hereafter cited as *DAC*, 10). See also Z. Rueger, "Le 'De Auctoritate Concilii' de Gerson," *Revue d'Histoire Ecclesiastique* 53 (1958), p.777. Gerson's numbering of the years of the schism in *De auctoritate concilii* seems to favor the latter part of 1408 as the time of its composition, if not necessarily of its publication. *DAC*, 14: ". . . , quia jam duravit praesens schisma per xxxi annos completos." Compare this to the reference in *Propositio facta coram Anglicis*, delivered on 29 January 1409: ". . . , portentum jam xxxii annos habens, schisma pestiferum . . .," *G* 6:127.

cause with the same boldness which he had shown earlier in opposing the subtraction of obedience from Benedict.³ In *De auctoritate concilii*, Gerson attempted to smooth the path for the impending gathering by making it clear that a general council of the church, even one called without papal consent, is legitimate and has sufficient authority to deal with the problems of the schism.

This treatise has only recently been added to the catalog of Gerson's works. Zophia Rueger first published her edition of *De auctoritate concilii* in 1958, although all four manuscript copies on which it is based were known in the nineteenth century.⁴ The treatise is not found in Ellies Du Pin's edition of Gerson's works published in 1706, but it has been included in P. Glorieux's modern edition.⁵ There is no doubt that Gerson is the author of *De auctoritate concilii*. The best manuscript of this treatise is bound in a collection of Gerson's writings; another specifically names him as author in its superscription.⁶ Further evidence of Gerson's authorship is the close relationship between *De auctoritate* and his address to the English

³Morrall, 41-43.

⁴Rueger, 775.

⁵Because *De auctoritate concilii* was not included in the Du Pin edition, it was condemned to obscurity until Rueger's article and its subsequent inclusion in Glorieux's edition. The reason that this treatise did not come to light as an authentic work of Gerson at a much earlier date must remain a matter of speculation.

⁶The manuscript which Rueger refers to as "*le plus parfait et probablement l'archetype*" is in the library of the Cathedral Chapter of Notre-Dame. The superscription is found in the manuscript Cod. Guelf. Helmst. 376 in the library at Wolfenbüttel. Rueger quotes it as follows: "*Johannis Gerson tractatus de auctoritate congregationis fidelium . . . editus Constantiae.*" She adds that this led P. Glorieux to his initial, and erroneous, conclusion that the writing dated from the time of the Council of Constance. Rueger, 775-76.

delegation in January 1409, the *Propositio facta coram Anglicis*. He based this speech on a text from the prophet Hosea: "*Congregabuntur filii Israel et filii Juda pariter et ponent sibi caput unum et ascendent de terra quia magnus dies Israel.*"⁷

The final article of *De auctoritate* contains a reference to this same verse.⁸ In addition, both documents reject the same statement of Henry of Langenstein that even if Christ had not instituted the office of the papacy the church itself had power to do so.⁹

De auctoritate concilii presents itself as an ideal document for the study of Gerson's view of the church and authority for a number of reasons. Not the least of these is that this treatise deals directly with the subject of authority in the church and how that authority is exercised. In addition, *De auctoritate* has not been subjected to a great deal of study in the secondary literature, since it has only become widely

⁷G 6:126.

⁸"Decimus quartus articulus et ultimus. Cum verbo Dei per Osee os ex persona Domini pro tempore currenti prophetatum, videlicet 'congregabuntur filii Juda et filii Israel pariter ut constituent sibimet caput unum . . ." The last sentence of this article, which is somewhat obscure, seemingly refers to another document: "Et comprehenduntur sub numero xxxi, quia jam duravit praesens schisma per xxxi annos completos." This is probably not a reference to *Propositio facta coram Anglicis* since it is not arranged in thirty-one articles or statements. *DAC*, 14. See also Posthumus Meyjes, 132, note 5.

⁹". . . nec, ut opinor, voluisset unquam oppositum sentire praefatus magister Henricus de Hassia dum ponit quod Ecclesia posset sibi instituere summum pontificem si non fuisset immediate constitutus a Christo." *Propositio facta coram Anglicis*, G 6:132. "Falsa est assertio de Hassia in qua dicit quod esto quod Christus nullum discipulorum constituisset sibi generalem vicarium, Ecclesia catholica habuisset potestatem talem constituendi." *DAC*, 1.6. See also Rueger, 777-778.

available with the editions of Rueger and Glorieux.¹⁰ Yet this treatise is worthy of further study as a significant link in the chain of Gerson's conciliar writings. Along with *Propositio facta coram Anglicis* and *Tractatus de unitate Ecclesiae*, *De auctoritate concilii* reveals Gerson's mind on the eve of the Council of Pisa, a time of tremendous significance in the history of the conciliar movement.¹¹

De auctoritate consists of fourteen principal articles, most of which are followed by a number of conclusions in support of or drawn from the general statement of the article. The content of this treatise will be considered here under the topics "Council and Hierarchy" and "Council and Authority."

Council and Hierarchy

An emphasis on the importance of the church's hierarchy was a vital component of Gerson's ecclesiology and an element that distinguished him from more radical conciliarists. Posthumus Meyjes has characterized this emphasis on hierarchy as the "main line" of Gerson's ecclesiology.¹² The importance of the hierarchy in

¹⁰Those who have studied this treatise since its publication include, of course, Rueger who made brief comments on its major points in connection with her edition of the text. John B. Morrall and G. H. M. Posthumus Meyjes both treat *De auctoritate* briefly in their studies of Gerson's ecclesiology. *De auctoritate* is not cited by Louis Pascoe, although he ranges far and wide through Gerson's writings and frequently uses the closely related *Propositio facta coram Anglicis*.

¹¹Franz Bliemetzrieder defends his choice of the Council of Pisa as the *terminus ad quem* of his study by pointing to the significance of this council as marking the acceptance of conciliar thinking and the opening of the conciliar era. He quotes Cardinal Fillastre: "*Origo generalis concilii Constantiensis ex Pisano cepit.*" *Das Generalkonzil im Grossen Abendländischen Schisma* (Paderborn: Ferdinand Schöningh, 1904), vi.

¹²Posthumus Meyjes, 210.

Gerson's conception of the church is obvious in *De auctoritate*. The responsibility of the ecclesiastical hierarchy for the condition of the church and its authority to deal with the schism are principle themes of the treatise.

The first article of *De auctoritate* begins by affirming the hierarchical structure of the church.

Christ Jesus, Son of God the Father and Son of Man, established the Christian church beautifully formed, distinct with various ranks, offices and stations.¹³

The ecclesiastical hierarchy was instituted by Christ himself and is an indispensable part of the church. Gerson specifically emphasizes that it was "Christ the man" who ordered the church in this way.¹⁴ The church with its hierarchy is not the result of a gradual development in the centuries after Christ. Rather it came into being as a direct result of Christ's action during his earthly ministry and continues to exist as his mystical body.¹⁵ As an essential part of this mystical body, it was necessary that the ecclesiastical hierarchy exist from the very beginning.

Scriptural formulations were, of course, vital to this conception of the church. In particular, Gerson owed much to the Pauline epistles and their frequent depiction of the church as the body of Christ. This image obviously serves as the source of much though not all of Gerson's thinking on the nature of the church. In *De auctoritate*, Gerson quotes 1 Corinthians 12 as proof that offices in the church have

¹³"Christus Jesus, Dei Patris et hominis filius, Ecclesiam christianam instituit pulchriorem, statibus, officiis et gradibus variis distinctam." *DAC* 1.1.

¹⁴*DAC* 1.2.

¹⁵*DAC* 1.3.

been instituted by Christ and will endure until the end of the world.¹⁶ This Pauline emphasis on the church as the body of Christ somewhat tempers Gerson's elevated view of the ecclesiastical hierarchy. His conception of the different offices in the church is that of the members of the *corpus mysticum Ecclesiae* working together for the good of the whole.¹⁷

However, Gerson's conception of the church moves beyond Scriptural formulations to embrace mystical theology. For him the hierarchy of the church on earth mirrored the hierarchy of the church in heaven. In this he followed the idea of angelic triads found in the *De coelesti hierarchia* of Pseudo-Dionysius.¹⁸ According to Gerson, the triads of angels in heaven are reflected in triads of ecclesiastical offices on earth, not only in their structure but in their functions of illuminating, purging and perfecting. Those corresponding to the first triad of angels, the pope and cardinals, illuminate, purge and perfect those below them. The members of the second triad, the patriarchs, archbishops, bishops, and priests, are the object of the action of the first triad and in turn exercise their functions of illumination, purgation and perfection

¹⁶DAC 9.1.

¹⁷Pascoe observes: "While transforming the Pauline concept of office into one of a primarily hierarchical nature, Gerson, nonetheless, situates the thrust of hierarchical order within the context of the edification of the mystical body." *Principles of Church Reform*, 38.

¹⁸Pascoe offers an especially good discussion of this aspect of Gerson's ecclesiology, *Ibid.*, 17-22.

on the members of the third triad, the laity and the religious.¹⁹ The use of celestial archetypes reveals Gerson's indebtedness to medieval ecclesiology and, as Louis Pascoe points out, places him firmly in the tradition of such theologians as Augustine, Gregory the Great, and Isidore of Seville.²⁰ Although Gerson's reliance on the idea of a celestial hierarchy reflected in the church is not specifically expressed in *De auctoritate*, it must be regarded as an essential component of his definition of the *corpus mysticum Ecclesiae*.

Gerson never doubts that Christ's institution of a permanent hierarchy for his church included the office of the papacy. In *De auctoritate* the pope is acknowledged as the vicar of Christ and referred to as the "secondary head" of the church.²¹ Little

¹⁹"Sumamus exemplum materiale conforme, prout tradidit Dionysius, spirituali, quod invenitur in sole qui fons luminis est non illuminatis ab alio corpore sed illuminans; deinde sunt aliqua quae ab eo illuminantur et consequenter illuminant; nonnulla vero quae illuminantur sed illuminandi virtute carent, quoniam in ipsis lux occumbit. Exemplum aliud est in angelica triplici hierarchia. Unde licet quoad naturam, gratiam et gloriam sit quilibet angelus immediate formatus a Deo, nihilominus quoad exercitium actuum hierarchicorum qui sunt purgare, illuminare et perficere, tres primi ordines hierarchizant non hierarchizati ab aliis; tres medii hierarchizantur et hierarchizant; tres infimi hierarchizantur et non alios angelos hierarchizant. Papalis auctoritas suo modo cum suis cardinalibus imitatur triplicitatem primam; alteram vero mediam imitatur patriarchalis, archiepiscopalis, episcopalis et sacerdotalis auctoritas in habentibus subjectos sibi; quod dicitur propter curatos vel etiam propter solum titulares episcopos carentes plebe. Ultimi sunt instar tertiae hierarchiae qui hierarchizantur in Ecclesia sed non alios auctoritative hierarchizant, quemadmodum sunt populi et simplices religiosi secundum Dionysium." *De potestate ecclesiastica*, G 6:227.

²⁰Pascoe, *Principles of Church Reform*, 21.

²¹DAC 2. The views of Conrad of Gelnhausen, as summarized by Bliemetzrieder, are very similar to those of Gerson in this matter: "Primär ist die heilige katholische Kirche der mystische Leib Jesu Christi . . . Der Papst ist von dem ersten, indefektiblen Haupt, Jesus Christus, zum Stellvertreter, zum sekundären Haupt bestellt worden . . ." Bliemetzrieder, 67-68.

more is said about the role of the papacy in the church since Gerson is concerned with the position and authority of the general council. However, he clearly does not wish to dispense with the office of the papacy or its authority. He specifically rejects the assertion by Henry of Langenstein that if Christ had not established the office of the papacy, the church had power to do so.²²

Yet it is essential to Gerson's argument to assert that the unity of the church does not consist in the office of the papacy. He states that the unity of the church has been established by Christ himself and is maintained in the church apart from the pope.

The whole Christian church, even when the papal throne is vacant or hindered, is one body by statute of Christ the man, an authentic college and congregation.²³

The church does not stand or fall with the pope because the whole church and its hierarchy have been established by Christ apart from the papacy. The hierarchy is sustained by the power of Christ himself and not by its connection to the papal office. The lack of a "secondary head" for the body of Christ, or a lack of clarity concerning who that head might be, does not destroy the unity of the body because Christ himself

²²Gerson: "Falsa est assertio de Hassia in qua dicit quod esto quod Christus nullum discipulorum constituisset sibi generalem vicarium, Ecclesia catholica habuisset potestatem talem constituendi." *DAC*, 1.6. The statement to which Gerson refers is from Langenstein's *Consilium Pacis*, Ch. 14: "Quod, esto, quod Christus nullum discipulorum constituisset sibi generalem vicarium in terris adhuc Ecclesia habuit potestatem talem sibi constituisset. Et spiritu sancto docente constituisset." Quoted in Rueger, 778, note 2.

²³"Ecclesia christiana tota, etiam sede papal vacante aut impedita, Christi hominis statuto est unum corpus, collegium et congregatio authentica." *DAC* 1.5.

continues to function as its head. In *Propositio facta coram Anglicis* Gerson expresses this idea as the *semen Dei* that is always within the church and enables its hierarchy to function.²⁴

According to Gerson, the unity of the mystical body of Christ can be expressed even in a general council called without papal consent. Because he has no intention of depriving the pope of his rightful authority, he admits that normally the universal church is gathered in council only by the pope. However, in the situation of the schism where the identity of the true pope is in question and neither pope intends to call for a true general council, such a council not only may but must be summoned by other means. In this case, "certain of the faithful are able to make a solemn and authentic congregation representing the universal church."²⁵ Although this wording does not specifically preclude lay involvement in summoning the council, Gerson explains there is a hierarchical order to be followed in defining "certain of the faithful."

²⁴Speaking to the English delegation to Pisa Gerson stated: "Habemus praeterea causam quodammodo formalem, et ad hujus celebrationem concilii vivifice praeparantem; quae forma est semen Dei vivum et efficax, semen Spiritus Sancti habens virtutem formativam et reformativam totius unitatis, totius Ecclesiae corporis in una fide, et spe, et caritate sub uno Deo et Domino, per omnem juncturam secundum deductionem Apostoli ad Eph. iv." *Propositio Facta Coram Anglicis*, 126. See also Steven E. Ozment, "The University and the Church: Patterns of Reform in Jean Gerson" *Medievalia et Humanistica*, New Series, 1 (1970):119, and Scott H. Hendrix, "In Quest of the *Vera Ecclesia*: The Crises of Late Medieval Ecclesiology," *Viator* 7 (1976): 367.

²⁵"aliqui fideles possent congregationem universalem Ecclesiam repraesentantem, solemnem et authenticam facere" *DAC* 3.1.

If the pope is unwilling or hindered, de jure or de facto, convocation of the whole faithful in one . . . extends to the faithful and catholic cardinals.²⁶

If the pope and cardinals are unable or unwilling to summon a general council, the bishops must take responsibility for assembling the faithful.²⁷ This authority need not move beyond the college of bishops to the simple religious or laity even theoretically, since it is impossible for all of the bishops to die or fall into heresy "as long as the Christian law is in effect."²⁸ For Gerson the church even apart from the papacy and college of cardinals remains firmly hierarchical.

The question of legitimate convocation of a general council was of vital importance for the Council of Pisa. This is one of three "doubtful matters" which Gerson addresses in the tenth article of *De auctoritate*.

The third doubt: Which of the three congregations is and ought to be reckoned (as necessary for salvation by a faithful catholic anywhere) sufficient and valid for terminating the present damnable schism: either that which will be celebrated by Gregory at the feast of Pentecost, or that which was celebrated by Benedict at the Feast of All Saints, or the present one for which we are acting, which, through the lords cardinals by the agreement of the [newly] named cardinals among others residing at Pisa, will be celebrated on the 25th of March.²⁹

²⁶"Papa nolente aut impedito, de jure vel de facto, ad cardinales fideles et catholicos pertinet universitatis fidelium in unum . . . convocatio." *DAC* 3.2.

²⁷*DAC* 3.3.

²⁸*DAC* 3.4.

²⁹"Tertium dubium : quae ex tribus congregationibus est et reputari debet de necessitate salutis a quolibet fidei catholico sufficiens et valida ad terminandum praesens schisma damnabile, vel illa quae fiet per Gregorium in festo Pentecostes, vel ista quae facta est per Benedictum in festo Omnium Sanctorum, vel praesens de qua agimus quae per dominos cardinales a consentientibus nominatis cardinalibus apud alios Pisis existentibus, fiet xxv Martii." *DAC* 10.3. The *cardinales nominati* were those cardinals newly created by Gregory XII in May 1408. They abandoned Gregory and, gathered in

In discussing this question, Gerson asserts that papal convocation alone is not sufficient to determine a council's legitimacy. A gathering of the faithful does not become a general council simply because it has been called by either Benedict or Gregory.³⁰ Neither is their consent necessary for calling a general council. Instead the church is able to gather "legitimately and canonically" without papal consent.³¹ According to Gerson, this opinion had been held by the whole of Christendom throughout the thirty-one years of the schism.³² Thus the council summoned by the cardinals gathered in Pisa will indeed be a "holy gathering."³³

The hierarchical nature of the church is reflected not only in the convocation but also in the composition of a general council. Gerson does state that "all Catholic Christians willing to be present ought to be received"³⁴ at Pisa and that all Christians are bound to furnish their "help, counsel and favor" for this gathering.³⁵ However,

Pisa, called for a general council. Gregory's cardinals were soon joined by most of Benedict's cardinals (*domini cardinales*) and together they summoned the Council of Pisa. Both Benedict and Gregory summoned their own councils. Benedict's had gathered at Perpignan on November 1, 1408; Gregory's, which had not yet met when Gerson wrote, assembled at Cividale on June 6, 1409. See Bliemetzrieder, 271-72, and J. N. D. Kelly, *The Oxford Dictionary of the Popes* (Oxford: Oxford University Press, 1986), 232-36.

³⁰DAC 10.3.1.

³¹DAC 10.3.3.

³²DAC 10.3.2.

³³DAC 10.3.4.

³⁴"debent recipi omnes christiani catholici volentes interesse." DAC 9.8.

³⁵"De necessitate salutis quilibet christianus tenetur praestare laborantibus pro hac conventionem facta auxilium, consilium et favorem." DAC 11.10.

he gives no specific place to the laity or simple religious in the decision making process. In fact, their presence is not required. For Gerson, a general council, like the church itself, is essentially hierarchical.³⁶ The sufficiency of the council is based on the offices that exist within the church by divine command.³⁷ Because these offices suffice for "knowing, asserting and confirming all truth necessary or useful for . . . the termination of any doubts which have arisen or are about to arise concerning the rule of christendom,"³⁸ those who hold office in the church are indispensable to the council. The council is primarily a governing body. It is "the church which has been gathered governing the affairs of the universal church" and exists as such "not only because it represents the universal church but because it has this special privilege from Christ."³⁹ The general council is not primarily an assembly representative of all who make up the church but an assembly of those who wield its authority. Therefore cardinals, archbishops, bishops, abbots and doctors are its principal members.

³⁶D. Catherine Brown has observed, "[Gerson] does, of course, from time to time, along with most medieval theologians, refer to the church as the congregation of the faithful. This definition was a commonplace by the High Middle Ages. But for all practical purposes, the visible church, for Gerson, is hierarchical and clerical." *Pastor and Laity*, 39.

³⁷DAC 9.

³⁸". . . sufficientes ad sciendum, enuntiandum et confirmandum omnem veritatem necessariam aut utilem pro . . . terminatione cujuscumque dubii exorti aut exorturi circa regimine christianitatis." DAC 9.4.

³⁹"Ecclesia congregata vices universalis Ecclesiae gerens, non solum quia universalem Ecclesiam repraesentat sed quia hoc habet speciale a Christo privilegium, est inobliquabilis secundum legem." DAC 5.6.

Council and Authority

The general council emerges from Gerson's pen as an exercise in hierarchical authority. The greater part of *De auctoritate* is concerned with defining that authority, especially in relation to the papacy.

Central to Gerson's discussion of a general council's authority is the belief that such a council cannot err in matters of faith.

It is not possible, as long as the law of Christ is in effect, for a general council (that is, the universal church gathered out of necessity) to err in determining the truths of the faith or those things necessary or useful for the rule of the universal church.⁴⁰

This idea touches not only the authority of the council once it has gathered but already the necessity of its convocation. A general council, Gerson asserts, not only may but must be gathered for consultation "concerning a matter of faith or condition of the universal church, such as the present schism which touches the whole ecclesiastical condition."⁴¹ A council is necessary because the pope, acting on his own, is fallible even in matters of faith. He is infallible only when he acts in concert with a general council.

The pope is able to err in faith, but it is not possible for the pope along with a council of the church to judge erroneously in a matter of faith.⁴²

⁴⁰"Non est possibile, stante lege Christi, concilium generale aut universalem Ecclesiam congregatam debite in determinando veritates fidei aut necessarias vel utiles pro regimine Ecclesiae errare." *DAC* 5.1.

⁴¹"de materia fidei aut statu universalis Ecclesiae, sicut est praesens schisma quod tangit totum statum ecclesiasticum" *DAC* 5.3.

⁴²"Papa potest errare in fide, sed non est possibile papam cum concilio Ecclesiae erronee in materia fidei sententiare." *DAC* 5.2.

Simply consulting such a council, therefore, is not an option for the pope. Rather he "is bound to make use of a council of the church and of the bishops."⁴³

Gerson argues that the general council as representative of the universal church is the bearer of the inerrancy ascribed to the church. Therefore the definition of a general council—who or what constitutes it—assumes great significance. On this point Gerson distances himself both from the ardent papalists and from the radical conciliarists.

For Gerson, as has already been observed, the presence of the pope was not enough to constitute a general council. Neither would Gerson accept the argument that the pope and his cardinals, as representatives of the church of Rome, also represent the universal church. Gerson clearly states that a general council cannot be identified with the gathering of a local church but must truly represent all of the churches.

The council of the church which the pope . . . is bound to use is truly a council of the churches of the universal church, both the church of Rome and the church of Paris and every single true [church] of Christ.⁴⁴

The church that cannot err is not a local congregation but the universal church, and it is this church that must be gathered in council.

So far Gerson seems to be in agreement with the conciliar theory of William of Ockham. He, too, had argued the infallible church could be identified with the

⁴³"tenetur papa uti consili Ecclesiae et episcoporum" *DAC* 5.3.

⁴⁴"Ecclesiae consilium quo papa . . . tenetur uti, est universalis Ecclesiae et ecclesiae Romanae et ecclesiae Parisiensis et omnium singularium Christi vere ecclesiarum consilium." *DAC* 5.4.

church of Rome only when that term was used in the sense of the universal church.⁴⁵ However, Gerson parts ways with Ockham and other radical conciliarists in his definition of the universal church. For Ockham the universal church that cannot err was made up of all faithful catholics, and thus could not be represented adequately by a general council.⁴⁶ Gerson, on the other hand, identifies the church that cannot err with the assembly of all Christian bishops.

It must be believed with certain faith that the college of all Christian bishops is not able to err in faith or to be defiled by schism.⁴⁷

The inerrancy of the universal church is to be found in the episcopal college, not with the mass of simple believers.

That multitude which is not able to err is not merely the multitude of the faithful including men and women, children and adults.⁴⁸

For this reason the universal church can be represented adequately in council by its hierarchy.

Another argument in asserting the authority of the general council is Gerson's definition of the schism as a matter over which a council can exercise jurisdiction. Gerson carefully states that a council is inerrant when dealing with "truths of the faith

⁴⁵Brian Tierney, "Ockham, the Conciliar Theory, and the Canonists" *Journal of the History of Ideas* 15 (1954): 66.

⁴⁶Hendrix, "In Quest of the *Vera Ecclesia*," 361.

⁴⁷"Collegium omnium episcoporum christianorum non posse errare in fide et schismate maculari, est certa fide credendum." *DAC* 3.5.

⁴⁸"Illa multitudo quae non potest errare, non est tantum multitudo fidelium complectans viros et mulieres, parvulos et adultos." *DAC* 3.6.

or things necessary or useful for the rule of the church (emphasis mine).⁴⁹ Thus even if opponents argue the schism is not a matter of faith, the split could still be dealt with as a matter concerning the orderly government of Christendom. The schism comes under the council's jurisdiction because the matter concerns the whole church. Gerson argues the Christian church is able "to gather legitimately and canonically and to summon them [i.e. the two popes] concerning a matter of faith or a condition touching the universal church."⁵⁰ Here he appeals to a maxim common in canon law: "What touches all must be approved by all."⁵¹ Since the schism certainly is "a condition touching the universal church," it must be settled by the whole church, which is, of course, best represented by a general council.

In order to settle the schism, the general council must have the authority to judge over the rival popes. However, Gerson's regard for the office of the papacy makes it impossible for him to assert that a general council is superior to the pope in every respect. He appeals rather to the unique situation of the schism and the specific areas of authority exercised by the universal church gathered in council.

⁴⁹"*veritates fidei aut necessarias vel utiles pro regimine Ecclesiae.*" *DAC* 5.1.

⁵⁰"*legitime et canonice congregare et eos citare super materiam fidei aut tangentem universalis Ecclesiae statum*" *DAC* 10.3.3.

⁵¹"*Quod omnes tangit ab omnibus approbetur.*" This principle is common in conciliarist literature and appears in several variations. See Bliemetzrieder, 37. According to Walter Ullman, this was "a stock phrase and a fundamental tenet in canon law and canonistic doctrine" and was "transformed into a constitutional principle in medieval England." *Medieval Papalism: The Political Theories of the Medieval Canonists* (London: Methuen & Co. Ltd., 1949), 21-22. David Peterson identifies the phrase as a "Roman law maxim." "Conciliarism, Republicanism and Corporatism: the 1415-1420 Constitution of the Florentine Clergy" *Renaissance Quarterly* 42 (1989):197.

The entire schism really hinged on the matter of the papal election. If Urban VI had been properly elected, then the Roman pope was the true vicar of Christ. If, however, that election was invalid, as the French cardinals claimed, it could be argued that Benedict XIII was the true pope. Gerson begins to address this situation in the second article of *De auctoritate*.

Just as the papal office is in the world by statute of Christ, so the way of obtaining it canonically through the election of the church is by orderly arrangement of Christ.⁵²

Gerson admits this "orderly arrangement of Christ" was the election of the pope by the cardinals.⁵³ However, in referring to the "election of the church" he seems to indicate that in choosing the pope, the cardinals serve as representatives of the whole church. Since the schism had come about because the cardinals had failed to agree in their choice of pope, Gerson argues that the matter can be taken up by a more faithful representation of the whole church, that is, a general council.⁵⁴ Furthermore, the lack of clarity and order in the papal elections results in the subordination of the rival popes to the general council. "A pope elected in contention . . . is subordinate to the universal church or the college representing it."⁵⁵

⁵²"Sicut papale officium est in orbe ex Christi statuto, ita modus ipsum canonice obtinendi per electionem Ecclesiae est ex Christi ordinatione." *DAC* 2.

⁵³*DAC* 6.5.

⁵⁴*DAC* 6.5.

⁵⁵"Papa in contentione electus . . . est subordinatus Ecclesiae universali aut collegio eam representanti." *DAC* 6.8.

Since neither pope could be trusted to judge the schism impartially, Gerson concludes that adherence to the decision of a general council is "the only way for union of the church."⁵⁶ The problem, as he sees it, is to assert the authority of a general council over the papacy in the matter of the schism without permanently reducing the authority of the papal office. One way he accomplishes this is by stressing the dubious claim the rival popes have to the papal throne. Gerson assiduously avoids referring to either Benedict or Gregory as pope. He clearly states that "it is not the opinion or assertion of the universal church that Benedict is pope, and the same concerning Gregory."⁵⁷ Since it is impossible for the church to have two true heads, Gerson refers to Benedict and Gregory as "pretenders" or "contenders."⁵⁸ It is not a difficult matter to assert the authority of a general council of the church over one who is merely a contender for the papal office.

From the beginning of the present division of the church, the universal church gathered [in council], as presently in March, has and has had the authority to summon both contenders and to inquire concerning their true or supposed right [to the papacy].⁵⁹

The council has the right not only to summon both Gregory and Benedict to appear but also to judge whether their rival claims to the papacy are legitimate.

⁵⁶"sola via pro unione Ecclesiae" *DAC* 6.6.

⁵⁷"Non est opinio vel assertio universalis Ecclesiae quod Benedictus sit papa, et idem de Gregorio." *DAC* 6.9

⁵⁸"utriusque praetendentium se habere jus" *DAC* 11. "*Duo contendentes*" *DAC* 11.6.

⁵⁹"Ab initio praesentis Ecclesiae divisionis, universalis Ecclesia congregata, ut modo in martio, habet et habuit auctoritatem citandi utrumque contendendum et inquirendi de jure eorum vero vel putativo." *DAC* 11.1.

Gerson himself recognizes the principal difficulty involved in such a judgment by the council: could the council exercise such authority over the one who was the true pope? As Walter Ullmann observes, the canonists described papal power in a way that placed the pope above judgment.

Resting on the fullness of his power, the pope was to be beyond the reach of any mortal. The idea of papal responsibility was unanimously rejected. There was nobody on earth who could say to the pope: "Cur ita facies?" as the standing phrase in canonistic writings ran.⁶⁰

Gerson directly answers this objection by observing that the pope is not subject to the judgment of another mortal but to the determination of the universal church in his obedience to the decision of a general council.

It is granted that the true vicar of Christ does not have superiors or even one superior among mortal men. However when he has been summoned by the catholic church or others in its place, he is bound to appear.⁶¹

In the case of the Council of Pisa the cardinals had acted in place of the church catholic by summoning both popes to appear. Gerson observes, by way of safeguarding papal authority, that this is done without the cardinals exercising jurisdiction over the true pope. Instead this right must be granted in the situation of the schism to examine the claims of those disputing over the papacy.⁶²

⁶⁰Ullmann, *Medieval Papalism*, 50.

⁶¹"Licet verus Christi vicarius inter mortales homines non habeat aliquos vel aliquem superiorem, citatus tamen per Ecclesiam catholicam aut aliquos vice ejus, tenetur comparere." *DAC* 11.3.

⁶²"Sine jurisdictione super duos contendentes, saltem super illum ex eis qui est Christi vicarius, domini cardinales utriusque partis potuerunt ambos contendentes citare ad videndum de titulo eorum." *DAC* 11.8.

Gerson does not, however, believe either Benedict or Gregory will emerge from the Council of Pisa with an undisputed claim to the papacy. He recognizes it will be necessary for both popes to lay aside their claims to the papal throne.⁶³ Thus the council will have to exercise jurisdiction over the one of them who perhaps should have been recognized as true pope. In order to accommodate this possibility, Gerson appeals to the canon law on judging a pope who is guilty of heresy. According to the *Decretum*, the pope "ought to be judged by no one, unless he is apprehended with respect to erroneous faith."⁶⁴ Thus Gerson observes that in the case of the schism, the church has the same power over the papacy as it has when the pope is accused of heresy.⁶⁵ The heresy of which both contenders are guilty is, of course, "the sin of schism."⁶⁶

Gerson further reveals his adherence to canon law in his lengthy discussion of the way in which such heresy might be exposed and condemned even though the rival popes "may have claimed intellectually nothing contrary to the faith or different from

⁶³"Duodecimus articulus aperiet modum secundum quem sub poena perdendi jus quod praetendunt in papatu, tenentur contententes cedere." *DAC* 12.

⁶⁴"[Papa] a nemine est judicandus, nisi deprehendatur a fide devius." (Dist. 40 c. 6) Quoted in Tierney, "Ockham, the Conciliar Theory, and the Canonists," 50.

⁶⁵"Super duobus quorum quolibet est dubium aut non clarum toti Ecclesiae an sit intrusus, habet Ecclesia modo dicto congregata, tale et tantum posse quale habetur super haeticum quondam in papatum praesidentem." *DAC* 11.2.

⁶⁶"Et in deductione hujus conclusionis declaratur quod praesidens in papatu potest cadere in vitium schismatis." *DAC* 6.9.

those things determined by the church."⁶⁷ In order to force Benedict and Gregory to abandon their claims, both rival popes must be recognized as heretical and the faithful must be released from their obedience to either. This can be accomplished by presenting evidence of the popes' heresy, the popes' public confession, or the declaration of a general council.⁶⁸ Gerson follows the canon law here, stating that a pope could not be accused of an "occult" crime, such as secretly holding heretical opinions, but could be accused only on the basis of public evidence or his own admission.⁶⁹ Even though in the present case neither pope had publicly declared anything heretical, Gerson insists the council will be able to judge based on the actions of the two rivals.

In a holy and just way a heretic is able to be exposed and condemned in the public forum of the church on the basis of exterior acts.⁷⁰

The church gathered in council is able to judge by the actions of the pope whether he is guilty of the heresy of schism. If he is found guilty, the council can strip him of papal authority. Although this would seem to give the council unlimited authority

⁶⁷". . . licet per intellectum nihil contra fidem aut aliter contra determinata per Ecclesiam asseruerint." *DAC* 13.

⁶⁸"vel per evidentiam facti vel per publicam ejus confessionem vel indubio per universalis Ecclesiae legitime congregatae declarationem." *DAC* 13.2.

⁶⁹Tierney, "Ockham, the Conciliar Theory, and the Canonists," 53.

⁷⁰"Sancte et juste ex actibus exterioribus potest convinci et condemnari in foro publico Ecclesiae tamquam haereticus." *DAC* 13.6.

over the pope, Gerson adds that the deposition of a pope is not based on the authority of the council itself but on Christ's authority as mediated through the council.⁷¹

Gerson anticipates that both contenders for the papacy will be found guilty of continuing the schism. Upon such a decision of the council, both "will be bound to practice cession themselves or through substitutes."⁷² Only through cession can either Benedict or Gregory be absolved of his complicity in the schism.⁷³ However, since Gerson expects the rivals will refuse to recognize the council's decision, he adds that by refusing, the pope effectively forfeits any right he might have to the papacy.⁷⁴ Therefore even if one of the contenders continues to insist he is the true pope, he will not be recognized as such by the church.⁷⁵ In any case, the rival claimants for the papal throne are bound to the decision of the council.

Gerson lays a difficult task at the feet of the general council, but he also points out that the council has sufficient resources for terminating the schism. He states that a general council has the authority and ability to interpret both divine and human law.

⁷¹"Ex actibus aut omissionibus exterioribus in multiplici casu iudicatur papatus possessor haereticus per Ecclesiam congregatam vicem talis Ecclesiae gerentem; et tali iudicio mediante privatur a Christo papali auctoritate." *DAC* 13.7.

⁷²"tenebuntur cessionem praticare per se vel per substitutos." *DAC* 12.1.

⁷³"neuter eorum excusabitur a schismate quidquid obtulerit, dixeret aut fecerit, nisi actu cesserit per se vel per alium" *DAC* 12.4.

⁷⁴"In casu isto non sufficit promptitudo animi ad cedendum, . . . , suo iuri vero vel praetense tunc et pro tunc actu renuntiare." *DAC* 12.2.

⁷⁵"contententium alter vel uterque asserens pertinaciter non sic se debere diligere Ecclesia ut papatus dimittatur" *DAC* 12.5.

The arguments he marshals are extremely important in asserting the authority of a general council.

Gerson deals with this interpretative authority of the council in a single article of *De auctoritate*. He argues, first of all, that this authority is essentially the "authority of the apostolic church in explaining Sacred Scripture."⁷⁶ Gerson does not, however, simply equate the authority of the church of his day with the authority of the *ecclesia primitiva*. The apostolic church had the power to formulate divine law, as occurred at the Jerusalem Council.⁷⁷ In contrast, Gerson states that a general council is able neither to introduce new divine obligations nor to set the former aside.⁷⁸ The council's interpretative authority is limited because the authority of the church itself is limited.⁷⁹

Yet this authority is more than adequate for bringing an end to the schism. In deciding how this should be done, Gerson looks to Scripture as the highest authority and to the council as its interpreter.

⁷⁶"auctoritatem Ecclesiae apostolicae in explanando Scripturam Sacram" *DAC* 7.

⁷⁷Acts 15.

⁷⁸"Per interpretationem Ecclesiae congregatae non cessat aut introducitur nova divina obligatio." *DAC* 7.3.

⁷⁹Pascoe observes that according to Gerson: "The authority of the primitive Church, therefore, transcends that of pope, council, and even the contemporary Church; none of whom has the power to formulate divine law because none has an authority equal to that of the *ecclesia primitiva*." "Jean Gerson: The '*Ecclesia Primitiva*' and Reform." *Traditio* 30 (1974):[3—no page numbers given].

The church gathered from both obediences is thus able to explain and interpret Sacred Scripture that each of the contenders is bound under [penalty of] eternal perdition to accept its thought in respect to ways of uniting the church.⁸⁰

Gerson assumes there will be little argument over the authority of Scripture, but the authority of the council to interpret it over and against the contenders for the papal throne is another matter. For this reason, Gerson devotes most of his argument to providing for the acceptance of the council's interpretation.

The two principal obstacles Gerson anticipated were the interference of the rival popes and questions concerning the interpretation of law. He deals with the former by placing the council above obedience to the pope and with the latter by appealing to the principle of *epikeia*.

Gerson recognizes the need to keep either pope from attempting to exercise coercive authority over the proceedings of the council. To prevent this, he asserts that while the council sits in session it will bow in obedience to neither of the contenders. Instead it will rise above obedience.⁸¹ He adds that even if one of the contenders were the true pope, he has no jurisdiction over the council once the suspension of obedience has been made.⁸² In this way Gerson attempts to protect the decision of the general council from the machinations of the rival popes.

⁸⁰"Ecclesia congregata ex ambabus obedientiis potest Scripturam Sacram exponere et interpretare sic quod ejus sensum circa modos uniendi Ecclesiam tenetur sub aeterna perditione uterque contententium acceptare." *DAC* 7.1.

⁸¹"Ecclesia congregata durante, non esse obediendum alicui ex duobus contententibus; supersedendum est ab odedientia." *DAC* 7.5.

⁸²"Facta ex concilio universalis Ecclesiae congregatae suspensione obedientiae respectu duorum contententium, si illorum verus papa utatur officio, nihil operabitur in hiis quae sunt jurisdictionis." *DAC* 7.6.

For Gerson a potentially more dangerous obstacle to the council's success is its own inability to agree on the interpretation of law. He recognizes the entire matter of the schism and the convocation of a general council is governed by a multitude of laws that more often than not seem to contradict each other. However, since his objective is to bring a swift end to the schism, he writes that the council will look to the spirit of these laws rather than endure endless haggling concerning their letter in making its decision. It is very likely that the council will find "the discussion of a part of law impossible, difficult, or useless."⁸³ In such a case, the statement of the Christian church itself, that is, the decision of the general council, will stand as law. Gerson does not intend that either divine or human law should simply be set aside. Rather he expects the council will be able to discern the intent behind any dubious points of law and render an appropriate decision.⁸⁴ This is, as James Connolly has observed, "the real argument on which Gerson would rely" for the council's termination of the schism.⁸⁵

In this argument Gerson appeals to the principle of *epikeia*, the equitable interpretation of the law. The principle of *epikeia* was a commonplace in conciliar writings. Conrad of Gelnhausen, for example, described it as the abandoning of the

⁸³"Si judicante Ecclesia universali congregata impossibilis, difficilis aut inutilis sit discussio juris partium . . ." *DAC 7.7*.

⁸⁴"Christiana Ecclesia erit solers, justus et acutus epyekes cujus dicto standum erit." *DAC 7.7*.

⁸⁵Connolly, 81.

letter of the law in favor of the use of reason.⁸⁶ The concept originated with Aristotle, who described it in his *Nicomachean Ethics*.

When the law speaks universally, then, and a case arises on it which is not covered by the universal statement, then it is right, where the legislator fails us and has erred by over-simplicity, to correct the omission—to say what the legislator himself would have said had he been present, and would have put into his law if he had known.⁸⁷

Following Aristotle, Thomas Aquinas spoke of *epikeia* as a virtue that protects natural law, which has its origins with God, from the imperfections of human, or positive, law.⁸⁸ The idea that the intention of the legislator must be considered in interpreting law was extremely useful to the conciliarists, since those who had codified the canon law obviously had not intended their statements of papal supremacy to be taken as an apology for continuing schism. In fact, the principle of *epikeia* can be found in the canon law itself. According to Brian Tierney, conciliarists could use the *Decretales* of Gregory IX, the writings of Hostiensis, and the *Glossa Ordinaria* of Gratian's *Decretum* to support the principle of "equity."⁸⁹ For Gerson, applying the principle of *epikeia* will ensure the justice, and thus the acceptance, of the council's decisions.

⁸⁶Bliemetzrieder, 70. Morrall cautions: "It would be rash to over-estimate Conrad's influence on Gerson. The Provost's work was widely known to all the academic 'Conciliar' circles, and the arguments of the *Epistola Concordiae*, radical as they may have seemed in 1381, were tending to become commonplace in the later stages of the Schism." 122.

⁸⁷*Nicomachean Ethics, The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House, 1941), 1020.

⁸⁸*New Catholic Encyclopedia*, s.v. "epikeia."

⁸⁹Tierney, "Ockham, the Conciliar Theory, and the Canonists," 44.

Conclusion

The doctrine of the church that emerges from *De auctoritate* is both hierarchical and practical. In this treatise Gerson appears both as a doctor of the church who defends traditional doctrine, and as a practical theologian who interprets that doctrine in a way that reveals his sensitivity to the exigencies of the church of his day. Thus Gerson asserts the authority of the ecclesiastical hierarchy, including that of the papacy, while defending the convocation of the Council of Pisa and describing its authority in the matter of the schism. The development and implications of Gerson's conciliar theory are of tremendous importance for interpreting the entire conciliar movement. As will be demonstrated, the solution Gerson proposed in *De auctoritate* represents what would become the majority opinion of those gathered at Constance and exerted a tremendous influence on conciliar thought up to the time of the Council of Trent.

CHAPTER 3

DE AUCTORITATE CONCILII IN CONTEXT

In *De auctoritate concilii*, and in his other conciliar treatises, Gerson served as an eloquent spokesman for a moderate approach to conciliar theory. The essentially conservative nature of his conciliar ecclesiology is revealed when placed in the context of his own theological development and in the context of the conciliar movement as a whole. Gerson emerges from the conciliar debate as a more or less archetypal ecclesiastic whose desire for reform was tempered by a high regard for existing institutions. Such men no doubt filled the vast majority of offices in the church of Gerson's day, and for this reason his conception of the church and authority has much to say about the temporary success and ultimate failure of the conciliar movement.

De Auctoritate Concilii and the Development of Gerson's Conciliar Theory

In *De auctoritate concilii* Gerson appeals to scripture as the ultimate authority in the church. However, the more significant question concerns the authority to interpret both scripture and positive law. Gerson's answer to this question places authority in the church firmly in the hands of the hierarchy as the *sine qua non* of the church. The principal members of this hierarchy are the bishops who are collectively inerrant in matters of faith. Their authority can be expressed either by the supreme

bishop, the pope, or by a general council, roughly equivalent to an assembly of bishops. Between these two, pope and council, there is a balance of power; each wields authority differently in the church. At the time of the schism, the council seems to have the upper hand since it can judge the pope. However, the continuing relationship between pope and council is only hinted at in *De auctoritate*. Gerson's position in this matter becomes clearer when the development of his ecclesiology is considered.

Throughout his life Gerson remained committed to the papacy as a divine institution. He did not advocate a conciliar solution to the schism until 1408. For this reason, many scholars view Gerson's conciliarism as an inconsistent and somewhat unfortunate development in his theology. According to John Morrall, Gerson's defense of conciliar authority "was radical and hardly reconcilable with tradition" and a position "from which he would have recoiled twenty years before."¹ James Connolly states, "Had [Gerson] suspected for a moment the fruit which the idea of Conciliar Supremacy would bear, he would have been the first to condemn it."² Gerson biographer Anne Masson takes an even more extreme position in her attempt to absolve Gerson of any guilt as the "patriarch of gallican liberties."³ She views Gerson's conciliar writings as erroneous but excusable in light of the

¹John B. Morrall, *Gerson and the Great Schism* (Manchester: The University Press, 1960), 110.

²James L. Connolly, *John Gerson: Reformer and Mystic* (St. Louis: B. Herder Book Co., 1928), 69-70.

³Anne L. Masson, *Jean Gerson, sa vie, son temps, ses oeuvres* (Lyons: E. Vitte, 1894), 280.

circumstances.⁴ Gerson's ideas about a solution to the schism did, of course, develop over time. However, this development did not include a radical shift in his fundamental ecclesiology. Gerson's earlier ecclesiological writings reveal little that would exclude the ideas expressed in his treatises from the time of Pisa and Constance.

Before 1408 Gerson had advocated the *via cessionis* as the best way to terminate the schism. He defended this position in his 1392 treatise *Pro unione Ecclesiae*.⁵ Here he called on the pope to do his duty as the "universal intercessor for the people" and to act as he is obligated by his universal office.⁶ Gerson also presented the convocation of a general council as one of "many reasonable and honest ways" of terminating the schism.⁷ Among the arguments marshalled in defense of the council were its inerrancy and the desirability of involving many members of the ecclesiastical hierarchy. The difficulty Gerson saw in convoking a general council was entirely practical: he was afraid it would cause a scandal and further divide the church.⁸ Gerson states this even more forcefully in his *De papatu contenditibus* of 1396: "If [a general council] is not convened collegially it is nothing."⁹ Gerson was

⁴Ibid., 282.

⁵Jean Gerson, *Oeuvres Complètes*, ed. by P. Glorieux (Paris: Desclée & Cie., 1960-1973), 6:1-21.

⁶G 6:6.

⁷G 6:10.

⁸"Sine dubio istud reunire in multis causat scandalum . . ." Ibid.

⁹". . . si [concilium generale] non fieret collegialiter nihil esset." G 6:28.

reluctant to advocate the *via concilii* because he could not imagine a council that would embrace both obediences. Without broad-based support a general council could not possibly succeed in ending the schism. For Gerson the success of the council had to be assured before it was convened. He concluded in a treatise of 1402, *De schismate*, that a council gathered in haste would only further damage the church and could jeopardize the effectiveness of future councils.¹⁰ This practical consideration lay at the heart of much of Gerson's opposition to the calling of a general council.

The one obstacle of a theological nature was the question of papal convocation. In *Pro unione Ecclesiae* Gerson assumed a council would be called by the pope. In the later *De schismate* he explicitly stated a council could be summoned only by the pope.¹¹ Although Gerson continued to assert that a general council was normally the pope's to convene, he argued for other means of convocation in *De auctoritate concilii*.¹² In the matter of papal convocation, Gerson did alter his views to fit the circumstances. The reason for this was, of course, necessity. Gerson applied the principle of *epikeia* for himself and concluded that the church should not be deprived of the benefit of a general council simply because the pope refused to

¹⁰"Si vero nihil sententietur, irrisorium et vanum erit concilium. Si aliquid sententietur quod non teneatur, erit perniciosum et scandalosissimum pro omnibus conciliis in posterum celebrandis, et erit schismatum innumerabilium et irreparabilium causativum." *G* 6:48-49.

¹¹"Concilium autem generale non potest convocari in forma juris nisi auctoritate summi pontificis, dist. 17a, cum ibidem allegatis." *G* 6:45.

¹²*De Auctoritate Concilii* 3.1. See p. 25 above.

summon one. Gerson was brought to this view by his growing disillusionment with the rival popes as they refused time and again to withdraw their claims for the good of the church. Gerson expressed his disillusionment as early as 1406-1407 in his *Disputatio de schismate tollendo*. In this treatise he observed if everyone would seek to do what is pleasing to Christ rather than pleasing to himself, it would be easy to end the schism.¹³ The same sentiment can be seen in the sermon *Veniat Pax* of 4 November 1408 in which Gerson denounced both popes.¹⁴ Gerson's disillusionment coupled with the possibility of a general council that would embrace both obediences led him to abandon the *via cessionis* for the *via concilii* in 1408.

By the time of the Council of Pisa, Gerson's writings reflect a conciliar ecclesiology and view of authority. Beside *De auctoritate concilii*, Gerson wrote three other major treatises between November 1408 and March 1409: *Ad defendendum concilii Pisani convocationem memorandum*, his *Propositio facta coram Anglicis*, and *Tractatus de unitate Ecclesiae*.¹⁵ The themes Gerson developed in *De auctoritate* run through every one of these treatises.¹⁶ All contain essentially the same thoughts on terminating the schism through a general council. This similarity

¹³"Propter ista notandum occurrit quod si quilibet de Ecclesia parvus et magnus, quaereret quae sunt Jesus Christi plus quam sua, facilis haberetur exitus ad schisma terminandum." *G* 6:100.

¹⁴Morrall, 76.

¹⁵The titles are those given in *G* 6.

¹⁶For a discussion of the contents of these treatises see Morrall, 76-93, and G. H. M. Posthumus Meyjes, *Jean Gerson; Zijn Kerkpolitiek en Ecclesiologie* (S'Gravenhage: Martinus Nijhoff, 1963), 131-55.

leads to the inevitable conclusion that Gerson's conciliarism was not a whim. Rather it resulted from a well-reasoned shift in his thinking with regard to a practical solution to the schism. Gerson did not abandon traditional ecclesiology and maintained his high regard for the ecclesiastical hierarchy and for the office of the papacy. He did, however, find room in this tradition for the authority of a general council convened without papal consent.

Although the Pisan treatises confirm Gerson's conciliarism, they contribute little to the understanding of the precise relationship between pope and council in his ecclesiology. For this we must turn to Gerson's writings from the time of the Council of Constance, especially his *Tractatus de potestate ecclesiastica*. This treatise, delivered at the Constance on 6 February 1417, further refines and defines the general outlines of Gerson's ecclesiology as presented in *De auctoritate concilii*. Gerson treats many of the same themes in both treatises such as the divine institution of the ecclesiastical hierarchy,¹⁷ the nature of the *corpus Christi mysticum*,¹⁸ and the use of *epikeia*.¹⁹ Nevertheless, the arguments marshalled in *De potestate ecclesiastica* are different from those of *De auctoritate concilii*. While in 1409 Gerson had been fighting for the recognition of the council's authority, writing in 1417 he had only to make reference to the decree *Haec Sancta* which had already

¹⁷G 6:226.

¹⁸G 6:212.

¹⁹G 6:230.

asserted the authority of a general council.²⁰ In *De potestate ecclesiastica* Gerson is concerned primarily with the nature of ecclesiastical authority and the way it is used within the church, that is, in the relationship between pope and council.

The first article of *De potestate ecclesiastica* neatly summarizes Gerson's view of authority in the church.

Ecclesiastical power is power which has been conferred by Christ supernaturally and specially upon his apostles and disciples and their legitimate successors until the end of time for the edification of the church militant according to the evangelical laws for the goal of eternal felicity.²¹

The practical question that remains to be answered is how and by whom this power is exercised among the legitimate successors of the apostles and disciples, and especially between the papacy and a general council. Gerson naturally argues for the authority of the general council. He does not, however, view this as an authority over and against the papacy. Rather he envisions a cooperative exercise of authority between pope and council. The council is to advise the pope just as Jethro advised Moses, and the pope is to give the same attention to the council's advice that Moses had given to that of his father-in-law.²² The general council's power, however, goes far beyond

²⁰G 6:217.

²¹"Potestas ecclesiastica est potestas quae a Christo supernaturaliter et specialiter collata est suis apostolis et discipulis ac eorum successoribus legitimis usque in finem saeculi ad aedificationem Ecclesiae militantis secundum leges evangelicas pro consecutione felicitatis aeternae." G 6:211.

²²"Specialiter quod si Moyses loquens Deo familiariter sicut amicus ad amicum obedienter audivit consilium gentilis hominis in regimine totius Synagogae, quanto magis debet hoc Summus Pontifex ad dictamen totius Ecclesiae vel generalis concilii suo nomine." G 6:224.

that of an advisory body. The general council is able to judge the pope.²³

Therefore, although Gerson admits the papal plenitude of power "formally and subjectively," he does not define that plenitude as an exclusive or ultimate authority in the church. To say the pope has a plenitude of power merely recognizes his *ex officio* exercise of a worldwide power of jurisdiction. A plenitude of power was ascribed to the pope to differentiate his power of jurisdiction from that of an ordinary bishop.²⁴ It is the general council, as representative of the whole church, that holds a true plenitude of power.²⁵

However, Gerson also maintains the place of the papacy in the ecclesiastical hierarchy. The church cannot be ruled on a permanent basis without the pope, and although the office of the papacy might be vacated for a time, the church must not let that continue.²⁶ The papacy is necessary, especially for the day-to-day operation of the church as one of the "essential and permanent" parts of the church.²⁷ At no

²³"Declaratum nempe decretumque est quod et sine papa generale concilium convocari et a concilio papa judicari certis casibus potest." *G* 6:225.

²⁴"Potestas ecclesiastica in sua plenitudine est formaliter et subjective in solo Romano Pontifice. . . . Hic autem consurgit aequivocatio non modica propter dominos juristas qui loquentes de plenitudine potestatis papalis solum loqui videntur de potestate jurisdictionis." *G* 6:227.

²⁵"Potestas ecclesiastica in sua plenitudine est in Ecclesia sicut in fine et sicut in regulante applicationem et usum hujusmodi plenitudinis ecclesiasticae potestatis per seipsam vel per generale concilium eam sufficienter et legitime repraesentans." *G* 6:232.

²⁶" . . . sicut apparuit dum vacavit Sedes per duos aut tres annos, sicut et nunc vacat, nihilominus generale concilium neque deberet neque posset talem defectum capitis usque in finem saeculi tolerare stante lege." *G* 6:235.

²⁷*G* 6:222.

point does Gerson argue for a broad, general authority of council over pope; a council is able to judge the pope only "in certain cases."²⁸ Gerson has no desire to reject the legitimate exercise of papal authority and replace it with the tyranny of a council. Instead he proposes a collegial approach to authority within the church, based on Aristotle's threefold division of natural rule.²⁹ Authority in the church is to be wielded by the papacy, the college of cardinals, and synods or general councils, each according to its place. Although details of this arrangement are absent from Gerson's theorizing, obviously he remains optimistic about the future of the church, envisioning an era of cooperation between pope and council.

Since Gerson never returned to Paris and his post at the University after Constance, he did not have occasion to address the church at large concerning matters of ecclesiology after 1418.³⁰ For this reason we are left with what is perhaps an incomplete account of Gerson's view of church and authority. The gaps in his theory must remain unfilled, and the significant question of whether he would have moved beyond the conciliar stand he took at Constance must remain unanswered.

²⁸"et a concilio papa iudicari certis casibus potest" *G* 6:229.

²⁹"Possumus conformiter ad praedictam Philosophi politiam tripliciter distinctam in naturali regimine, politiam ecclesiasticam dividere, quod alia est papalis, alia est collegialis, alia synodalis seu concilii generalis." *G* 6:248.

³⁰On the shape of Gerson's theology after Constance in general see Mark S. Burrows, "Jean Gerson after Constance: 'Via Media et Regia' as a Revision of the Ockhamist Covenant," *Church History* 59 (1990): 467-81.

De Auctoritate Concilii and Gerson's Theology

The ecclesiology in *De auctoritate concilii* was by no means incompatible with the rest of Gerson's theology. His view of church and authority directly resulted from his unique blending of nominalism and mysticism. The nominalism that pervaded Gerson's theology becomes apparent when his statements in key areas are compared with the views of Ockham and his successors. When Gerson departs significantly from the nominalist opinion, it is often the result of his mystical thought.

Gerson's doctrine of the church and the place he assigned it in the economy of salvation was undoubtedly influenced by his nominalist education. This can be seen, first of all, in the use he makes of the phrase *stante lege* when describing the church. In *De auctoritate*, Gerson defines the nature of the college of bishops "as the Christian law stands" and "by the law of Christ."³¹ He also states that the church or the council representing it cannot err "as the law of Christ stands."³² Gerson points out that these definitions of the church hold true only for the order which is now in place. He is describing the church *de potentia Dei ordinata*, to use the more common

³¹"Stante christiana lege, universitas episcoporum est inobliquabilis secundum affectum et intellectum, nec est compossibile Christi lege eos omnes collective desinere per mortem aut haereticare." *DAC* 3.4.

³²"Non est possibile, stante lege Christi, concilium generale aut universalem Ecclesiam congregatam debite in determinando veritates fidei aut necessarias vel utiles pro regimine Ecclesiae errare." *DAC* 5.1.

nominalist phrase.³³ In reference to Gerson's use of *stante lege* in *De potestate ecclesiastica*, Morrall describes it as "a significantly Ockhamist insertion."³⁴

Another example of Ockhamist influence in Gerson's ecclesiology is his appeal to scripture as the highest authority in the church. Although Ockham's understanding did not approach the *sola scriptura* principle that was to emerge from the Protestant Reformation, the authority of scripture retained a significant place in nominalist theology.³⁵ According to John Kilcullen, for Ockham the Bible was one of several potential sources of doctrine.

The Bible is both rule of faith and source of Catholic truth, but not the only source: there are also apostolic traditions and post-apostolic revelation. The teaching of the whole church is not itself a source, but a guarantee that a doctrine comes from one of the sources even if its derivation cannot be shown.³⁶

Ockham allows the possibility of an on-going process of revelation apart from scripture. New divine truths could be entrusted to anyone at any time.³⁷

Nevertheless, the Bible emerges from his theology as a superior source of revelation; the Gospels are of greater authority than the pronouncements of the pope and canon

³³Heiko A. Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Grand Rapids: William P. Eerdmanns, 1967), 100.

³⁴Morrall, 107.

³⁵John J. Ryan, *The Nature, Structure and Function of the Church in William of Ockham* (Missoula, Montana: Scholars Press, 1979), 43. See also Oberman, *Harvest*, 361-93.

³⁶John Kilcullen, "Ockham and Infallibility," *The Journal of Religious History* 16 (1991): 393.

³⁷Ryan, 45.

law.³⁸ While the latter may also be catholic truth, their veracity must be tested by the acceptance of the whole church. Only in the pages of scripture can one be certain of finding undisputable truth. Ockham wrote, "Concerning many questions of faith those learned in sacred letters can be certain of Catholic truth, notwithstanding the question of doubt of anyone else whomsoever."³⁹ John Ryan points out that in Ockham's writings "nothing else taken by itself—neither the universal doctrine nor the Apostles—is ever called the 'rule of faith,' as scripture is."⁴⁰ There can be no doubt that for Ockham scripture stands above the other sources of doctrine.

Gerson's view of scripture is strikingly similar to Ockham's. Like Ockham, Gerson admits other sources of revelation,⁴¹ although scripture remains the preeminent one. The high esteem in which he held the scripture is clear in his discussion of the authority of a general council. In *De auctoritate concilii*, for example, the general council's authority to interpret scripture is considered and defended at length. On the other hand, its authority to interpret canon law and papal decrees is simply assumed, because once the relationship with scripture as the superior authority is established, the others easily fall into place.⁴² For this same reason Gerson's writings rarely contain explicit references to canon law, but abound

³⁸Kilcullen, 392.

³⁹*Contra Benedictum* quoted in Kilcullen, 402.

⁴⁰Ryan, 45.

⁴¹He states, for example, that there will always be those in the church whose purpose is "receiving from God special illustrations for the use of the general church." *DAC* 9.2.

⁴²*DAC* 7.

in references to scripture. This view of scripture no doubt results from his nominalist training.

The broader outlines of Gerson's ecclesiology also bear the marks of nominalism. Gerson is more open than Ockham himself to the charge of ecclesiastical positivism commonly leveled against the nominalists.⁴³ Ockham relied on the authority of the church to the extent that the unbroken witness of all faithful Christians bears testimony to the truth of catholic doctrine.⁴⁴ For Ockham since the church was made up of individual believers, its authority could not be distilled into a single source whether individual, such as the pope, or corporate, such as a general council. However, as Reinhold Seeberg points out, Ockham's successors accommodated traditional institutions more than the Venerable Inceptor himself.⁴⁵ Thus Gerson follows Ockham, but only to a point. Scripture is authoritative, and its proper interpretation is guaranteed by the church. However, Gerson does not hesitate to identify the whole church with representatives of its hierarchy gathered in council.

⁴³On ecclesiastical positivism see Oberman, *Harvest*, 361-63.

⁴⁴"[Ockham] appeals, we might almost say, to the Universal Church in time as against the Universal Church in space; the historical and unbroken witness of faithful prelates and laity to certain doctrines is itself an infallible guarantee of the truth of these doctrines." John B. Morrall, "Ockham and Ecclesiology" in *Medieval Studies*, Presented to Aubrey Gwynn, S. J., ed. J. A. Watt, J. B. Morrall, F. X. Martin, (Dublin: Colm O Lochlainn, 1961), 488.

⁴⁵"Stärker noch als Ockam selbst haben sich manche Anhänger seines Nominalismus in ihrer Theologie wieder den Älteren Anschauungen zugewandt." Reinhold Seeberg, *Lehrbuch der Dogmengeschichte, Dritter Band: Die Dogmengeschichte des Mittelalters*, 4th ed., (Leipzig: A. Diechertsche Verlagsbuchhandlung D. Werner Scholl, 1930), 728.

Neither does he shrink from the statement, as did Ockham,⁴⁶ that the council is incapable of error, even though it does not have the same authority as the councils of the early church apparently had. Whatever authority scripture alone might have, its practical application to the life of the church is mediated by ecclesiastical institutions.

Although much of Gerson's doctrine of the church conforms to nominalist theology, it also transcends the limitations inherent in the nominalist tradition. For Gerson the most important truth about the church is that it is the mystical body of Christ. The church on earth conforms in a real way to the heavenly model.⁴⁷ As Morrall points out, this view of the church "could hardly exist logically in harmony with the Ockhamist denial of universals and emphasis on the individual as the true unit of reality."⁴⁸ Although Ockham occasionally referred to the church as the *corpus mysticum*, this was undoubtedly the result of conventional use, and the term had no real significance for his ecclesiology.⁴⁹ Similarly d'Ailly used the term infrequently, especially compared to Gerson.⁵⁰ For Gerson, however, the idea of the *corpus Christi mysticum* is the foundation for everything that can be said about the

⁴⁶"It is astonishing that it should ever have been imagined that Ockham was a sponsor of belief in the supremacy and infallibility of a General Council." Morrall, "Ockham and Ecclesiology," 481.

⁴⁷Thus in *De potestate ecclesiastica* Gerson refers to the heavenly model for the tabernacle (Ex. 27:8) and to John's vision of the heavenly city (Rev. 21:2) in support of the divine institution of the church. *G* 6:227-28.

⁴⁸Morrall, *Gerson and the Great Schism*, 119.

⁴⁹Ryan, 33.

⁵⁰Morrall, 119.

church. Thus in this important aspect Gerson followed his mystical inclinations and broke with his nominalist training. For him the church exists not only under the umbrella of the *potentia Dei ordinata*, but by a real conformity to the heavenly type it breaks through to the realm of the *potentia Dei absoluta*. The result of this can be seen in his conciliar theory. Because the council in a very real way is the church on earth, it is also, in a sense, the church in heaven and speaks with a vast and far-reaching authority. Thus Gerson is able to assert without hesitation the infallibility of the general council and its authority to interpret scripture.

What Gerson is not able to say about the church also stems from his mystical leanings. The relationship between the pope and council remains ambiguous in Gerson's ecclesiology. This is not so much the result, as Morrall asserts, of theory following practice,⁵¹ as it is the result of his emphasis on the *corpus Christi mysticum*. For Gerson it is obvious from scripture that Christ's institution of the church included the offices of pope and bishop that were to remain until the end of time. However, he could not always explain precisely how these offices functioned together. It was enough for him to assert that they did work together for the good of the church. He envisioned the church not as a legislated constitutional monarchy but as a harmoniously functioning organic whole.

This compromise in Gerson's theology between nominalism and mysticism led to a compromise in his conciliar theory between the papacy and the council. He could not follow the realists in viewing the pope as representative of the whole

⁵¹Ibid., 122.

church, but neither could he follow Ockham in rejecting any true representation by a corporate body. Even with its ambiguities Gerson's conciliar theory is consistent with other aspects of his theology.

De Auctoritate Concilii and Fifteenth Century Conciliarism

Gerson's ecclesiology, despite some unique features resulting from his mysticism, represented a moderate conciliar viewpoint. Gerson no doubt spoke for the vast majority of those who supported the conciliar movement—essentially conservative churchmen who were willing to look to a council to settle the schism but unwilling to grant it any far-reaching authority over the papacy. The moderate approach of the majority of conciliarists is a significant factor in explaining the temporary success of conciliarism at Constance and its ultimate defeat at Basel. For this reason Gerson's ecclesiology is an important key to unlocking the history of conciliarism in the fifteenth century.

By all accounts the Council of Constance was, at least temporarily, an overwhelming success. The Council declared its authority over the papacy in the decree *Haec Sancta*, which John Figgis has called "probably the most revolutionary official document in the history of the world."⁵² The three rival popes were deposed, and the new pontiff, Martin V, was pledged to a program of reform. The decree *Frequens* assured that future general councils would be held. The success the Council enjoyed reveals how widespread and accepted the basic ideas of conciliarism

⁵²John Neville Figgis, *From Gerson to Grotius 1414-1625* (Cambridge: University Press, 1907), 35.

had become in the church.⁵³ However, it also reveals that the actions taken at Constance were perhaps not as radical as is often imagined. The conciliar theory that prevailed at Constance was essentially that espoused by Gerson. The existence of the papacy was not threatened by the decrees of Constance. The pope himself, however, was subjected to the general council and could be removed from office by its decision. To the council fathers this was obviously necessary since the pope (or popes!) had been contributing to the destruction of the church rather than its edification. The conciliarism espoused at Constance proposed a shift in the balance of powers that already existed within the church. It by no means advocated a radical restructuring of the church itself.⁵⁴

Nowhere is this more apparent than in the council's condemnation of Jan Hus. The statements attributed to Hus condemned by the council were essentially attacks on the authority of the ecclesiastical hierarchy. Hus rejected the divine institution of the papacy and stated that its authority was the work of the emperor.⁵⁵ He made the

⁵³Francis Oakley, *The Western Church in the Later Middle Ages* (Ithaca and London: Cornell University Press, 1979), 224.

⁵⁴This summary of conciliar theory at Constance is based on Paul De Vooght, "Le Conciliarisme aux conciles de Constance et de Bâle" in *Le Concile et les conciles: Contribution a l'histoire de la vie conciliaire de l'église* (Éditions de Chevetogne, Éditions du Cerf, 1960), 144-146.

⁵⁵"7. Petrus non fuit, nec est caput ecclesiae sanctae catholicae." "9. Papalis dignitas a Caesare inolevit, & Papae praefectio & institutio a Caesaris potentia emanavit." *Sacrorum Conciliorum nova et amplissima collectio*, ed. Giovanni Domenico Mansi, 53 vols. (Paris: Hubert, 1901-1927) 27:754.

authority of any officeholder dependent on his moral state,⁵⁶ and he declared ecclesiastical obedience to be the invention of the priests and not something required by scripture.⁵⁷ Naturally Gerson was among the most ardent opponents of Hus. Already in September 1414, he had urged the archbishop of Prague "that against this error every dominion ought to arise, both spiritual and temporal, to drive out more completely this very meddlesome reasoning by fire and sword."⁵⁸ Gerson identified Hus's heresy with the anti-clericalism of the Waldensians and Beghards, an "error in faith and morals long ago and very much condemned."⁵⁹ Gerson's attitude toward Hus revealed his inherent conservatism. For Gerson the authority of the priesthood was the very foundation of the church; the laity remained *ecclesia audiens*.⁶⁰ As the condemnation of Hus demonstrates, Gerson's conservative view of the nature and structure of the church was shared by the majority of conciliarists gathered at Constance.

⁵⁶"13. Papa non est manifestus & verus successor principis Apostolorum Petri, si vivit moribus contrariis Petro: si quaerit avaritiam, tunc est vicarius Jude Scariothis. Et pari evidentia Cardinales non sunt manifesti & veri successores collegii aliorum Apostolorum Christi, nisi vixerint more Apostolorum, servantes consiliar & mandata Domini nostri Jesu Christi." Ibid. "30. Nullus est dominus civilis, nullus est praelatus, nullus est episcopus, dum est in peccato mortali." Ibid., 755.

⁵⁷"15. Obedientia ecclesiastica est obedientia secundum adinventionem sacerdotum ecclesiae, praeter expressam auctoritatem scripturae." Ibid., 754.

⁵⁸". . . quod contra hunc errorem exurgere deberet omnis dominatio, tam spiritualis quam temporalis, ad exterminationem magis igne et gladio quam curiosa ratiocinatione." *G* 2:162.

⁵⁹"Error in fide et moribus pridem et pluries condemnatus . . ." *G* 2:163.

⁶⁰D. Catherine Brown, *Pastor and Laity in the Theology of Jean Gerson* (Cambridge: Cambridge University Press, 1987), 39.

The pope elected at Constance, Martin V, proved to be no friend of conciliarism. At his insistence *Frequens* was altered to forbid any appeal from the pope to a future council. Gerson recognized the danger in this prohibition and authored several opinions against it.⁶¹ Martin also felt free to ignore other provisions of *Frequens*. After being forced to assemble a council at Pavia in 1423, he never appeared and instead transferred the council to Siena before quickly dissolving the Pavia proceedings.⁶² The future council announced for Siena was, in fact, duly convoked by Martin at Basel in 1431 and confirmed after his death by his successor, Eugenius IV. Eugenius, who was no more well-disposed toward conciliarism than Martin had been, quickly incurred the wrath of the council fathers by his attempt to dissolve the assembly, ostensibly because of sparse attendance and the prospect of union with the Greek church.⁶³ When the council refused to disperse, instead adopting a strict interpretation of *Haec Sancta*, it won widespread support. Many of the cardinals, including the council president, Giuliano Cesarini, sided with the council.⁶⁴ Almost two years later, Eugenius capitulated and recognized the council. However, at about this time sympathy for Eugenius began to build in response to the

⁶¹Hans-Jürgen Becker, *Die Appellation vom Papst an ein allgemeines Konzil: Historische Entwicklung und kanonistische Diskussion im späten Mittelalter und in der frühen Neuzeit* (Köln, Wien: Böhlau Verlag, 1988), 128. Th. Kolde, *Luthers Stellung zu Concil und Kirche bis zum Wormser Reichstag, 1521* (Erlangen: Junge, 1900), 3.

⁶²Oakley, *The Western Church in the Later Middle Ages*, 226.

⁶³*New Catholic Encyclopedia*, s. v. "Basel, Council of."

⁶⁴Joseph Gill, *Eugenius IV: Pope of Christian Union* (Westminster, Maryland: Newman Press, 1961), 45.

council's occupation of large portions of papal territory and the limitations it had placed on papal income. In 1437 a minority party, including a number of senior members, defected from Basel. They were welcomed by Eugenius who declared the council transferred from Basel to Ferrara on the strength of their presence. This defection led to the triumph of a more radical element at Basel as new recruits, who tended to be young activists, played a greater role.⁶⁵ However, the loss of the conservative element was the beginning of the end for the council. Cardinal Cesarini, an ardent reformer despite his status as papal legate, went over to Eugenius in 1438.⁶⁶ In 1439 the Basel council elected an anti-pope, Felix V, but failed to gain ground against Eugenius. After much negotiation the council finally dissolved itself in 1449.

Typical of the conservative element at Basel was Nicholas of Cusa. His treatise *De Concordantia Catholica* was presented to the council on 7 November 1433 and was favorably received.⁶⁷ This work, called "the most famous work of the epoch on the theory of church and state,"⁶⁸ describes the place of church, ecclesiastical hierarchy, and empire within the order of the universe. The ecclesiology presented in *De Concordantia Catholica* stands firmly in the mainstream

⁶⁵Antony Black, "The Universities and the Council of Basle: Ecclesiology and Tactics" *Annuario Historiae Conciliorum* 6 (1974):345.

⁶⁶Oakley, *The Western Church in the Later Middle Ages*, 228.

⁶⁷Henry Bett, *Nicholas of Cusa* (London: Methuen & Co. Ltd., 1932), 20.

⁶⁸Johannes Helmrath, *Das Basler Konzil 1431-1449: Forschungsstand und Probleme* (Köln: Böhlau Verlag, 1987), 437.

of conciliar theory,⁶⁹ and as such it has much in common with the work of Gerson. Like Gerson, Nicholas emphasized the authority of the general council while maintaining the place of the papacy.⁷⁰ In support of these ideas, he also relied heavily on Pseudo-Dionysius, appealing to the hierarchical structure of heaven to explain the existence and function of the ecclesiastical hierarchy on earth.⁷¹ Therefore it is not surprising that Nicholas, like Gerson before him, wished to avoid stripping the papacy of all its power. Beginning in 1436 Nicholas refused to participate in measures aimed at depriving the papacy of income or authority, and he was part of the minority group that abandoned the council in 1437.

The alienation of the conservative element by the Council of Basel was the primary reason for its failure. Antony Black has pointed out that the extreme conciliar theory adopted at Basel was the work of theologians rather than parish clergy.⁷² For this reason it did not reflect the thinking of the largest part of the church in its virulent attacks on the papacy. Paradoxically, the dissemination of the conciliar decrees depended entirely on the good will of the bishops and archbishops

⁶⁹Gerd Heinz-Mohr, *Nikolaus von Kues und die Konzilsbewegung* (Trier: Paulinus Verlag, 1963), 11.

⁷⁰Asserting the authority of the council Nicholas states, ". . . quis dubitat totum concilium supra papam esse?" *De Concordantia Catholica*, ed. Gerhard Kahlen, 3 vols. (Hamberg: Feliz Meiner, 1963), 2:190. However, the pope, like the council, represents the church, although in a more confused manner: ". . . quia quisque praesidens figurata generalitate subditos figurat modo, quo papa confusissime totam ecclesiam . . ." *Ibid.*, 199.

⁷¹Book I of *De Concordantia Catholica* is almost entirely concerned with explaining this correspondence.

⁷²Black, "The Universities and the Council of Basle," 351.

who were to promulgate them in their local synods.⁷³ Thus the more radical the council became, the less its pronouncements were heeded.

This does not mean that there were any fewer committed conciliarists at the time of Basel than there had been at Constance. The history of the Council of Basel simply illustrates the essentially conservative nature of the conciliar movement. The decrees of Basel had gone too far, and the pendulum swung back toward the papacy.⁷⁴ The average conciliarist professed a doctrine of the church very similar to that of Gerson who no doubt would have rejected the extreme decrees of Basel. As Gerson's ecclesiology demonstrates, papalism and conciliarism are not necessarily mutually exclusive. Paul De Vooght has observed that many of "the most distinguished 'Eugenians' professed a papalism more nuanced than the slogan under which they served ('The pope is above the council')." ⁷⁵ Papalists and conciliarists had much in common. Both viewed the church as essentially hierarchical, disagreeing only about ultimate authority within the ecclesiastical hierarchy. Both papalists and conciliarists relied on law. Many of the prominent conciliarists such as Cardinal Zabarella and Nicholas of Cusa had trained as canon lawyers, and even Gerson

⁷³Helmuth, 343.

⁷⁴This conservative reaction fits the general pattern of revolution as observed by Crane Brinton, *The Anatomy of Revolution*, rev. and exp. ed. (New York: Vintage Books, 1965).

⁷⁵De Vooght, 175.

appealed to certain principles of canon law.⁷⁶ Such men had no wish to foment revolution within the church or radically to alter existing structures. Instead they wished to revise and to reform.⁷⁷ For this reason they did not abandon papal institutions and failed to define adequately the limits of papal authority. The ambiguity of the relationship between pope and council was the principle reason the conciliar movement ultimately failed to achieve its goal of reform in head and members.⁷⁸

Conclusion

The events of the fifteenth century had a tremendous impact on the course and shape of events leading to Luther's reformation. The writings of Gerson and the moderate conciliarism he espoused continued to exert a decisive influence even after the Council of Basel dissolved. However, the precise nature of this impact is open to debate. One of the most important questions is the influence of conciliar theory on

⁷⁶According to Brian Tierney canon law is the principle source of conciliar theory. See especially his *Foundations of the Conciliar Theory*. Stanley Chodorow argues that Gratian's *Decretum* itself originated within a church reform party. *Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum* (Berkeley: University of California Press, 1972).

⁷⁷John Connolly accurately captures this distinction. "Whereas Wyclif and, after him, Hus sought to revolutionize, Gerson sought to revise." 90.

⁷⁸This is the conclusion reached by Constantin Fasolt in his examination of William Durant's *Tractatus Maior*, a conciliar proposal presented to the Council of Vienne. He states: "Therefore it is meaningless to try and reduce [Durant's] views to systematic clarity, whether it is in terms of 'papalism' or 'conciliarism' or others that have yet to be invented. The point is the ambivalence itself. It helps to explain not only Durant's failure at the Council of Vienne but also the failure of the conciliar movement." *Council and Hierarchy: The Political Thought of William Durant the Younger* (Cambridge: Cambridge University, 1991), 284.

Luther himself. In an attempt to answer, we shift now to examine Luther's views on authority in the church.

CHAPTER 4

MARTIN LUTHER: FORMATIVE INFLUENCES

An evaluation of the influences that shaped Martin Luther's thought, although necessary, is a daunting task. As indicated in the introduction, such an evaluation involves much debated questions vital to interpreting the Reformation as a whole. Nevertheless, whatever the argument may be about the impact of Luther's education on his later theology and the nature of his contact with humanism, there can be no doubt that his formal education was thoroughly medieval. In fact, Luther's training was remarkably similar to Gerson's. Both matriculated at universities known for their adherence to nominalism, and both were influenced by mystical thought. However, Luther was also steeped in biblical studies and acquainted with humanism. Finally, conciliarism was by no means a dead issue in Luther's day. Therefore brief discussion of Luther's acquaintance with nominalism, humanism and mysticism, as well as an overview of conciliarism on the eve of the Reformation is required before exploring Luther's statements on the authority of the papacy and general councils.

Nominalism at Erfurt

It is interesting that Luther declared himself to be a member of the "Ockhamist faction" as late as 1520.¹ By the time Luther began his studies at the University of Erfurt, all of the universities of Europe were, as David Knowles has observed, "Nominalist of lighter or darker shading."² Erfurt was perhaps colored a darker shade than most due to the efforts of Jadokus Trutfetter of Eisenach and Bartholomäus Arnoldi von Usingen. Luther later identified both these nominalist masters as his teachers.³ Nominalist thought had first come to Erfurt through the influence of Gabriel Biel, professor at Tübingen from 1484-1495 and an advocate of Ockham.⁴ The influence of this school at Erfurt can be seen in Trutfetter's election as rector of the philosophy faculty shortly after Luther arrived at the university.⁵ Luther not only

¹"Sum enim Occanicae factionis . . ." Martin Luther, *D. Martin Luthers Werke. Kritische gesammtausgabe* (Weimar: H. Bolau, 1883-), 6:600. Bengt Häggglund states: "Daß Luther sich im philosophischer Hinsicht als Occamisten steht, ist mehrfach bezeugt." *Theologie und Philosophie bei Luther und in der Occamistischen Tradition: Luthers Stellung zur Theorie von der Doppelten Wahrheit* (Lund: C. W. K. Gleerup, 1955), 8-9.

²David Knowles, *The Evolution of Medieval Thought* (New York: Vintage Books, 1962), 330.

³Martin Brecht, *Martin Luther: His Road to Reformation 1521-1532*, trans. by James L. Schaaf (Philadelphia: Fortress Press, 1985), 36; E. G. Schwiebert, *Luther and His Times: The Reformation from a New Perspective* (St. Louis: Concordia Publishing House, 1950), 135-36.

⁴On Biel's career at Tübingen see Heiko A. Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Grand Rapids: William P. Eerdmanns, 1967), 16-21.

⁵Brecht, 37. See also Dietrich Emme, *Martin Luthers Weg ins Kloster: Eine wissenschaftliche Untersuchung in Aufsätzen* (Regensburg: Dietrich Emme, 1991).

studied under Trutfetter and Usingen but apparently had a close personal relationship with them to the point that Luther's influence led Usingen to join the Erfurt chapter of the Augustinian Hermits in 1512.⁶

Even after Luther himself had entered the monastery in 1505, his contact with nominalism continued. In fact, it has been suggested that the Ockhamism of the Augustinian Hermits at Erfurt led Luther to choose their order over another.⁷ In the monastery the influence of Gabriel Biel was felt both in the person of Johann Nathin, one of Biel's students who was director of the cloister school, and through Biel's most famous work, the *Canonis Misse Expositio*.⁸ The latter was required reading in Luther's study for the priesthood and, as such, exerted an important influence on Luther's early writings. Not surprisingly his 1510 *Commentary on the Sentences* showed a marked preference for the works of Biel, as well as those of other nominalists including Pierre d'Ailly and Ockham himself.⁹ Luther demonstrated his

⁶Brecht, 38.

⁷Ludger Meier, "Research That Has Been Made and Is Yet To Be Made on the Ockhamism of Martin Luther at Erfurt," *Archivum Fransiscanum Historicum* 43 (1950), 60.

⁸Oberman: "Die Bedeutung der Expositio für das Studium Luthers ergibt sich von selbst und ist allgemein bekannt." Gabriel Biel, *Canonis Misse Expositio*, ed. by Heiko Oberman and William Courtenay (Wiesbaden: Franz Steiner Verlag, 1963), xiii. See also Brecht I, 57, 71.

⁹Meier, 65.

acquaintance with these authors later in his *Disputation Against Scholastic Theology*, frequently citing d'Ailly and Biel and naming Ockham at least twice.¹⁰

Luther's significant contact with nominalism has led some scholars, notably Heiko Oberman, to conclude that an Augustinian brand of nominalism had a tremendous impact on the development of Luther's theology. Oberman points specifically to Gregory of Rimini as the key figure in transmitting this theology.

Taking stock of this cumulative, admittedly circumstantial evidence, we can point to the *schola Augustiniana moderna*, initiated by Gregory of Rimini, reflected by Hugolin of Orvieto, apparently spiritually alive in the Erfurt Augustinian monastery, and transformed into a pastoral reform-theology by Staupitz, as the *occasio proxima*—not *causa!*—for the inception of the *theologia vera* at Wittenberg.¹¹

According to Oberman, Augustinian nominalism rather than humanism or biblical studies, is what set Luther travelling the *via Gregorii* on his road to Reformation. David Steinmetz defines this Augustinian nominalism, the *schola Augustiniana moderna*, as "a tradition of theology which stressed the centrality of grace for justification and which minimized, without eliminating, the significance of the human contribution."¹² In addition, Oberman contends Luther was not directly influenced by humanism but rather benefited from the humanist tradition of his order.¹³

¹⁰See Paul Vignaux, "Sur Luther et Ockham," *Franziskanische Studien* 32 (1950):21-30.

¹¹Oberman, "Headwaters," 82.

¹²David Curtis Steinmetz, *Misericordia Dei: The Theology of Johannes von Staupitz in its Late Medieval Setting* (Leiden: E. J. Brill, 1968), 33.

¹³Oberman, "Headwaters," 70-1.

Similarly, Luther's encounter with scripture is dismissed as a begging of the question when it comes to searching for the beginning of Luther's theology.¹⁴

Although the significance of Luther's nominalist training cannot be disputed or ignored when discussing the development of his theology, the influence of Augustinian nominalism does not sufficiently explain Luther's discovery of the gospel.¹⁵ In fact, Luther's theology outstrips nominalism in emphasizing grace while eliminating entirely the significance of the human contribution to justification. In the Heidelberg Disputation, Luther explicitly rejected the nominalist teaching on justification, when in thesis 16 he declared, "The person who believes that he can obtain grace by doing what is in him adds sin to sin so that he becomes doubly guilty."¹⁶ This idea that God would not deny grace to the person "doing what is in him" was central to nominalist anthropology and soteriology. The enormity of the step Luther took in rejecting that is apparent in the reaction of his contemporaries. Even Staupitz, who himself had opposed the nominalist doctrine of grace,¹⁷ could not follow to the conclusions Luther eventually reached. Staupitz disagreed with the

¹⁴Ibid., 88.

¹⁵See Leif Grane, *Modus Loquendi Theologicus: Luthers Kampf um die Erneuerung der Theologie (1515-1518)* (Leiden: E. J. Brill, 1975); Idem, *Contra Gabrielem: Luthers Auseinandersetzung mit Gabriel Biel in der Disputatio Contra Scholasticam Theologiam 1517*. [s. l.]: Gyldenhal, 1962.

¹⁶Martin Luther, *Luther's Works* (St. Louis: Concordia Publishing House; Philadelphia: Fortress Press, 1955-1986), 31:40, WA 1:354.

¹⁷David Curtis Steinmetz, *Misericordia Dei: The Theology of Johannes von Staupitz in its Late Medieval Setting* (Leiden: E. J. Brill, 1968), 34.

Reformation movement and died a convinced Roman Catholic, although even to the end his affection for Luther remained undiminished.¹⁸

Luther and Humanism

Luther's nominalism, for the most part, actually provided a negative background for his evangelical theology. As Lewis Spitz points out,

In view of Luther's explicit rejection of scholasticism and specifically of theological nominalism it would indeed be a mistaken notion to find the key to his reformatory development and evangelical solution in the theology he was reacting against.¹⁹

According to Spitz, Luther's encounter with humanism and his biblical studies are far more important for the development of his theology.

Throughout his life Luther demonstrated an interest in humanist disciplines. He valued both the ideas and eloquence of the classics, and exhibited a more than passing interest in history.²⁰ In addition, the humanist emphasis on the classical

¹⁸Ibid., 15.

¹⁹Lewis W. Spitz, "Headwaters of the Reformation: *Studia Humanitas, Luther Senior, et Initia Reformationis*," in *Luther and the Dawn of the Modern Era*, ed. by Heiko A. Oberman (Leiden: E. J. Brill, 1974), 113.

²⁰Lewis W. Spitz, "Luther and Humanism," in *Luther and Learning*, ed. by Marilyn Harran (London and Toronto: Associated University Presses, 1985), 77, 79. See also Oswald Schmidt, *Luthers Bekanntschaft mit den Alten Classikern: Ein Beitrag zur Lutherforschung* (Leipzig: Veit, 1883) and John Headley, *Luther's View of Church History* (New Haven and London: Yale University Press, 1963). For an investigation into the nature of Luther's early contacts with humanism see Helmar Junghans, *Der junge Luther und die Humanisten* (Göttingen: Vandenhoeck & Ruprecht, 1985).

languages and a return *ad fontes* meshed well with Luther's biblical studies. This study of scripture in the original languages was of vital importance for the development of Luther's theology. Thus Spitz refuses to minimize the impact of the Bible on Luther.

The Biblical passages are set in a Biblical world and have an impetus of their own which, when studied intensely, may well induce a changed or reformatory perception of theology. . . . a number of Luther's Augustinian opponents had backgrounds analagous to his own, but lacking his encounter with the Biblical world, they remained what he might have been without his long and arduous preoccupation with the Scriptures. To see his exegetical studies as the critical determinant in his evangelical theology is more than a mere begging of the question.²¹

Luther's exegetical work was, of course, aided by the contributions of humanism, such as new editions of the Greek New Testament and a renewed interest in the study of Hebrew.²² Luther knew humanism was helping him in his evangelical breakthrough, prompting him to press Wittenberg to move away from scholasticism to a more humanist oriented curriculum.

However, the contributions of humanism were important not only for Luther's own development, but also for the reception of his evangelical doctrine. As Bernd Moeller observes,

There can be no doubt that it was the humanists who were decisive in dragging the Reformation movement, against Luther's will, out of the obscurity of the humble University of Wittenberg into the light.²³

²¹Spitz, "Headwaters," 114.

²²Junghans comments on the original work in Hebrew that went on at the University of Wittenberg. *Der junge Luther und die Humanisten*, 60.

²³Bernd Moeller, "The German Humanists and the Beginnings of the Reformation," in *Imperial Cities and the Reformation* (Philadelphia: Fortress Press, 1972), 26.

Although most of the older humanists broke with Luther around 1520, many of their younger colleagues became fervent supporters of the Reformation. Thus Moeller concludes, "No humanism, no Reformation."²⁴ Similarly Spitz calls Luther's positive attitude toward the liberal arts of the humanist disciplines "a fact of fundamental importance for the beginnings and development of the magisterial Reformation."²⁵ Obviously when searching for the beginnings of Luther's theology, the net must be cast far wider than the *schola Augustiniana moderna*.

Luther and Mysticism

Luther's acquaintance with various mystical traditions and his appreciation of specific mystics has been much investigated and debated.²⁶ Luther was acquainted with the writings of a number of mystics, including Dionysius the Areopagite, Hugo and Richard of St. Victor, Bernard, Bonaventure, Gerson, Bridget of Sweden, Tauler and "the Frankfurter."²⁷ In discussing Luther's relationship to mysticism, most scholars have taken up, with some minor modifications,²⁸ the three-fold division of

²⁴Ibid., 36.

²⁵Spitz, "Headwaters," 116.

²⁶See for example R. R. Post, *The Modern Devotion: Confrontation with Reformation and Humanism* (Leiden: E. J. Brill, 1968), 551-631.

²⁷Erich Vogelsang, "Luther und die Mystik," in *Luther-Jahrbuch* 1937, ed. by Th. Knolle (Weimar: Hermann Böhlau, 1937), 32-33. See also Bengt Hoffman, *Luther and the Mystics: A re-examination of Luther's spiritual experience and his relationship to the mystics* (Minneapolis: Augsburg Publishing House, 1976).

²⁸For example, Steven Ozment has kept the three-fold division but reworked the categories. *The Age of Reform: 1250-1550* (New Haven and London: Yale University Press, 1980), pp. 118-34. Cited in David G. Schmiel, "Martin Luther's Relationship to

mysticism into Dionysian, Roman and German types used by Erich Vogelsang.²⁹ Because Vogelsang's definition is an accurate and useful way to discuss Luther's relationship to mysticism it will be used as the basis for the brief discussion presented here.

It is generally agreed that Luther spoke an "emphatic no," as Vogelsang put it, to Dionysian mysticism.³⁰ Although the young Luther did on one occasion speak positively of the Dionysian idea of the *via negativa*, in general he rejected this type of speculative mysticism.³¹ Erwin Iserloh has observed that for Luther such mysticism, is not only unnecessary and leaves the heart empty, but is dangerous because it leads man into the dangerous position of thinking that he can, either from within himself by sinking into his own *Seelengrund* or through mystical ascent, achieve union with God.³²

the Mystical Tradition," *Concordia Journal* 9 (1983): 47. Similarly Heiko Oberman has pointed out that although Gerson is classified as a Roman mystic, he is in some points closer to the Germans. "Simul Gemitus et Raptus: Luther und die Mystik," in *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, ed. Ivar Asheim (Philadelphia: Fortress Press, 1967), 32.

²⁹Vogelsang, 33.

³⁰*Ibid.*, 33.

³¹Bengt Hägglund, "Luther und die Mystik," in *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, 89.

³²Erwin Iserloh, "Luther und die Mystik," in *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, 64-5.

Luther criticized the "pure innerness" of Dionysian mysticism, an attitude which also led to his rejection of monasticism.³³ He rejected the *via negativa* for the negative theology of the cross.³⁴

Luther's relationship to the Roman type of mysticism is far more ambiguous. He rejected the visions of Bridget of Sweden as "pure illusions of Satan."³⁵ On the other hand, Luther generally voiced approval of Bernard and even adopted his definition of mysticism as "*sapientia experimentalis non doctrinalis*."³⁶ Another mystic often counted in this category and praised by Luther was Gerson.³⁷ In general, however, Luther criticized Roman mysticism for its lack of understanding of spiritual *Anfechtungen*, its often erotic bridal mysticism, and its adherence to a system of steps climbing to mystical union.³⁸

To the German type of mysticism Luther responded with "an almost pure yes."³⁹ Luther's enthusiastic reception and subsequent publication of the famous *Theologia Deutsch* manuscript is well known.⁴⁰ Its anonymous author, known as

³³Vogelsang, 35.

³⁴"Luthers negative Theologie ist das Kreuz, an dem Gott sich unter dem Gegenteil verbirgt, unter dem Knecht, der ein Wurm ist und kein Mensch." Iserloh, 67.

³⁵Vogelsang, 37.

³⁶Ibid., 38.

³⁷Ibid., 39.

³⁸Ibid., 40-1.

³⁹Ibid., 33.

⁴⁰See the introduction to Luther's preface, *LW* 31:73-4.

"the Frankfurter," along with another German mystic, Johannes Tauler, played extremely significant roles in Luther's development.⁴¹ In Tauler, Luther found a fellow-sufferer of spiritual *Anfechtungen*.⁴² Parallels between Luther and Tauler can also be seen at times in their anthropology and soteriology, though there are also many differences.⁴³ Luther praised these mystics, but significant differences in his theology are also readily apparent. Although it has been suggested that Luther either did not notice these differences or refrained from pointing them out,⁴⁴ it is more likely that what Luther admired in these mystics was not necessarily their mysticism.⁴⁵ Rather he saw them confirming his own evangelical theology.⁴⁶ In his preface to *Theologia Deutsch* Luther wrote,

I now for the first time become aware of the fact that a few of us highly educated Wittenberg theologians speak disgracefully, as though we want to undertake entirely new things, as though there had been no people previously or elsewhere.⁴⁷

⁴¹Oberman, "Simul Gemitus et Raptus," 38.

⁴²Vogelsang, 43.

⁴³Hägglund enumerates parallels in anthropology (90-1), and concerning Tauler's doctrine of justification writes, "Nach Tauler ist alles, was zur Erlösung des Menschen gehört, ausschliesslich Gottes Werk." 93. Ozment emphasizes the disparity between Luther and Tauler in the area of anthropology. *Homo Spiritualis*, 214-16.

⁴⁴Vogelsang, 43.

⁴⁵Oberman, "Simul Gemitus et Raptus," 39.

⁴⁶Thus Martin Brecht's treatment of Luther's encounter with German mysticism is titled "Confirmation Through Mysticism," I, 137-44.

⁴⁷LW 31:75-6, WA 1:378.

It is significant, as Oberman points out, that Luther also spoke in this preface not of German mysticism but of German theology.⁴⁸ What Luther admired in this, as in any other form of mysticism, was the personal experience of faith, which he described as a real union of Christ with the believer, a joyous exchange, rather than as a mystical union of the soul with God.⁴⁹ Here we find Luther's positive relationship with the mystics and also the gulf that ultimately separated them.

Conciliarism on the Eve of the Reformation

In 1460 Pius II condemned conciliar theory in the bull *Execrabilis*.⁵⁰ This bull, forbidding appeals from the pope to a future council, was a part of Pius's effort to strengthen the papal monarchy.⁵¹ However, this event by no means marks the end of the conciliar movement. As Francis Oakley has pointed out, "It is clear that an altogether exaggerated importance has been accorded to Pius II's bull."⁵² In fact,

⁴⁸Oberman, "Simul Gemitus et Raptus," 40.

⁴⁹Iserloh, 73. As Oberman points out, Luther's criticism of the *Scwärmer* was that they did not go far enough in uniting Christ and the believer: "Sie unterscheiden den Glauben im Herzen und Christus im Himmel, wohingegen doch gerade beides unmittelbar miteinander verflochten hat. Über diese Identifikation Christi und des Christen sagt Luther knapp: 'Es geht nicht speculative sed realiter zu.'" 44-5.

⁵⁰For an abridged text of the bull see *Enchiridion Symbolorum Definitionum et Declarationum de Rebus Fidei et Morum*, ed. by Henricus Denzinger and Adolfus Schönmetzer (Freiburg im Breisgau: Herder, 1965), 345.

⁵¹Hans-Jürgen Becker, *Die Appelation vom Papst an ein allgemeines Konzil: Historische Entwicklung und kanonistische Diskussion im späten Mittelalter und in der frühen Neuzeit* (Köln, Wien: Böhlau Verlag, 1988), 163.

⁵²Francis Oakley, *The Western Church in the Later Middle Ages* (Ithaca and London: Cornell University Press, 1979), 75.

the bull was not widely disseminated and apparently was not even considered authoritative by Pius's successors.⁵³

Thus the struggle with conciliarism continued, especially as a group of cardinals opposed to Julius II assembled in council at Pisa in 1511.⁵⁴ Even though this convocation owed more to French politics than to any real recrudescence of the conciliar theory, it nevertheless led to some significant conciliar statements that illustrate the state of the question on the eve of the Reformation. The author of one of these statements was Jacques Almain.⁵⁵ His *Tractatus de auctoritate ecclesiae et conciliorum generalium* was written at the request of the University of Paris, still a bastion of conciliarism, to counter a pro-papal tract authored by Cardinal Cajetan.⁵⁶ Although Almain used a unique argument from secular polity in reaching the conclusion of his treatise, the conclusion itself echoed Gerson and other fifteenth

⁵³Oakley, *The Western Church*, 75.

⁵⁴*New Catholic Encyclopedia*, s. v. "Lateran Councils, Fifth."

⁵⁵Jacques Almain (1480-1515) studied under the Scottish scholastic theologian, John Major, at the University of Paris. He received his doctorate in 1511. Francis Oakley, "Conciliarism in the Sixteenth Century: Jacques Almain Again," in *Archiv für Reformationsgeschichte* 68 (1977):113.

⁵⁶Francis Oakley, "Almain and Major: Conciliar Theory on the Eve of the Reformation," in *Natural Law, Conciliarism and Consent in the Late Middle Ages: Studies in Ecclesiastical and Intellectual History* (London: Variorum Reprints, 1984), 675, 682. For a discussion of Cajetan's *Auctoritatis papae et concilii seu ecclesiae comparata* see Gerhard Hennig, *Cajetan und Luther: Ein historischer Beitrag zur Begegnung von Thomismus und Reformation* (Stuttgart: Calwer Verlag, 1966), 13-29.

century conciliarists: "The church, or the general council representing it, is superior in power of jurisdiction to the pope."⁵⁷

Although the formulations of conciliar theory had changed little in a century, the purpose for these formulations had. The overriding concern at both Constance and Basel had been the reform of the church. However, Almain's treatise never mentions such reform, leading Oakley to conclude that there had been a fundamental shift in the focus of conciliar theory.

In the early years of the sixteenth century the conciliar theory, despite its previous history, was becoming increasingly irrelevant to the question of ecclesiastical reform, whether conceived in Protestant or Catholic terms.⁵⁸

Therefore at Pisa in 1511, conciliar theory was primarily a weapon wielded against Julius II's political aspirations.

Although the Council of Pisa accomplished little before it disbanded in 1512, it led directly to the Fifth Lateran Council convened by Julius II.⁵⁹ This council opened in May of 1512 with the pope presiding.⁶⁰ It is noted chiefly for condemning the Council of Pisa and rejecting the conciliar decrees of Constance and Basel along with the Pragmatic Sanction of Bourges.⁶¹ As will be demonstrated,

⁵⁷Oakley, "Almain and Major," 678.

⁵⁸Ibid., 689.

⁵⁹Oakley, "Conciliarism in the Sixteenth Century," 114.

⁶⁰*New Catholic Encyclopedia*, s. v. "Lateran Councils, Fifth."

⁶¹These condemnations were stated in the bull *Pastor aeternus*, December 19, 1516. Carl Stange, "Luther und das Konzil zu Pisa von 1511," in *Zeitschrift für Systematische Theologie* 10 (1933): 693-4. See also Denzinger, 355-6.

these condemnations were important in developing Luther's attitude toward conciliar authority. Significantly the Fifth Lateran Council issued no decrees. Rather its decisions were published in the form of papal pronouncements.⁶² It was a council completely dominated by the pope and by the papal theory of church government. Naturally the council did not address the reform of the papacy itself and thus failed to satisfy those who desired real reform of the church—a fact of considerable significance for the reception of the Reformation.

Conclusion

Conciliarism continued as a force to be reckoned with, especially within the empire, as Luther began his own struggle with the papacy. Conciliar theory had been forged into a powerful weapon by previous generations of nominalist theologians. The extent to which Luther did or did not employ the theory has much to say about his relationship with the entire medieval tradition. To this end, we turn now to examine Luther's statements on the authority of the papacy and the general councils.

⁶²*New Catholic Encyclopedia*, s. v. "Lateran Councils, Fifth."

CHAPTER 5

LUTHER ON THE PAPACY AND GENERAL COUNCILS

The view of the mature Martin Luther on papal authority is epitomized by the title of his 1545 treatise *Against the Roman Papacy an Institution of the Devil*.

Luther employed harsh language in condemning the papacy and the Roman church,¹ but there was principle behind his polemic. Here he declared once again that the pope had no right to rule over either spiritual or temporal affairs.

It is very easy to prove that the pope is neither the head of Christendom, nor lord of the world above emperor, councils, and everything, as he lies, blasphemes, curses, and raves in his decretals, to which the hellish Satan drives him.²

Luther had voiced his final opinion on the authority of general councils six years earlier in *On the Councils and the Church*. The judgment of Luther on the authority of church councils reflected his reliance on scripture alone. For Luther the church was dependent on scripture not scripture on the church, and thus the church did not require the decisions of councils.

In summary, put them all together, both fathers and councils, and you will not be able to cull from them all the teachings of the Christian

¹For example, Luther addressed the pope as "The Most Hellish Father" and as the "bishop of hermaphrodites and pope of Sodomists, that is, the apostle of the devil." *LW* 41:263, 288, *WA* 54:208, 227. Wherever only the Weimar Edition is cited the translation is mine.

²*LW* 41:290, *WA* 54:228.

faith, even if you culled forever. If it had not been for Holy Scripture, the church, had it depended on the councils and fathers, would not have lasted long.³

Therefore councils should not have and never had the authority to define anything contrary to scripture or to require anything in addition to scripture.

While Luther's final position on authority in the church obviously had little in common with his predecessors in either the papal or conciliar camps, his view had developed over a period of years. This development is significant in evaluating the influence of conciliarism on his doctrine of the church. Thus the following discussion will highlight Luther's statements on the authority of the papacy and church councils in roughly chronological order and will emphasize his views during the period 1517 to 1521. These subjects have been studied extensively in the secondary literature and cannot be treated exhaustively here.⁴ The purpose of this brief study is to provide a framework for comparing Luther and Gerson on the subject of authority in the church.

³LW 41:52, WA 50:546-47.

⁴See for example, Scott H. Hendrix, *Luther and the Papacy: Stages in a Reformation Conflict* (Philadelphia: Fortress Press, 1981); Ernst Bizer, "Luther und der Papst," *Theologische Existenz Heute* 69 (1958); Th. Kolde, *Luthers Stellung zu Concil und Kirche bis zum Wormser Reichstag, 1521* (Gütersloh: C. Bertelsmann, 1876); Remigius Bäumer, *Martin Luther und der Papst*, 5th ed. (Münster: Aschendorff, 1970); Christa Tecklenburg Johns, *Luthers Konzilsseele in ihrer historischen Bedingtheit und ihrem reformatorischen Neuanfang* (Berlin: Alfred Töpelmann, 1966).

The Authority of the Pope

Luther did not, of course, begin his career at Wittenberg intending to attack the structures of the medieval church. In later life he characterized himself as "a most enthusiastic papist" in the years prior to the indulgence controversy.⁵ At the time the question of the relationship between pope and council had no particular interest for him.⁶ In fact, Luther's first lectures on Psalms reveal a positive attitude toward both the papacy and the ecclesiastical hierarchy.⁷ His attitude simply reflected the prevailing belief in the church, an attitude strongly influenced by ideas of papal monarchy.⁸

Luther's conflict with the papacy began in 1517 with the indulgence controversy.⁹ When Luther penned his *Ninety-Five Theses*, he aimed his attack at the theological foundation and pastoral practice of indulgence sales rather than at the pope

⁵*Preface to the Complete Edition of Luther's Latin Writings*, LW 34:328. The Latin phrase Luther used, "papistam insanissimum," could be interpreted much more strongly, WA 54:179.

⁶Kolde, 12.

⁷Hendrix, *Luther and the Papacy*, 12-13.

⁸Hubert Jedin, "Ekklesiologie um Luther," *Fuldaer Hefte* 18 (1968): 12.

⁹On the background and beginning of this controversy see Martin Brecht, *Martin Luther: His Road to Reformation 1483-1521*, trans. by James L. Schaaf (Philadelphia: Fortress Press, 1985), 175-201; Heinrich Böhmer, *Luther in Light of Recent Research*, trans. by Carl F. Huth, Jr. (New York: The Christian Herald, 1916), 167-201; E. G. Schwiebert, *Luther and His Times: The Reformation from a New Perspective* (St. Louis: Concordia Publishing House, 1950), 303-330; Julius Köstlin, *Martin Luther: Sein Leben und seine Schriften*, ed. Gustav Kawerau, 5th ed. (Berlin: Alexander Duncker, 1903), 1:144-61.

himself.¹⁰ However, his opponents—Prierias, Wimpina, Cajetan, and Eck—recognized that certain of Luther's propositions concerning indulgences endangered the pontiff's authority.¹¹ For example, in Thesis 6 Luther stated, "The pope cannot remit any guilt, except by declaring and showing that it has been remitted by God."¹² In his *Explanations of the Ninety-Five Theses*, published in the summer of 1518, he argued that to say the pope can remit sins is either "a figurative manner of speech or an idea inconsistent with the wording of the Gospel."¹³ In the *Explanations* Luther clearly defined the impact of his theses on papal authority. He cautioned against relying on papal pronouncements in the uncertain matter of indulgences, since even the pope dare not decide "heedlessly" in matters of faith.¹⁴ Clearly Luther did not accept every papal pronouncement as authoritative.

I listen to the pope as pope, that is, when he speaks in and according to the canons, or when he makes a decision in accordance with a general council. I do not listen to him, however, when he speaks his own mind.¹⁵

¹⁰In a letter written to Pope Leo X and presented to Miltitz on January 5 or 6, 1519, Luther stated that he had never intended to touch the power of the pope or of the Roman church. *LW* 48:101, *WA Br* 1:292.

¹¹Bäumer, *Martin Luther und der Papst*, 16.

¹²*LW* 31:26, *WA* 1:233.

¹³*LW* 31:98, *WA* 1:539.

¹⁴*LW* 31:147, *WA* 1:568.

¹⁵*LW* 31:171, *WA* 1:582.

Neither is the pope given additional authority when he is thought to embody the Roman church.¹⁶ Thus Luther concludes, "It is only right to give preference to the truth first, and then to the authority of the pope and the church."¹⁷ In addition, it is significant that Luther treated papal authority under Romans 13 rather than Matthew 16, that is, in the realm of the left hand rather than the right.¹⁸ He spoke of the papacy as God's institution in the same breath as all earthly kingdoms. As Scott Hendrix rightly points out, the *Explanations* reveal that Luther was "certainly no papalist on church authority."¹⁹

However, Luther also expressed respect for Pope Leo X in the *Explanations*.

Finally, we now have a very good pope, Leo X, whose integrity and learning are a delight to all upright persons. But what can this man who is so worthy of our respect do amid such confusing circumstances? He is worthy of having become pope in better times, or of having better times during his pontificate.²⁰

Luther believed that it was the pope's chief duty, and Leo's personal desire, that the Word of God be preached.²¹ Luther attributed the sorry state of the church to the

¹⁶LW 31:217, WA 1:608.

¹⁷LW 31:222, WA 1:611.

¹⁸LW 31:234-35, WA 1:618. See also Karl Holl, "Die Entstehung von Luthers Kirchenbegriff," in *Gesammelte Aufsätze zur Kirchengeschichte I: Luther* (Tübingen: J. C. B. Mohr, 1932), 313.

¹⁹Hendrix, *Luther and the Papacy*, 40.

²⁰LW 31:204, WA 1:604.

²¹"It is the duty and intention of the pope to desire the Word of God to be preached above everything else, always, and everywhere, as he knows he has been commanded by Christ to do." LW 31:209, WA 1:606.

Roman curia rather than to the pope personally, describing Leo as "besieged rather than surrounded by so many monstrosities of devils and godless men."²² In spite of the situation in Rome, Luther continued to call for obedience to papal authority.²³ Yet this was by no means the same obedience advocated by his opponents. "It is not for us to judge the will of the pope, but only to endure it, even if it should upon occasion be evil, as I have said previously."²⁴ The pope's will must be obeyed, perhaps even more than that of any other earthly ruler, but not necessarily as the will of God. Luther's early position on papal authority was, as Hendrix has observed, ambivalent at best.²⁵

Before Luther's *Explanations* were published, Tetzl himself attacked Luther's position by debating a series of theses justifying indulgences.²⁶ Soon another opponent appeared, the Ingolstadt theologian John Eck, whose attack on Luther was entitled *Obelisks*.²⁷ Eck accused Luther, among other things, of being

²²LW 31:204, WA 1:604.

²³LW 31:236, WA 1:619.

²⁴LW 31:248, WA 1:626.

²⁵Hendrix, *Luther and the Papacy*, 21.

²⁶The theses had been prepared by Konrad Koch, also known as Wimpina. Brecht, 207. Luther expressed his opinion about these theses in the *Explanations*: "They are so foolishly and ignorantly composed that I cannot believe that the man under whose name they are published and the man who has composed them understand them. This fact is very evident to anyone who is fairly intelligent and well versed in the Scriptures." LW 31:87, WA 1:532-33.

²⁷Obelisks were used in the Middle Ages for marking false or heretical statements. Brecht I, 211; Köstlin, *Martin Luther*, 1:172.

full of the poison of Bohemian heresy and of overturning the ecclesiastical hierarchy.²⁸ Luther replied with his *Asterisks*.²⁹ In addition to further arguments concerning indulgences, Luther expressed outrage that Eck should defend papal authority at the expense of the will of God.

It is a horror to me to hear, not from a Jew, not from a Turk, not from a Bohemian heretic, but from a catholic theologian that the judgments of the Church are not in the will of God alone. If you teach the people in this way, you are not a prophet but a destroyer of the Church.³⁰

This issue had been raised in the debate over penance. Luther argued in the *Explanations* that if the penance taught by Christ refers to the sacrament of penance and the pope is able to alter this sacrament according to his will, then the authority of the pope is placed over divine law and his will is superior to God's.³¹ Spurred on by Eck, Luther continued the critique of papal authority he had begun in the *Explanations*.

Although Luther did not resume the debate with Eck until the following summer, he soon faced several other opponents as a result of the proceedings that were begun against him in Rome. The first of these, Prierias, had been commissioned to prepare a theological opinion on Luther's case. In this connection

²⁸Köstlin, *Martin Luther*, 1:172.

²⁹Asterisks were used to mark the most valuable texts. Brecht, 211.

³⁰"Horror mihi est audire, non a Iudaeo, non a Turco, non a Behomo haeretico, sed a Theologo catholico, suffragia Ecclesia non esse in arbitrio Dei solius. Tu si sic doce populum, non concionator, sed vastator es Ecclesiae." WA 1:297.

³¹LW 31:88, WA 1:533.

he published his *Dialogue Against the Presumptuous Conclusions of Martin Luther*.³² The document came to Luther at the beginning of August 1518,³³ and he answered in the same month with his *Response to the Dialogue of Sylvester Prierias Concerning the Power of the Pope*.³⁴ As the title indicates, the authority of the pope had become one of the principle subjects for debate. However, Luther did not directly attack papal authority but continued to focus on the current practice concerning indulgences, arguing that Prierias had misunderstood him and accused him of an irony which was not intended.

I do not speak ironically but plainly, that for everyone the Pope has greater favors than indulgences, namely the Gospel and the favors of the cures and all things that are written in I Corinthians 12, not in his person but in his power . . .³⁵

In addition, Luther again asserted his respect for the person of Leo X, comparing him to Daniel in Babylon.³⁶ On the other hand, Luther refused to state, as Prierias had, that the church was virtually present in the papacy.³⁷ Instead Luther insisted the church was virtually present only in Christ, noting that the pope could err.³⁸ Thus,

³²Schwiebert 338-9; Brecht, 242-3; Köstlin, *Martin Luther*, 1:189-90.

³³Hendrix, *Luther and the Papacy*, 49.

³⁴WA 1:647-86.

³⁵"Ego dico non ironice sed plane, quod omnis Papa habet maiores gratias quam veniae sint, scilicet Evangelium et gratias curationum et omnia quae scribuntur i. Corin. xii., non in persona sua sed in potestate sua . . ." WA 1:683.

³⁶WA 1:679.

³⁷WA 1:655. See also Kolde, 26.

³⁸"Ego ecclesiam virtualiter non scio nisi in Christo . . ." WA 1:656.

as Martin Brecht has observed, "The entire subsequent conflict with Rome was thereby fundamentally programmed."³⁹

In October 1518 Luther met with Cardinal Cajetan, the papal legate, in Augsburg.⁴⁰ Luther's account of this meeting was published in November 1518 under the title *Proceedings at Augsburg*.⁴¹ Cajetan had been instructed specifically not to debate with Luther, so when Luther asked to be shown his errors, Cajetan simply referred to the bull of Clement VI concerning indulgences, known as the *Extravagante*.⁴² When Luther refused to accept the authority of this bull, Cajetan "began to extol the authority of the pope, stating that it is above church councils, scripture, and the entire Church."⁴³ After further discussion they reached no agreement, and the interview was concluded. On the following day Luther read a statement subjecting himself to the judgment of the church.⁴⁴ In addition, he prepared a written response to Cajetan, widening his critique of the papacy. He wrote, "The words of the pope alone would be an ineffective defense against a

³⁹Brecht, 244.

⁴⁰Brecht, 246-65; Köstlin, *Martin Luther*, 1:201-18; Schwiebert, 347-54. For a complete exploration of Cajetan's theological position and his subsequent opposition to Luther see Hennig.

⁴¹LW 31:259-92, WA 2:6-26. Bäumer has dismissed this account as entirely subjective, *Martin Luther und der Papst*, 29.

⁴²LW 31:261, WA 2:7.

⁴³LW 31:262, WA 2,8.

⁴⁴LW 31:263, WA 2:8-9.

contentious or heretical person."⁴⁵ Furthermore, he accepted as authoritative only those papal decretals that "are in agreement with Holy Scripture and the decretals of previous popes."⁴⁶ Luther's reference to the decretals of previous popes is significant. It demonstrates he had not yet completely rejected papal authority as a result of the debate over indulgences.

Thus, as Scott Hendrix has stated, Luther's appeal from Cajetan to the pope was "not inconsistent with his attitude toward the papacy at this time."⁴⁷ Luther refused to believe that Leo personally had been responsible for the instructions delivered to Cajetan, namely, that if Luther refused to recant he should be arrested.⁴⁸ Therefore, Luther appealed to the pope to be "better informed."⁴⁹ Luther only wished to debate the matter of indulgences,⁵⁰ but because this was an uncertain matter and because Cajetan had been unable to expose Luther's error, Luther appealed now to the judgment of the pope.⁵¹ As Martin Brecht has observed,

⁴⁵LW 31:265, WA 2:9.

⁴⁶LW 31:265, WA 2:10.

⁴⁷Hendrix, *Luther and the Papacy*, 65. Kolde maintains that Luther's appeal to the pope was a concession to his friends and had no real significance for him, 35.

⁴⁸Schwiebert, 355.

⁴⁹WA 2:33.

⁵⁰WA 2:29.

⁵¹WA 2:28-9, 32.

this appeal was "one of the few alternatives still available in the bungled situation in Augsburg."⁵²

At the time of his appeal to the pope, Luther was already considering an appeal to a council.⁵³ The desirability of this action had become apparent by the end of October when Luther saw a copy of the pope's instructions to Cajetan for the interview at Augsburg. At the same time, Saxon Elector Frederick was instructed to have Luther sent to Rome or drive him out of Saxony.⁵⁴ An appeal to a council became necessary in November when Leo X issued the bull *Cum postquam* defining the papal doctrine of indulgences and refuting Luther's claims.⁵⁵ Accordingly, Elector Frederick received an ultimatum concerning Luther's case, prompting Luther's appeal to a future council.⁵⁶ He claimed a council's judgment was superior to that of the pope in matters of faith and insisted an appeal to a general council

⁵²Brecht, 258.

⁵³Stephan Ehses, "Luthers Appellation an ein allgemeines Konzil," *Historisches Jahrbuch* 39 (1918/19): 740.

⁵⁴Schwiebert, 355; Hendrix, *Luther and the Papacy*, 66; Köstlin, *Martin Luther*, 1:215.

⁵⁵Schwiebert, 356.

⁵⁶WA 2:36-40. See especially 39, lines 26-7, where Luther complains that he has been condemned without a hearing.

cannot be forbidden by pope or prince.⁵⁷ The pope's fallibility was emphasized in stronger terms here than any Luther had employed before.

He who acts in place of God on earth, whom we call the pope, inasmuch as he is a man like us, raised up by men and (as the apostle says) surrounded by his own infirmity, is able to err, to sin, to lie, and to become vain. Neither is he exempted from that general sentence of the prophet, "Every man is false."⁵⁸

This statement is confirmed by an example from scripture. Even Peter, "first and most holy of all popes," needed to be rebuked by Paul when he was in error.⁵⁹ This example has been preserved, Luther concludes, so that "we, the head as well as the members, might be assiduously warned by [Paul's] most necessary and salutary example."⁶⁰ So, too, the pope may well need to be corrected by a general council in the indulgence matter because "the power of the pope is not against or above but for and under the Scriptures."⁶¹

⁵⁷" . . . sacrosanctum Concilium in spiritusancto legitime congregatum, sanctam ecclesiam catholicam repraesentans, sit in causis fidem concernentibus supra Papam, quod nec Papa in causis huiusmodi, ne ab eo ad Concilium appelletur, statuere possit, tanquam id agens quod ad officium suum non spectet ullo modo, sitque appellatio ipsa defensio quaedam, quae iure divino, naturali et humano cuique competit, neque per principem auferri possit." *WA* 2:36.

⁵⁸" . . . is, qui vicem dei in terris gerit quem Papam dicimus, cum sit homo, similis nobis, ex hominibus assumptus et ipse (ut Apostolus dicit) circumdatus infirmitate, potens errare, peccare, mentiri, vanus fieri, nec sit exceptus ab illa prophetae generali sententia 'Omnis homo mendax.'" *WA* 2:37.

⁵⁹*WA* 2:37.

⁶⁰" . . . huius summe necessarii ac saluberrimi exempli assidue moneremur tam ipsa capita quam nos membra." *WA* 2:37.

⁶¹"potestas Papae non contra nec supre sed pro et infra scripturae" *WA* 2:39.

In the wake of his appeal and as a result of negotiations with Karl von Miltitz,⁶² Luther did not immediately issue any further public statements on the papacy or indulgences, although his correspondence continued to reflect his disillusionment with the pope.⁶³ In the spring of 1519, however, Luther was drawn into the fray again when his Wittenberg colleague Karlstadt agreed to debate John Eck in Leipzig.⁶⁴ The theses Eck prepared for this debate were aimed at Luther rather than Karlstadt, culminating in the issue of papal authority.⁶⁵ In his thirteenth and last counterthesis, Luther questioned the foundation of the papacy and the primacy of the Roman church.

Even before the debate, Luther defended this thesis at length under the title *Resolutio Lutheriana super propositione XIII. de potestate papae*,⁶⁶ where he openly attacked the doctrinal foundations of papal supremacy.⁶⁷ He maintained that submission to the papacy was God's will only in the broad sense that all who rule on

⁶²Schwiebert, 370-9; Köstlin, *Martin Luther*, 1:220-229; Brecht, 265-73.

⁶³Hendrix, *Luther and the Papacy*, 76. Hendrix notes that Luther's rejection of *Cum postquam* did not occur in public, but in a letter to Elector Frederick, 77. Similarly in his *Unterricht auf etliche Artikel*, a work intended for the laity and written at the suggestion of Miltitz, Luther did not debate the power of the Roman church but stated that this was a matter for scholars. *WA* 2:73.

⁶⁴On the background and course of the Leipzig debate see Kurt-Victor Selge, "Die Leipziger Disputation zwischen Luther und Eck," *Zeitschrift für Kirchengeschichte* 86 (1975):26-40; Köstlin, *Martin Luther*, 1:230-51; Schwiebert, 384-437; Brecht, 299-322.

⁶⁵Hendrix, *Luther and the Papacy*, 80.

⁶⁶*WA* 2:183-240. This is the text of the enlarged edition published after the debate. Brecht, 307.

⁶⁷Hendrix, *Luther and the Papacy*, 85.

earth do so with God's permission, as Romans 13 states.⁶⁸ In conjunction with this declaration, Luther expounded those scripture passages used traditionally to support the papacy—Matthew 16 and John 21. He observed that in Matthew 16 the keys are not given to Peter alone but to the whole church, as Chrysostom also had maintained.⁶⁹ According to Luther, the pro-papal exegesis of John 21 was even more questionable. Christ's words to Peter, "Feed my sheep," cannot possibly be understood as granting power or authority.⁷⁰ Instead they show that "the Roman pontiff ought to preach and teach the word of God."⁷¹ The overwhelming conclusion is that papal power exists not by divine mandate but only by the right and usage of men.⁷² Similarly the Roman church as a whole does not have any particular right but only a special privilege of honor.⁷³ Luther concluded,

Therefore he is not a heretic, who denies this privilege of the Roman church, but that one is a perverter of the word of God, who by the faith of Peter understands a privilege of temporal power.⁷⁴

⁶⁸WA 2:186-87.

⁶⁹WA 2:188.

⁷⁰WA 2:194-95.

⁷¹WA 2:195.

⁷²"Sequitur ergo, quod non verbis euangelicis et iure divino iste primatus stet, Sed iure hominum et usu." WA 2:201.

⁷³WA 2:207.

⁷⁴"Non ergo est haereticus, qui negat hoc privilegium rhomanae ecclesiae, sed ille depravator est verbi dei, qui per fidei petram intelligit privilegium potentiae temporalis." WA 2:207.

A primacy of honor, conditional on love and shepherding, belongs to Peter and his successors. A primacy of power does not.⁷⁵

The actual debate with Eck developed along these same lines. Luther emphasized that the head of the church militant is not a man but Christ himself.⁷⁶ This could be demonstrated by a simple observation: if the church is not without a head when the pope dies, neither would it be without a head if there were no pope.⁷⁷ When Eck appealed to the writings of Pseudo-Dionysius in defense of papal primacy, Luther responded that Dionysius said nothing against his own position since he was not arguing against the ecclesiastical hierarchy but against the papal monarchy.⁷⁸ Luther maintained it could not be proved either from scripture or history that the papacy existed by divine right. Once again he interpreted Matthew 16 not as conferring power upon Peter but as a reference to Peter's faith. The church built on this rock was not Peter's but Christ's.⁷⁹ In defending a divine foundation of the papacy, Eck pointed to the rule of Peter and his successors. Luther countered first with the observation that there could have been no church in Rome for twenty years

⁷⁵WA 2:209, 213.

⁷⁶WA 2:257.

⁷⁷"si ecclesio non est acephala mortuo papa, nec acephala nullo papa." WA 2:271.

⁷⁸WA 2:257.

⁷⁹"Aut significat fidem (quod verum est), iterum eadem est fides omnium ecclesiarum. Ita patet, quod hoc solum pronomen 'meam' communem facit petram, quidquid significetur per petram. Ideo frigidissime inducunt hanc auctoritatem decreta Pontificum pro singularitate principatus, que tamen constanter defendunt communitatem Petri. Et sic concordat cum apostolo Ephesios: una fides, unum baptisma, unus dominus." WA 2:272.

after Christ's ascension, and therefore "it cannot be said that the Roman church is first and chief by divine right."⁸⁰ He also pointed out that the bishops of the Greek church had never been confirmed by Rome. If this confirmation were necessary, then it must be concluded that even the most holy bishops of that church, such as Gregory of Nazianzus, were "damned, heretics, and Bohemians."⁸¹ The "Bohemians" reference came in response to Eck's accusation that Luther merely reiterated the errors of Hus and Wycliffe in rejecting the papacy.⁸² When Luther replied that many of Hus's articles condemned at Constance were "plainly most Christian and evangelical,"⁸³ the debate shifted from the authority of the pope to the authority of general councils.

The Leipzig Debate was not the final word in the development of Luther's view of papal authority. Even before Leipzig, he had become convinced the pope was the Antichrist. In a letter to Spalatin dated 9 December 1518, Luther wrote he could prove that the pope was the Antichrist, but did not immediately voice this conviction publicly.⁸⁴ Leipzig changed that. Despite his criticism, Luther still

⁸⁰" . . . ut non possit dici Romanam ecclesiam esse primam et caput iure divino." WA 2:276.

⁸¹WA 2:276.

⁸²WA 2:275.

⁸³"Secundo et hoc certum est, inter articulos Iohannis Huß vel Bohemorum multos esse plane Christianissimos et Euangelicos, quos non possit universalis ecclesia damnare . . ." WA 2:279.

⁸⁴WA Br 1:270. He expressed the same to Wenceslaus Link on 18 December 1518, *Ibid.* See also Bizer, *Luther und der Papst*, 9; Bäumer, *Martin Luther und der Papst*, 54.

wrote in May 1520 that the pope should not be opposed because "he has not arrived at this power without God's providence—although I think he arrived at it not by the gracious but more by the angry providence of God."⁸⁵ Less than a month later in *To the Christian Nobility* Luther somewhat tentatively or perhaps reluctantly identified the pope with the Antichrist.

The pope is not a vicar of Christ in heaven, but only of Christ as he walked the earth. . . . Christ needs a vicar in the form of a servant, the form in which he went about on earth, working, preaching, suffering, and dying. Now the Romanists turn all that upside down. They take the heavenly and kingly form from Christ and give it to the pope, and leave the form of a servant to perish completely. He might almost be the Counter-Christ, whom the Scriptures call Antichrist, for all his nature, work, and pretensions run counter to Christ and only blot out Christ's nature and destroy his work.⁸⁶

Luther's criticism of Rome's tyranny was continued in *The Babylonian Captivity of the Church*, also published in 1520. Here he denied the papacy was founded even upon human authority,⁸⁷ and he more strongly identified the papacy with the Antichrist.

Unless they will abolish their laws and ordinances, and restore to Christ's churches their liberty and have it taught among them, they are guilty of all the souls that perish under this miserable captivity, and the papacy is truly the kingdom of Babylon and of the very Antichrist. For who is the "man of sin" and "the son of perdition" but he who with his doctrines and his laws increased the sins and perditions of souls in the church, while sitting in the church as if he were God?⁸⁸

⁸⁵*On the Papacy at Rome*, LW 39:101, WA 6:321.

⁸⁶LW 44:165, WA 6:434.

⁸⁷LW 36:12, WA 6:498.

⁸⁸LW 36:72, WA 6:537.

The pope and curia, according to Luther, had revealed their true character by their actions. They were not servants, but rulers and even slaveholders. They had not set Christians free by the word of God but had held them captive to the words of men. Thus, according to Ernst Bizer, "In the space of less than two years the monk who had been faithful to the pope had become a rebel."⁸⁹

In fall 1520 the bull proclaiming Luther's excommunication, *Exsurge Domine*, was being posted in Germany by Eck.⁹⁰ At the same time a solution to the conflict between Luther and the pope was still sought by Miltitz, who encouraged Luther to write a conciliatory letter to Leo.⁹¹ Even though Luther had already received the news of his excommunication, he acquiesced and wrote to Leo but also included a copy of his treatise *The Freedom of a Christian*. Some of Luther's statements in this letter do indeed sound conciliatory, but he also did not shrink from his criticism of the papacy.

I never intended to attack the Roman curia or to raise any controversy concerning it. But when I saw all efforts to save it were hopeless, I despised it, gave it a bill of divorce, and said, "Let the evildoer still do evil, and the filthy still be filthy."⁹²

Luther obviously intended no compromise with the Roman church. Any movement would have to come, it seemed, from the pope's side. Although Bizer referred to this

⁸⁹Bizer, *Luther und der Papst*, 9.

⁹⁰An especially complete account of Eck's posting of *Exsurge Domine* is found in Brecht, 400-404. On the background and contents of the bull see also Schwiebert, 482-86; Köstlin, *Martin Luther*, 1:350-3.

⁹¹Brecht, 404-7; Schwiebert, 477-81; Köstlin, *Martin Luther*, 1:354-55.

⁹²LW 31:338, WA 7:7.

letter as an "invitation to peace," Remigius Bäumer is perhaps more accurate in characterizing it as an "invitation to capitulation."⁹³ Whatever Luther's intention, from this point he no longer believed an unrepentant papacy had any authority in the church.⁹⁴

Luther upheld this point of view at the Diet of Worms in 1521, clearly rejecting the authority of both pope and council.⁹⁵ As before, this position was grounded in the scriptures. Years later Luther himself pointed out in *Against the Roman Papacy* that the biblical basis for his argument against the papacy had not changed since the Leipzig debate.⁹⁶ By then he clearly rejected any argument for papal authority, including a papacy existing by human right.

It was not instituted by the temporal authority, and even if it had been, it would still have been from the devil. The reason is this: temporal authority does not have the power to do this in the kingdom of God.⁹⁷

Furthermore, anyone is capable of judging and condemning the pope. In a parody of canon law Luther declared, "Of course no one on earth has the right to judge or condemn the pope—except only everyone who is baptized, or still in possession of

⁹³Bizer, *Luther und der Papst*, 35; Bäumer, *Martin Luther und der Papst*, 61.

⁹⁴"Der papst ist für Luther fortan einfach der Mann, der die Rechtfertigungslehre, an der das Heil hängt, verurteilt hat und die Schrift nicht als für sich verbindlich anerkennt." Bizer, *Luther und der Papst*, 40.

⁹⁵Brecht, 461.

⁹⁶LW 41:293, WA 54:231.

⁹⁷LW 41:298, WA 54:235.

human reason, or all God's creatures."⁹⁸ Although the heightened polemical language Luther employed in *Against the Roman Papacy* has been roundly criticized,⁹⁹ the position expressed was at bottom the same one adopted in 1520—a complete rejection of the tyranny of Antichrist.

Some of recent scholarship concludes that Luther's final break with the papacy occurred in 1520.¹⁰⁰ The reasons for that break, however, continue to be debated. The New Catholic approach, represented by scholars such as Remigius Bäumer, and his mentor, Joseph Lortz, attributes Luther's opposition to the papacy to his fundamental hatred for the papal church.¹⁰¹ However, this theory hardly does justice to the sources. First, it fails to account for Luther's apparent reluctance to break with the pope. Even in his 1520 letter to Leo, Luther continued to attribute the worst abuses of the papacy not to Leo himself but to the "godless flatterers" surrounding him and to his predecessors.¹⁰² Second, it ignores Luther's consistent application of scripture in evaluating papal claims of authority. The explanation of Luther's opposition offered by Hendrix is much more satisfactory.

⁹⁸LW 41:359, WA 54:285.

⁹⁹Bäumer maintains that with this document Luther injured himself more than his enemies ever could have. *Martin Luther und der Papst*, 96.

¹⁰⁰Hendrix states that any of the documents surrounding the bull *Exsurge Domine* could be used to document Luther's break with the papacy. He also points out that at the level of imperial politics the official break did not occur until much later, 117-18. See also Bäumer, *Martin Luther und der Papst*, 63; Bizer, *Luther und der Papst*, 40.

¹⁰¹Bäumer, *Martin Luther und der Papst*, 98-99.

¹⁰²LW 31:334, WA 7:3.

In brief, [Luther's] attitude passed through a number of stages from initial ambivalence to persistent rejection while all the time he evaluated the papacy by the criterion of whether it exercised its pastoral duty of nourishing people in the church with the word of God.¹⁰³

Luther wanted everything in the church, including the papacy, to be judged by and subject to the word of God. As we will see, he applied this same standard to the councils of the church.

The Authority of a Council

Luther's statements on the authority of a general council first became an issue with the publication of his *Explanations of the Ninety-Five Theses*. In his discussion of thesis 20, Luther noted his opponents had no clear passage of scripture or canonical text to cite in their defense. The reason for this, Luther observed in biting, ironic fashion, was that the indulgence matter had not been established as an article of faith because it had never been supported by the decision of a general council.¹⁰⁴ In order to be authoritative, papal statements required either the support of existing canons or the decision of a council.¹⁰⁵ In matters of faith, such as the granting of indulgences, the decision of a council would be necessary before any opinion could be declared heretical.

Even if the pope along with a large part of the church should feel thus and so, and even if it were true that he does not err, it is still not a sin, nor is it a heresy, to take the opposite position, especially in something which is not

¹⁰³Hendrix, *Luther and the Papacy*, xi.

¹⁰⁴LW 31:147, WA 1:568.

¹⁰⁵LW 31:171, WA 1:582.

necessary for salvation, until the one position has been rejected by a general council and the other approved.¹⁰⁶

Although Luther questioned the authority of the pope, he believed a general council did have the right to render a decision in matters of faith, serving as the highest tribunal in the church.¹⁰⁷

Prierias was the first of Luther's opponents to question his statements on the authority of a council. When Prierias asserted in his *Dialogue* that the church was present virtually in the pope and representatively in the college of cardinals,¹⁰⁸ Luther responded that the church was present virtually only in Christ and representatively only in a general council.¹⁰⁹ He also quoted the statement of Panormitanus that both popes and councils can err.¹¹⁰ Prierias noted these citations in his reply and accused Luther of perpetuating the errors of the conciliarists,

¹⁰⁶LW 31:172-3, WA 1:583; cf. LW 31:174, WA 1:584.

¹⁰⁷Albert Ebner, "Luther und das Konzil," *Zeitschrift für Katholische Theologie* 84 (1962): 1-48.

¹⁰⁸Ebner offers an excellent summary of Prierias's statements, 4-5.

¹⁰⁹WA 1:656.

¹¹⁰*Ibid.*

especially Panormitanus and Gerson.¹¹¹ He chided Luther, "These little doctors . . . are the cause of many errors for you, Brother Martin."¹¹²

Cajetan also assumed that Luther was simply another conciliarist. In his attempt to convince Luther of the pope's superior authority "he called attention to the rejection and dissolution of the Council of Basel and was of the opinion that the Gersonists as well as Gerson should be condemned."¹¹³ Luther responded this was something new to him and again denied that the pope was above the council and scripture, while praising the recent appeal to a future council made by the University of Paris.¹¹⁴ Apparently Luther did not believe that even the pope could be as ardent a papalist as his legate, Cajetan.¹¹⁵

The next place Luther expressed his opinion of a general council was his 1518 appeal to such a future gathering. Because this appeal was made necessary by the

¹¹¹WA 2:53. Luther's response was to have Prierias's work reprinted with marginal notes. Although Luther had previously cited Gerson only in connection with indulgences and penance [Cf. LW 31:111, 116, 195, WA 1:547, 550, 596], Prierias must have assumed that Luther was also familiar with Gerson's conciliar treatises.

¹¹²"*Hi doctorelli, . . . , sunt tibi, Martine frater, multorum erratum causa.*" WA 2:53.

¹¹³*Proceedings at Augsburg*, LW 31:262, WA 2:8. Cajetan seems to have been particularly concerned with refuting Gerson. See Gerhard Hennig, *Cajetan und Luther: Ein historischer Beitrag zur Begegnung von Thomismus und Reformation* (Stuttgart: Calwer Verlag), 26, and Remigius Bäumer, *Nachwirkungen des konziliaren Gedankens in der Theologie und Kanonistik des frühen 16. Jahrhunderts* (Münster: Aschendorff, 1971), 69.

¹¹⁴LW 31:262, WA 2:8.

¹¹⁵Hennig, 80.

progress of Luther's canonical trial,¹¹⁶ many scholars have dismissed it as no more than a political maneuver.¹¹⁷ It has also been pointed out, with some justification, that the language of the appeal does not necessarily reflect Luther's own thought since it was written by a notary.¹¹⁸ The language used may simply be the legal formula used for such an appeal and bear little or no relation to Luther's understanding of a council. A related question is the influence of the Paris University appeal on Luther's call. It has been suggested that the first portion of Luther's appeal, including the definition of a general council, is adopted almost word for word from the Paris document. However, other scholars argue for little or no real correspondence between the two.¹¹⁹ Since Luther dictated the contents of the appeal then drafted by the notary, it would seem to reliably reflect his opinion.¹²⁰ The appeal clearly states, "The most holy Council legitimately gathered in the Holy Spirit, representing the holy catholic church, is above the Pope in matters concerning the faith."¹²¹ In

¹¹⁶Cf. above, 92.

¹¹⁷See for example Ebner, 11; Hubert Jedin, *A History of the Council of Trent*, trans. Ernest Graf, 2 vols. (St. Louis: B. Herder Book Co., 1957), 172-73.

¹¹⁸Bäumer, *Martin Luther und der Papst*, 34.

¹¹⁹On the state of the question see Bäumer, *Martin Luther und der Papst*, 36-42; Johns, 137-38; Hendrix, *Luther and the Papacy*, 175, note 101.

¹²⁰The prologue to the appeal states, "P. dominus Martinus Luther Augustinianus . . . habens et tenens suis in manibus quamdam provocationis et appellationis papyri schedulam . . ." WA 2:36.

¹²¹" . . . , sacrosanctum Concilium in spiritusancto legitime congregatum, sanctam ecclesiam catholicam repraesentans, sit in causis fidem concernentibus supra Papam." WA 2:36.

his reply to Prierias Luther had expressed his opinion in similar language, suggesting his appeal to a council was more than a political maneuver and may well have sincerely expressed his belief in the superiority of a council to the pope.¹²²

An appeal from the pope to a future council had been condemned by Pius II in the bull *Exsecrabilis* and again by Julius II In his bull *Suscepti regiminis*.¹²³

However, Luther knew this prohibition was not widely accepted outside of Rome.¹²⁴

His appeal clearly stated it was not within the office of the pope to prohibit an appeal from his judgment to that of a future council.¹²⁵ An opinion preserved in the *Reichstagakten* of 1519 takes the same position, stating that only a council can judge Luther.

The council alone is able to decide whether Dr. Martin has written against the faith. He has appealed to the council and thereby the hand of the pope is closed. The prohibitions of Pius II and Julius II are powerless, because they contradict natural law and divine law and also the Council of Constance. They are, moreover, not recognized by the University of Paris.¹²⁶

Thus Luther's appeal to a future council had the desired political effect. He renewed his appeal to a council in 1519, and in an obvious attempt to influence the laity,

¹²²This is the view of Johns, although she adds the caution "the Reformer did not share in the conciliar view of a council in a real, proper sense," 123. See also Hendrix, *Luther and the Papacy*, 175, note 101.

¹²³Ehses, 743.

¹²⁴Kolde, 37.

¹²⁵" . . . quod nec Papa in causis huiusmodi, ne ab eo ad Concilium appellatur, statuere possit, tanquam id agens quod ad officium suum non spectet ullo modo, . . ." WA 2:36.

¹²⁶Bäumer, *Martin Luther und der Papst*, 42.

copies were published in German as well as Latin in 1520. The main text was identical to the 1518 appeal, although Luther added a statement justifying his case. Leo, "in his impious tyranny," had condemned Luther without a hearing and then negated his appeal to a council.¹²⁷

Between these two appeals, however, Luther's view of church councils had changed as a result of the Leipzig debate. Even before the debate, Eck had condemned Luther's proposition on the papacy for perpetuating the errors of Hus and Wycliffe already condemned by the Council of Constance.¹²⁸ Naturally Eck pressed this point in his debate with Luther.¹²⁹ In rebuttal Luther observed that many of Hus's articles had been unjustly condemned at Constance.¹³⁰ For example, the council had numbered among Hus's heretical statements his assertion that there is one universal church.¹³¹ Since the council had stumbled on so obvious a point, Luther questioned its judgment on the other articles as well.

Then I do not care whether that article, "It is not necessary for salvation to believe that the Roman church is superior to all others," is by Wycliffe or Hus, because I know that Gregory of Nazianzus, Basil the Great, Epiphanius of

¹²⁷WA 7:80.

¹²⁸Ebnetter, 11.

¹²⁹"Hinc inter damnatos et pestiferos errores Iohannis Wikleff damnatus est et ille: Non est de necessitate salutis credere Romanum ecclesiam esse supremam inter alias. Sic inter pestilentes Iohannis Hus errores ille quoque connumeratur: Petrus non est nec fuit caput Romanae ecclesie sancte catholice." WA 2:275.

¹³⁰WA 2:279.

¹³¹WA 2:279.

Cyprus and innumerable other Greek bishops have been saved, and yet they did not hold this article [that the Roman church is superior to all others].¹³²

For Luther the judgments of the council could not contradict the clear words of scripture. For support he once again cited the statement of Panormitanus that the opinion of a private person could be superior to that of the pope or a council if the assertion is founded on better authority or reason.¹³³

Eck did not hesitate to take advantage of Luther's position. He accused Luther of speaking against the Council of Constance in which the Bohemians had been condemned by learned men.¹³⁴ At first Luther was unwilling to admit he had spoken against Constance in his support of the articles of Wycliffe and Hus.¹³⁵ He defended his position by referring to Augustine's caution that all writings except scripture must be read judiciously. Eck argued that Augustine excepted the decrees of the popes and councils. To this Luther responded, "It is said, but not proved."¹³⁶ Augustine supported Luther's reasoning that the council was only a servant of the

¹³²"Deinde ille 'Non est de necessitate salutis credere, Romanam ecclesiam esse aliis superiorem', sive sit Wickleff sive Huß, non curo: scio quod salvati sunt Gregorius Nazanzenus, Basilius magnus, Epiphanius Cyprius et innumerabiles alii Gretie Episcopi, et tamen hunc articulum non tenuerunt, . . ." WA 2:279.

¹³³"Quinetiam ipse Iuriste, de quibus minus videretur, in ca: significasti, de elect: statuerunt, prevalere unius privati hominis sententiam tam pontifici Romano quam Concilio et ecclesie, si meliore auctoritate nixus fuerit vel ratione." WA 2:279, cf. 2:288.

¹³⁴WA 2:283.

¹³⁵"Protestatur Martinus: Non est verum, quod contra Constantiense concilium loquutus sim." WA 2:283.

¹³⁶WA 2:288.

word of God, which alone is infallible.¹³⁷ In good humanist fashion, Luther knew the history and worked with the text. For Luther the conclusion was inescapable: "A council is able to err."¹³⁸

However, Luther did not entirely dismiss the authority of a council. He further defined his position by stating that a council is able to err "especially in those matters that do not concern faith,"¹³⁹ hardly a radical statement since a council's infallibility had been traditionally defended only where matters of faith were concerned. However, Luther defined a council in such a way that he was not bound to defend its decisions even in matters of faith. Because a council was composed of fallible human beings, it could err. And if it did err, it was no longer a true council.¹⁴⁰

Eck recognized that Luther's critique of conciliar decisions was based entirely on his interpretation of scripture. Therefore Eck emphasized that although the church does not make the gospel, it has been given the authority to interpret scripture.¹⁴¹

¹³⁷WA 2:288.

¹³⁸WA 2:288.

¹³⁹"presertim in iis que non sunt fidei" WA 2:303, cf. 2:355.

¹⁴⁰"Nullum enim Christianum movere debet et quod dicit, Concilia esse homines et ita creaturas et sic peccare posse: nam si errant, ut fuit Concilium Ephesinum a Leone, credo, papa damnatum, ut Ariminense, Aquisgranense, tunc non sunt Concilia sed conciliabula." WA 2:296, cf. 2:339.

¹⁴¹"Similiter bene novimus, ecclesiam non posse facere Euangelia: tamen ecclesia facit, ut relictis Nicodemi, Bartolomei, Thome et aliorum Euangeliis quattuor duntaxat indubitam fidem adhibeamus, in quo ecclesie iudicio standum est in Euangeliorum acceptatione, ita et in sacrarum scripturarum intelligentia et expositione." WA 2:335.

However, Luther would not accept this argument because he insisted scripture had to be interpreted properly even by a council. Scripture is not properly understood, he argued, unless it is understood as a whole rather than in parts.¹⁴² Luther had already displayed his allegiance to this hermeneutical principle in Augsburg when he refused to accept the interpretation of scripture presented in the *Extravagante*.¹⁴³ Then in Leipzig, Luther stated explicitly what had been implicit in his discussion with Cajetan.

Following the debate, Luther wrote his *Resolutions* on the propositions he had presented there for Spalatin.¹⁴⁴ Luther had already argued extensively from church history in the course of the debate with Eck. Upon further reflection and study he made an important discovery about the authority of general councils. Luther came to believe that the recent councils had been more susceptible to error than the ancient ones. Thus Constance was more prone to err than Nicaea.¹⁴⁵ Furthermore, he discovered additional support for his argument against the decisions of Constance:

¹⁴²"Non est iste modus scripturas divinas feliciter intelligendi vel interpretandi, si ex diversis locis diversa decerpantur dicta nulla habita ratione vel consequentie vel collationis: immo iste est canon errandi vulgatissimus in sacris literis. Oportet ergo theologum, si nolit errare, universam scripturam ob oculos ponere et contraria contrariis conferre . . ." WA 2:361.

¹⁴³"The Extravagante did not impress me as being truthful or authoritative for many reasons, but especially because it distorts the holy Scriptures and audaciously twists the words (if indeed their customary meaning should still be accepted) into a meaning which they do not have in their context, in fact into a contrary meaning." LW 31:262, WA 2:8.

¹⁴⁴*Resolutiones Lutherianiae super propositionibus suis Lipsiae disputatis*, WA 2:391-435.

¹⁴⁵WA 2:399. *In Contra Malignum Iohannis Eccii*, Luther stated his belief that councils such as Nicaea that were truly ecumenical were rare, WA 2:627.

both Constance and Basel had been condemned by the Fifth Lateran Council.¹⁴⁶

Luther would pursue this argument from history further in *On the Councils and the Church*.

Luther reached a new definition of what a true council should be in his treatises of 1520. In *To the Christian Nobility*, he issued a call for a council free of papal domination, complaining the Romanists "have given the pope full authority over all the decisions of a council, so that it is all the same whether there are many councils or no councils."¹⁴⁷ Luther denied that only the pope could call a council and argued his authority should be ignored if used to prevent a free council.¹⁴⁸ According to Luther the curia feared reform, and for this reason attempts of previous councils to reform the church had been frustrated.¹⁴⁹ Luther urged the German nobility to take advantage of the "time of grace" presented by Charles V's election in order to reform the church.¹⁵⁰

¹⁴⁶" . . . et in hoc imitabor novissimum Romanum Concilium, in quo Basiliense damnatum est et Constantiense quoque passum non parva suae autoritatis detrimenta, dum Papam supra Concilium esse sanxit, cuius contrarium in Constantiensi definitum est." WA 2:400. John Headley understands Luther's argument correctly but misinterprets "novissimum Romanum Concilium" as a reference to the Council of Basel, 227. Cf. Carl Stange, "Luther und das fünfte Laterankonzil," *Zeitschrift für systematische Theologie* 6 (1929): 339-444.

¹⁴⁷LW 44:127, WA 6:406.

¹⁴⁸LW 44:137-38, WA 6:413-14.

¹⁴⁹LW 44:124-25, WA 6:405; cf. LW 44:153, WA 6:425.

¹⁵⁰LW 44:125, WA 6:405.

However, the most important argument Luther advanced in *To the Christian Nobility* was the priesthood of all believers.¹⁵¹

It is pure invention that pope, bishops, priests, and monks are called the spiritual estate while princes, lords, artisans, and farmers are called the temporal estate. This is indeed a piece of deceit and hypocrisy. Yet no one need be intimidated by it, and for this reason: all Christians are truly of the spiritual estate, and there is no difference among them except that of office. Paul says in I Corinthians 12 that we are all one body, yet every member has its own work by which it serves the others. This is because we all have one baptism, one gospel, one faith, and are all Christians alike; for baptism, gospel, and faith alone make us spiritual and a Christian people.¹⁵²

This elimination of the distinction between clergy and laity knocked down the "first wall" erected by the Romanists, namely, that spiritual power is superior to temporal power.¹⁵³ The "second wall," the pope's authority to interpret scripture, was razed by recognizing that the keys have been given to all Christians and not to the pope alone.¹⁵⁴ The "third wall," the assertion that only the pope could summon a council, was similarly demolished. With this understanding that all Christians are members of the spiritual estate, Luther declared it necessary for the nobility to undertake reform of the church when the pope refused to do so and abdicated his responsibility.

In *The Babylonian Captivity of the Church*, Luther applied his argument against the papacy and for a free council to the matter of granting the chalice to the

¹⁵¹Luther first mentioned the universal priesthood in a letter to Spalatin at the end of 1519. Kolde, 57-8.

¹⁵²LW 44:127, WA 6:407.

¹⁵³LW 44:126, WA 6:406.

¹⁵⁴LW 44:134, WA 6:411-12.

laity. Luther noted that in this matter the authority of the Council of Basel could be pitted against that of the Council of Constance.

I conclude, then, that it is wicked and despotic to deny both kinds to the laity, and that this is not within the power of any angel, much less of any pope or council. Nor does the Council of Constance give me pause, for if its authority is valid, why not that of the Council of Basel as well, which decreed to the contrary that the Bohemians should be permitted to receive the sacrament in both kinds?¹⁵⁵

Although Luther denied the authority of previous councils, he maintained "it would be a good thing, in my opinion, if this captivity were ended by the decree of a general council."¹⁵⁶ This seeming contradiction is explained by referring to Luther's new definition of a council composed as a truly free assembly in which laity as well as clergy had a voice. Luther wanted the preaching of the gospel and Christian liberty to be restored by the action of such a council.¹⁵⁷

Luther also continued to judge previous councils by the standard of scripture alone. Councils that decreed only human teaching he dismissed as "taverns and schools of Jews."¹⁵⁸ Luther declared, "I believe Christ, yes also St. Paul, his apostle, more than all Councils."¹⁵⁹ Luther's criticism of councils was debated at the 1521 Diet of Worms, and his assertion that councils could err in matters of faith

¹⁵⁵LW 36:27, WA 6:507.

¹⁵⁶LW 36:28, WA 6:507.

¹⁵⁷Johns, 69.

¹⁵⁸*Von der Beicht, ob die der Bapst macht habe zu gepieten*, WA 8:150.

¹⁵⁹WA 8:150.

was named among his errors.¹⁶⁰ In his answer at the Diet, Luther voiced his unwillingness to accept the authority of the pope or councils alone.

Unless I am convinced by the testimony of Scriptures or by clear reason (for I do not trust either in the pope or councils alone, since it is well known that they have often erred and contradicted themselves), I am bound by the Scriptures I have quoted and my conscience is captive to the Word of God. I cannot and I will not retract anything, since it is neither safe nor right to go against conscience. May God help me. Amen.¹⁶¹

Once again, Luther clearly stated his conviction that scripture must judge the councils. However, Luther also acknowledged his willingness to submit to the judgment of a council guided by scripture rather than by human tradition.¹⁶²

In the following years, Luther never deviated from this stand on conciliar authority. He continued to hope for a free council, and steadfastly rejected any proposal for a council that would be dominated by the pope. In 1535 Luther met with the papal nuncio, Vergerio, who had been sent to Germany by Pope Paul III to discuss the site of a proposed council. Luther told Vergerio plainly that the Roman church was in need of a council but the evangelicals were not.

Our group does not need a council, for we already have the firm evangelical teaching and order of service; but Christendom needs it, that that part which is still held captive may discover error and truth.¹⁶³

¹⁶⁰Bäumer, *Martin Luther und der Papst*, 68-69.

¹⁶¹Brecht, 460.

¹⁶²Schwiebert, 507.

¹⁶³WA 50, 164, translated in Schwiebert, 740.

Paul III issued the summons for a council in June of 1536. In response, Luther drafted the *Smalcald Articles* at the request of Saxon Elector John Frederick.¹⁶⁴

Luther's final and most extensive statement on the authority of church councils came in 1539 in the treatise *On the Councils and the Church*, which he had begun to write at the same time as the *Smalcald Articles*. According to Christa Tecklenburg Johns, this work was the high point of the historical studies that Luther had undertaken in last ten years of his life.¹⁶⁵ Once again Luther criticized the papal procedure of summoning a council.

He first sends his apostles into all lands to have kings and princes pledge their allegiance to the pope's doctrines. The bishops and their clergy concur in this strategy and absolutely refuse either to yield or to permit a reform, thus the [course of the] council is already determined, before it even convenes, namely, not to undertake any reforms, but to observe everything in accord with the present practice. Isn't that a splendid council?¹⁶⁶

Luther admitted a council was necessary for a reformation of the church, but believed that those who thought the pope "would or should participate" were misguided.¹⁶⁷

In order to demonstrate the inadequacy and fallibility of councils, Luther examined the history of the greatest councils of the church—the first four ecumenical councils. Luther's historical study led him to conclude the great achievements of these councils were nothing more than confirmations of the faith taught in scripture.¹⁶⁸ Therefore,

¹⁶⁴Brecht, 178; Schwiebert, 741; Köstlin, *Martin Luther*, 2:378.

¹⁶⁵Johns, 69-70.

¹⁶⁶LW 41:9, WA 50:510.

¹⁶⁷LW 41:14, WA 50:515.

¹⁶⁸Cf. for example LW 41:86, WA 50:575 on the Council of Nicaea.

whenever a council established something new, it was not by the guidance of the Holy Spirit.¹⁶⁹ Luther also noted that "bickering, confusion, and disorder prevailed" in the councils, and agreed with the judgment of Gregory of Nazianzus: "I believe it is advisable to flee all the councils of bishops."¹⁷⁰ Although Luther continued to believe a free council would be useful, he expected such a council was not likely to be held.

"Well," you say, "it is futile to hope for such a council." I myself think so too. But if one wants to talk about it and asks and wishes for a council, one would have to wish for a council like that, or forget about it completely, desire none, and say nothing at all. For the first council in Nicaea, and the second one in Constantinople were councils like that—whose example could indeed be easily followed. And I point this out to show that it would be the duty of emperors and kings, since they are Christians, to summon such a council for the salvation of many thousands of souls that the pope, with his tyranny and avoidance of a council (as far as he is concerned), allows to perish, even though they all could be restored to St. Peter's article and to the true, ancient Christian faith.¹⁷¹

Luther did not desire a council so his teaching might be judged and confirmed. He was convinced that all who accepted the pure teachings of scripture were the true church. His desire for a council resulted from his wish that the word of God be proclaimed to all who were still held captive by the pope and the Roman church.

Conclusion

Luther's final statements in *On the Councils and the Church* are impossible to reconcile with a late medieval conciliar viewpoint. However, this is not the case in

¹⁶⁹LW 41:122, WA 50:606.

¹⁷⁰LW 41:119-20, WA 50:604.

¹⁷¹LW 41:141-2, WA 50:623.

his earlier writings. In the *Explanations of the Ninety-Five Theses* Luther clearly attributed real authority to the decisions of a general council. Many of the authorities he quoted against papal opposition were famous conciliarists. He was especially fond of the statement by Panormitanus that both popes and councils could err. Luther's first appeal to a future council also obviously was influenced by conciliar thought. The question remains: was Luther a conciliarist? If so, was he simply the latest in a long line of medieval reformers and dissenters as many of his opponents claimed? Did he represent a new development in the changing tradition of conciliarism? In order to answer these questions, Luther's position must be compared to the views of Gerson.

CHAPTER 6

LUTHER AND THE CONCILIAR LEGACY

Throughout his career Luther's assessment of Gerson was largely positive, often speaking of Gerson as a "witness to the truth" and describing how he had begun "to relax the reins of papal tyranny."¹ Luther cited Gerson frequently in the indulgence controversy. In the argument with Prierias, Gerson provided Luther with an additional authority to use against Prierias's citations of Thomas Aquinas.² It comes as no surprise that Luther's first opponents identified him as a conciliarist, and even in the 1530s and 1540s such an identification seemed natural.³ Whether such label is justified can be demonstrated by comparing Luther and Gerson on the subject of authority in the church.

¹Heinz Zahrnt, *Luther Deutet Geschichte: Erfolg und Mißerfolg im Licht des Evangelium* (Munich: Paul Müller, 1952), 58; Scott H. Hendrix, *Luther and the Papacy: Stages in a Reformation Conflict* (Philadelphia: Fortress Press, 1981), 9.

²When Prierias cited Thomas in support of his argument that the church was virtually present in the papacy, Luther responded: "Tu nihil pro te habeas, nisi nudam S. Thomae narrationem, ego autem clarum textum Cle. et aperta verba Euangelii, deinde Gerson, qui multis annis posterior Thoma dicit opiniones esse ad utramque partem probabiles in hac re." WA 1:656.

³Hendrix, *Luther and the Papacy*, 9-10.

Was Luther a Conciliarist? Gerson and Luther on Authority in the Church

In comparing Luther and Gerson on authority in the church, several points of convergence appear. Gerson's reaction to the schism was essentially a criticism of a misuse of papal authority. His conversion to the *via concilii* directly resulted from the unwillingness of either contender for the papal throne to abdicate for the good of the church. Similarly, Luther's criticism of the practice of selling indulgences contained an inherent criticism of papal authority that became clear as the controversy unfolded. In order to correct these abuses of power, both Gerson and Luther appealed to scripture and to a general council of the church. Much of Luther's thought, particularly before Leipzig, appears very close to that of Gerson, especially that of the time of Luther's first appeal to a council. However, thorough examination reveals that these apparent convergences actually are overshadowed by tremendous differences.

The existence of the papacy is a case in point. Gerson never questioned the necessity of a single, earthly head—the pope—for the proper functioning of the *corpus Christi mysticum*. Even in his conciliar treatises he affirmed the divine right of the papacy.⁴ As we have seen, Gerson was unwilling even to curtail drastically papal authority. For example, he admitted only the pope should convene a general council under normal circumstances.⁵ This attitude typified the majority of moderate

⁴Cf. *De Auctoritate Concilii* 2.

⁵DAC 3.1.

conciliarists. As the election of Felix V at Basel demonstrates, even the more radical conciliarists were unwilling, or at least unable, to dispense with the papacy entirely.

Luther exhibited a more fundamental critique of papal power. In the course of the indulgence controversy, he upheld the authority of the papacy but refused to regard it as the result of a divine foundation. Luther expressed this opinion from the very beginning of the controversy, although in a rather subtle fashion. In his *Explanations of the Ninety-Five Theses* he discussed papal authority in connection with Romans 13 rather than citing the traditional proof text, Matthew 16. This criticism was stated more openly in the debate with Eck, in which Luther flatly stated the papacy did not exist by divine right. Luther drew out the implications of this statement in 1520 when he denied the papacy had the exclusive right to summon a council or interpret scripture.⁶ In the same year Luther denied even a human foundation for papal authority.⁷

Gerson and Luther similarly diverge on appealing to scriptural authority. Such authority was crucial to Gerson's argument for a conciliar settlement of the schism. The authority of the council to judge the rival popes was based on its ability to interpret scripture definitively.⁸ However, the council's authority was not bound by

⁶*To the Christian Nobility*, LW 44:126, WA 6:406.

⁷Luther himself recognized this shift in his thinking: "For while I denied the divine authority of the papacy, I still admitted its human authority. But after hearing and reading the super-subtle subtleties of these coxcombs, with which they so adroitly prop up their idol (for my mind is not altogether unteachable in these matters), I now know for certain that the papacy is the kingdom of Babylon and the power of Nimrod, the mighty hunter." LW 36:12, WA 6:498.

⁸DAC 7.1.

scripture. Gerson also recognized as authoritative the decisions of a general council concerning matters not treated in scripture—canonization, for example. He even supported decisions that Luther later regarded as directly opposed to scripture, such decisions as the condemnation of Hus and the prohibition of communion in both kinds for the laity.

Luther accorded a higher place to the authority of scripture than did Gerson. To be sure at the beginning of the indulgence controversy, Luther did not view scripture as an exclusive authority. Instead he was concerned with maintaining a consensus of authorities that supported him. According to Scott Hendrix, Luther attempted "to base his own position inclusively on Scripture, the church fathers, and decrees of the church."⁹ This consensus was firmly in place in 1518 when he affirmed those papal pronouncements that are "according to the canons" or "in accordance with a general council."¹⁰ However, the basis for Luther's consensus of authorities changed as a result of the Leipzig Debate. Confronted with the logical results of conciliar infallibility broadly conceived, Luther "realized more astutely that Scripture in its clearest and most appropriate meaning had to govern that consensus."¹¹ In the wake of Leipzig he defended the statement, "A simple layman quoting scripture ought to be believed more than the pope or a council not quoting

⁹Hendrix, *Luther and the Papacy*, 51.

¹⁰*LW* 31:171, *WA* 1:582.

¹¹Hendrix, *Luther and the Papacy*, 89.

scripture."¹² In this instance Luther had Gerson on his side.¹³ However, unlike Gerson, Luther appealed to scripture as an ultimate and exclusive authority. In 1521 he wrote, "One must know that scripture without any glosses is the sun and the whole light from which all teachers receive their light, and not vice versa."¹⁴ Therefore, he condemned any human teaching that went beyond the boundaries of God's word as "erroneous, seductive, un-Christian, lying, and deceiving."¹⁵ Luther himself recognized that in adopting this position he had moved far beyond Gerson.¹⁶ He could not look to the conciliarists for support, and already at this point he would not have numbered himself in their company under the "conciliarist" banner.

In Gerson's ecclesiology, the authority of scripture was mediated by the decisions of general councils. For him the council was the highest authority in Christendom, the representation of the catholic church. This representation was made by a gathering of Christian bishops and as such was infallible in deciding matters of faith or establishing order for the rule of the church.¹⁷ The general council was

¹²"Quod plus sit credendum simplici laico scripturam alleganti quam Papae vel concilio scripturam non alleganti." *Contra malignum Iohannis Eccii*, WA 2:649.

¹³Ibid.

¹⁴*Answer to the Hyperchristian, Hyperspiritual, Hyperlearned Book by Goat Emser in Leipzig*, LW 39:164, WA 7:639.

¹⁵LW 39:194, WA 7:664.

¹⁶"This then is my answer to you and all the teachers you may want to quote, whether it be the first one you mentioned, Aristotle, or Gerson and Scotus in addition." LW 39:168, WA 7:642.

¹⁷DAC 3.5, 5.1.

truly *ecclesia congregata*. This high view of conciliar authority triumphed at Constance and lingered even after the dissolution of Basel and the official condemnation of conciliarism.

Luther's final opinion on conciliar authority was diametrically opposed to Gerson's, making it impossible in the end to call him a conciliarist in the traditional sense of the term. Scripture judged the council rather than being judged by it.¹⁸ The council Luther proposed in *To the Christian Nobility* bears little resemblance to the council of *Haec Sancta*. It is certainly quite possible that conciliar thought influenced the young Luther. His earlier references to general councils could easily bear a conciliar interpretation. In his *Explanations to the Ninety-Five Theses*, he alluded to the need for a decision by a general council concerning indulgences.¹⁹ Until such a decision was made no opinion in the matter could be declared heretical.²⁰ But Luther clearly moved beyond those early ideas.

The most important piece of evidence for documenting Luther's adherence to or distance from conciliarism is his 1518 appeal to a general council. According to Remigius Bäumer, Luther's conciliarism is proven by the simple fact of this appeal. He argues that only a conciliarist would knowingly break the prohibition on appeals

¹⁸Cf. *LW* 41:86, *WA* 50:575.

¹⁹*LW* 31:171, *WA* 1:582.

²⁰*LW* 31:172-73, *WA* 1:583.

from the pope to a future council.²¹ The text of the appeal, taken by itself, would seem to support this contention. Luther appealed to "a most holy council, legitimately gathered in the Holy Spirit, representing the holy catholic church."²² The similarity of this formula to those used by Gerson and other conciliarists is undeniable. According to Remigius Bäumer, who de-emphasized the similarities between Luther's appeal and that from the University of Paris, the language of the document expresses Luther's conviction. Nevertheless, Christa Tecklenburg Johns maintains that Luther's appeal is not a conciliar document. She emphasizes both the formal and legal nature of the language employed, and the similarity to the Paris appeal.²³ According to Johns, "the Reformer did not call for a council on the basis of conciliar theory, but on the basis of his own new theological understanding."²⁴ Scott Hendrix supports the conclusions of Johns. Hendrix sees Luther's appeal as a logical extension of his attempt to maintain a consensus of authorities. For Luther,

²¹Remigius Bäumer, *Martin Luther und der Papst*, 5th ed. (Münster: Aschendorff, 1971) 38; Idem, *Nachwirkungen des konziliaren Gedankens in der Theologie und Kanonistik des frühen 16. Jahrhunderts*, (Münster: Aschendorff, 1971), 148-149. Bäumer is part of the "New Catholic" interpretation of Reformation studies seeking to draw Luther as close as possible to a traditional Roman Catholic position.

²²"sacrosanctum Concilium in spiritusancto legitime congregatum, sanctam ecclesiam catholicam repraesentans" *WA* 2:36.

²³Christa Tecklenburg Johns, *Luthers Konzilsidee in ihrer historischen Bedingtheit und ihrem reformatorischen Neuansatz* (Berlin: Alfred Töpelmann, 1966), 142.

²⁴*Ibid.*

"even the verdict of a council must be supported by scripture, the church fathers, and clear reason."²⁵

Was Luther a conciliarist? The answer to that question depends on the definition of conciliarism employed. If Bäumer is correct in identifying the decisive factor as the right of appeal to a future council, it must be admitted that Luther exhibited conciliarist tendencies in 1518. But if the definition of conciliarism is broadened to include the basis and rationale for ascribing authority to a general council, it could be argued more easily that Luther had already moved beyond the conciliar standpoint. The main tenet of fifteenth-century conciliarism was the affirmation of the general council as the highest authority in the church. This authority was granted by divine right and resulted from the council's function as a genuine representation of the universal church. Such a definition of conciliarism is supported by the writings of Gerson. Although the right of appeal from the pope to a future council grew out of this definition of conciliar authority, that right in itself was not central to conciliar theory.

Luther's appeal to a future council obviously did not result from this stream of thought. As Hendrix points out, Luther had never argued "the conciliarist thesis that the pope derives his authority from a council or that the council derives its authority from Christ."²⁶ Although admittedly an argument from silence, it is perhaps significant that Luther never referred to either the well-known *Haec Sancta* or

²⁵Hendrix, *Luther and the Papacy*, 69.

²⁶Ibid.

Frequens in the course of his anti-papal polemic. What he expected from a general council is apparent from the text of his appeal. Luther saw a council as the only body capable of correcting the pope fallen into error, just as Paul had corrected Peter.²⁷ He considered the judgment of the council superior to that of the pope, but the council had to remain subject to scripture. Even before his appeal, in his interview with Cajetan, Luther refused to allow questionable interpretations of God's word to stand unchallenged. Although in 1518 Luther still had a higher opinion of general councils than he would in later years, his was clearly an opinion of a different shade than that expressed by the conciliarists.

Congregatio Fidelium: Luther's Doctrine of the Church

A renewed understanding of the relationship between scripture and church formed the basis for Luther's position on the authority of the papacy and general councils. The medieval tradition emphasized parallel streams of scripture and tradition—the latter embodied in papal decrees and conciliar decisions—as authoritative in the church.²⁸ Gerson and other nominalists thought ecclesiastical usage and tradition revealed the unwritten portion of the apostolic message, making church an authority equal to scripture, if not in theory then at least in practice.²⁹

²⁷WA 2:37.

²⁸See George H. Tavard, *Holy Writ or Holy Church: The Crisis of the Protestant Reformation* (New York: Harper and Brothers, 1959), 18-23.

²⁹Heiko A. Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Grand Rapids: William P. Eerdmans, 1967), 373.

This is why Gerson maintained a hierarchical conception of the church. For him the collective authority of the hierarchy, especially the bishops, was needed both to guarantee the infallibility of the church and to interpret scripture authoritatively.

Luther did not regard the church as an unconditional authority alongside or apart from scripture.³⁰ Instead he understood the church to be a creature of the word.

The church has no power to make new divine promises of grace, as some prate, who hold that what is decreed by the church is of no less authority than what is decreed by God, since the church is under the guidance of the Holy Spirit. For the church was born by the word of promise through faith, and by the same word is nourished and preserved. That is to say, it is the promises of God that make the church, and not the church that makes the promises of God. For the Word of God is incomparably superior to the church, and in this Word the church, being a creature, has nothing to decree, ordain, or make, but only to be decreed, ordained, and made.³¹

This understanding of the church obviously resulted from Luther's doctrine of justification. The church is the assembly of those who are holy through faith in Christ.³² Luther's definition of the church was further influenced by his understanding of the priesthood of all believers.

If they [the Romanists] were forced to grant that all of us that have been baptized are equally priests, as indeed we are, and that only the ministry was

³⁰Paul Althaus, *The Theology of Martin Luther*, trans. Robert C. Schulz (Philadelphia: Fortress Press, 1966), 338.

³¹*The Babylonians Captivity of the Church*, LW 36:107, WA 6:560-61.

³²Karl Holl, "Die Entstehung von Luthers Kirchenbegriff," *Gesammelte Aufsätze zur Kirchengeschichte I: Luther* (Tübingen: J. C. B. Mohr, 1932), 289, 304-5. See also Althaus, 298 and John Headley, *Luther's View of Church History* (New Haven and London: Yale University Press, 1963), 31.

committed to them, yet with our common consent, they would then know that they have no right to rule over us except insofar as we freely concede it.³³

As Karl Holl observed, this marked "an entirely new beginning for Luther's teaching on the visible church."³⁴ A church created by the word which was the possession of all believers could not be equated with any visible structure or hierarchy. Neither could the church be identified with any single historic body of believers but had to be recognized wherever the word of God was present.

Luther's doctrine of the church in 1520 was a rejection of his medieval predecessors, whether papist or conciliarist. Moreover, even his earlier works exhibit marked differences from traditional medieval statements on the nature of the church. This is especially true of the first lectures on Psalms. Here Scott Hendrix has identified what he terms Luther's "*fides*-ecclesiology."³⁵ Luther took the commonplace medieval description of the church as *congregatio fidelium* with great seriousness. He identified the church with the true *fideles*, spiritual men who judge all things (1 Corinthians 2:15). Hendrix states, "As far as this new definition of the *fideles* is concerned, Luther's ecclesiology is complete in the *Dictata*. Only the polemical application is lacking."³⁶

³³LW 36:112, WA 6:564.

³⁴Holl, 318.

³⁵Scott Hendrix, *Ecclesia in Via*, 227.

³⁶Hendrix, *Ecclesia in Via*, 187. Karl Holl saw this definition of *fideles* as an implicit statement of the priesthood of all believers, "Die Entstehung von Luthers Kirchenbegriff," 305-6.

Thus even Luther's early ecclesiology cannot be identified with the doctrines of Gerson, distancing Luther even farther from the conciliar camp. Gerson, influenced by nominalist theology and the mystical writings of Pseudo-Dionysius, identified the church with the ecclesiastical hierarchy. Luther's rejection of a hierarchically conceived church strikes at a central element in the combination of nominalism and mysticism represented by Gerson. Although Luther profited from the ideas of Gerson, particularly on confession and indulgences, their divergent doctrines of the church reveal a fundamental difference in their thought. This same difference has been documented by Steven Ozment with regard to the anthropology of Luther and Gerson.³⁷ For this reason, the decisive influence in Luther's theological development must be sought elsewhere than in nominalism and mysticism. That decisive influence was Luther's study of scripture made possible by the contributions of Renaissance humanism with its emphasis on text studies and history.

The Decisive Influence of Humanism

Although Luther did not advocate a return to the pure beginnings of the church as did many humanists,³⁸ Renaissance humanism did furnish him with the tools for rediscovering the scriptural doctrine of the church. Of critical significance was his

³⁷Steven E. Ozment, *Homo Spiritualis: A Comparative Study of the Anthropology of Johannes Tauler, Jean Gerson and Martin Luther (1509-16) in the Context of Their Theological Thought* (Leiden: E. J. Brill, 1969), 214. See also Walter Dress, *Die Theologie Gersons: Eine Untersuchung zur Verbindung von Nominalismus und Mystik im Spätmittelalter* (Gütersloh: C. Bertelsmann, 1931), 203-5.

³⁸Wilhelm Maurer, "Der ekklesiologische Ansatz der abendländischen Kirchenspaltung nach dem Verständnis Luthers," *Fuldaer Hefte* 18 (1968): 33.

abandoning the four-fold method of interpretation, the common scholastic approach to expounding biblical texts.³⁹ For the most part Luther used this method in his first lectures on Psalms.⁴⁰ However, by the time Luther lectured on Romans (1515-1516), the nature of the text itself led him to abandon the four-fold method.⁴¹ Although this shift does not yet signal the adoption of a *sola scriptura* principle, it did indicate Luther was beginning to break his ties to the scholastic tradition in which he had been educated. Later on Luther saw the scholastic education he had received as a hindrance to his study of the Bible.⁴²

Luther's desire to engage the text of scripture itself can be attributed to the influence of humanism.⁴³ He was aided in his study of the Bible by new editions of the Greek and Hebrew texts and by the renewed interest in these ancient languages. Luther was extremely interested in Hebrew and made use of several of Reuchlin's works in the course of his study.⁴⁴ Of course, Luther also studied Greek. In 1516 he began to use Erasmus's Greek New Testament.⁴⁵ Over time he became especially

³⁹See for example Gerson's *Propositio facta coram anglicis*.

⁴⁰Hendrix, *Ecclesia in Via*, 169-70.

⁴¹Leif Grane, *Modus Loquendi Theologicus: Luthers Kampf um die Erneuerung der Theologie (1515-1518)* (Leiden: E. J. Brill, 1975), 63.

⁴²Helmar Junghans, *Der junge Luther und die Humanisten* (Göttingen: Vandenhoeck & Ruprecht, 1985), 175.

⁴³*Ibid.*, 172.

⁴⁴*Ibid.*, 181-85.

⁴⁵E. G. Schwiebert, *Luther and His Times: The Reformation from a New Perspective* (St. Louis: Concordia Publishing House, 1950), 281.

interested in the etymology of Greek words. That interest led him to the important discovery of the true meaning of the word "repent" with which he began the *Ninety-Five Theses*.⁴⁶ The significance of biblical humanism for Luther's theological development is obvious. E. G. Schwiebert states, "While Martin Luther was still a confused and bewildered monk in the Black Cloister at Wittenberg, Biblical Humanism was paving the way for his work as a Reformer."⁴⁷

Luther's critique of ecclesiastical authority was, of course, based on scripture. However, he also looked to history for support in the course of his arguments. Luther himself stated that he had first attacked the papacy *a priori* on the basis of scripture and later *a posteriori* on the basis of history.⁴⁸ The "simple joy" Luther found in the study of history was undoubtedly the result of humanist influence.⁴⁹ From humanism he also learned the importance of text criticism.⁵⁰ For example, he noted the inclusion of fifty more canons of the Council of Nicaea in canon law than Rufinus reported in his history.⁵¹ However, Luther also exhibited a great deal of independence in his judgment of history. He did not allow himself to be led by the

⁴⁶Junghans, 187.

⁴⁷Schwiebert, 277.

⁴⁸Lewis W. Spitz, "Headwaters of the Reformation: *Studia Humanitas, Luther Senior, et Initia Reformationis*," in *Luther and the Dawn of the Modern Era*, ed. by Heiko A. Oberman (Leiden: E. J. Brill, 1974), 108.

⁴⁹Zahrnt, 14-15.

⁵⁰Junghans, 193-96.

⁵¹Köhler, *Luther und die Kirchengeschichte nach seinen Schriften, zunächst bis 1521* (Erlangen: Junge, 1900), 129-31.

humanist appeal to the *ecclesia primitiva* but recognized even in the first centuries of the church's existence the inroads made by works and ceremonies.⁵² At Leipzig, arguments from history played an important part in Luther's case against the papal plenitude of power. Earlier Luther had criticized Eck for his "ignorance of the histories" in this connection.⁵³ History was also a decisive factor in Luther's critique of the authority held by general councils.

Perhaps the most important discovery Luther made was recognizing that not all the councils had been equal in authority. Luther considered Nicaea the greatest of all the general councils. He judged it to have been far better and less likely to have erred than the Council of Constance.⁵⁴ Unfortunately, truly ecumenical councils such as Nicaea were rare.⁵⁵ *On the Councils and the Church* coupled this positive assessment of Nicaea with the recognition that Nicaea had done no more than confirm the teaching of scripture.

And from what I have presented above one can see clearly that this council neither thought up nor established anything new, but only condemned Arius' new error against the old faith on the basis of Scripture—from which may be inferred that no council (much less the pope in Rome) is authorized to think up or establish new articles concerning faith or good works, as they so falsely boast.⁵⁶

⁵²Zahrnt, 56.

⁵³WA 2:290.

⁵⁴*Resolutiones Lutherianae*, WA 2:399-400.

⁵⁵WA 2:627.

⁵⁶LW 41:86, WA 50:

Luther saw this same principle in each of the first four ecumenical councils and drew the obvious conclusion from this discovery.

Since these four principal councils . . . neither intended nor were able to create and establish anything new in matters of faith, as they themselves confess, how much less then can one assign such power to the other councils, which are to be regarded lower, if these four are and are to be called principal councils.⁵⁷

In short no council had the authority to establish any new work or teaching but could only confirm what is found in scripture.

Luther applied this principle most stringently to the Council of Constance. At Leipzig Luther was forced by his admiration for the articles of Hus to question the decisions of Constance, a council traditionally regarded as ecumenical. Although Luther attempted to avoid a complete and general condemnation of Constance, he was unable to do so.⁵⁸ However, he did find support for his decision to abandon Constance in the pronouncements of the Fifth Lateran Council.⁵⁹ The ink was hardly dry on this most recent assembly's condemnation of the conciliar decrees from Constance and Basel. If these councils could so arbitrarily contradict one another, Luther reasoned, they could not be truly authoritative. A critical reading of history enabled Luther to support his theological conclusions.

⁵⁷LW 41:121, WA 50:

⁵⁸Headley, 227.

⁵⁹WA 2:400.

Luther considered Constance an especially odious example of the fallibility of general councils. At Leipzig he objected to its condemnation of Hus.⁶⁰ In this regard, according to Luther, Constance even contradicted itself: the council condemned Hus's statement—"The pope is not over all the churches by divine right"—while its own decree insisted "the council is above the pope."⁶¹ Luther's criticism of Constance continued long after Leipzig. In addition to questioning the condemnation of Hus, Luther had little regard for this council because it had failed to bring about any real reform in the church.

Some think this [the question of good works] should be referred to a general council. To this I say, No! We have had many councils in which this has been proposed, such as Constance, Basel, and the last Lateran council. Nothing came of these councils and things are going from bad to worse.⁶²

Here Luther later saw a parallel between Constance and Nicaea. After the Arian heresy had been condemned by Nicaea, nevertheless it continued more strongly than before. Thinking of that continued problem Luther wrote,

That is the way we Germans fared at the Council of Constance: there the pope was made subject to the council and was deposed, and his tyranny and simony were strongly condemned. Yet ever since that time he is possessed by seven more devils and his tyranny and simony have gotten off to an even better start.⁶³

⁶⁰On Luther's view of Hus and Constance see Köhler, 162-236.

⁶¹WA 2:405.

⁶²*Treatise on Good Works*, 1520, LW 44:91, WA 6:258.

⁶³*On the Councils and the Church*, LW 41:120, WA 50:604

Constance had failed in its aim of limiting the abuse of papal authority. Luther aptly summarized his view of this council when he referred to it as *Obstantiense Concilium*, "the Obstinate Council."⁶⁴

Luther's arguments from history reveal a positive relationship to humanist thought and further distance him from the fifteenth-century conciliarists. Although Gerson referred to church history in general as providing support for the conciliar theory, he never engaged in the detailed historical analysis that Luther undertook. In addition, Luther's historically rooted negative assessment of Constance may have kept him from using its decrees in his fight against the papacy. When Luther thought of Constance, the first thing that came to mind was not *Haec Sancta* but Hus. In addition, the failure of Constance to achieve its goal of reform in head and members caused Luther to question the value of such councils. For him Constance cinched the case that a general council was not a practical means for accomplishing reform.

Conclusion

Conciliar thought continued to influence the relationship between the empire and the papacy at the beginning of the sixteenth century, and to a certain extent the desire some had for a Reformation era council was inherited from conciliarism.⁶⁵ However, the impact of conciliarism on Luther himself was largely negative rather than positive. Although he cited Gerson often, especially in the indulgence

⁶⁴A play on the Latin "*Constantiense Concilium*," *Sprüche wider das Konstanzer Konzil*, WA 39,1:13.

⁶⁵Johns, 100.

controversy with regard to penance, Gerson's conciliar ecclesiology was finally of no significance for him.⁶⁶ Luther probably had not even read any of the great conciliar treatises of the preceding century. Whether this was because his teachers dared not recommend such material to him must remain a matter of speculation.⁶⁷ Only Luther's first appeal to a future council shows even a hint of conciliar thought. But events quickly overtook this appeal, and at Leipzig Luther was forced to confront the implications of his theology for conciliar authority. His final position on the authority of general councils stood in complete opposition to the entire conciliar tradition. Nevertheless, the development of Luther's thought in this matter provides an important case study in the relationship between Renaissance and Reformation. In the end, Luther's arguments reveal he had discarded those influences that were so important for Gerson—nominalism and mysticism. Instead Luther had embraced the humanist disciplines that led him back into the biblical texts. He did battle with the papacy armed with scripture in its original languages and wielding arguments from history rather than the decrees of Constance.

⁶⁶Köhler states that Gerson was significant for Luther as "*Kirchenpolitik*" but with reference to Gerson's teaching on penance and the liberating effect it had on Luther, 344. See also Johns, 127.

⁶⁷Julius Köstlin, *Martin Luther: Sein Leben und seine Schriften*, ed. by Gustav Kawerau, 5th ed., 2 vols., (Berlin: Alexander Duncker, 1903), 1:58.

Bibliography

Primary Sources

- Aristotle. *Nicomachean Ethics. The Basic Works of Aristotle*. Edited by Richard McKeon. New York: Random House, 1941.
- Crowder, C. M. D., ed. *Unity, Heresy and Reform, 1378-1460: The Conciliar Response to the Great Schism*. New York: St. Martin's Press, 1977.
- Denzinger, Henricus and Adolfus Schönmetzer, eds. *Enchiridion Symbolorum Definitionum et Declarationum de Rebus Fidei et Morum*. Freiburg im Breisgau: Herder, 1965.
- Gerson, Jean. *Oeuvres Complètes*. Edited by P. Glorieux. Paris: Desclée & Cie., 1960-1973.
- Luther, Martin. *D. Martin Luthers Werke. Kritische gesamtausgabe*. Weimar: H. Böhlau, 1883-
- _____. *Luther's Works*. St. Louis: Concordia Publishing House; Philadelphia: Fortress Press, 1955-1986.
- Nicholas of Cusa. *De Concordantia Catholica*. Edited by Gerhard Kahlen. 3 vols. Hamburg: Feliz Meiner, 1963.
- Peter of Mladonovice. *John Hus at the Council of Constance*. Translated by Matthew Spinka. New York: Columbia University Press, 1965.
- Sacrorum Conciliorum nova et amplissima collectio*. Edited by Giovanni Domenico Mansi. Paris: Hubert, 1901-1972.

Secondary Sources

- Althaus, Paul. *The Theology of Martin Luther*. Translated by Robert C. Schulz. Philadelphia: Fortress Press, 1966.
- Bäumer, Remigius. *Nachwirkungen des konziliaren Gedankens in der Theologie und Kanonistik des frühen 16. Jahrhunderts*. Münster: Aschendorff, 1971.
- _____. *Martin Luther und der Papst*. 5th ed. Münster: Aschendorff, 1970.

- Becker, Hans-Jürgen. *Die Appelation vom Papst an ein allgemeines Konzil: Historische Entwicklung und kanonistische Diskussion im späten Mittelalter und in der frühen Neuzeit*. Köln, Wien: Böhlau Verlag, 1988.
- Bernstein, Alan E. *Pierre d'Ailly and the Blanchard Affair: University and Chancellor of Paris at the Beginning of the Great Schism*. Leiden: E. J. Brill, 1978.
- Bett, Henry. *Nicholas of Cusa*. London: Methuen & Co. Ltd., 1932.
- Beyer, Michael. "Luthers Ekklesiologie." In *Leben und Werk Martin Luthers von 1526 bis 1546*, edited by Helmar Junghans, 2 vols., 98-117. Göttingen: Vandenhoeck & Ruprecht, 1983.
- Bizer, Ernst. "Luther und der Papst." *Theologische Existenz Heute* 69 (1958).
- Black, Antony. "The Universities and the Council of Basle: Ecclesiology and Tactics." *Annuaire Historiae Conciliorum* 6 (1974): 341-51.
- Bliemetzrieder, F. J. P. "Antwort der Universität Wien an diejenige zu Paris, 12 Mai 1396, wegen der Zession der Beiden Päpste." *Studien und Mitteilungen aus dem Benedictiner- und dem Cistercienser-Orden* 24 (1903): 100-105.
- _____. *Das Generalkonzil im Grossen Abendländischen Schisma*. Paderborn: Ferdinand Schöningh, 1904.
- Böhmer, Heinrich. *Luther in Light of Recent Research*. Translated by Carl F. Huth, Jr. New York: The Christian Herald, 1916.
- Bonnechose, Emile de. *Reformers Before the Reformation. The Fifteenth Century. John Huss and the Council of Constance*. Translated by Campbell Mackenzie. New York: Harper and Brothers, 1844.
- Brecht, Martin. *Martin Luther: His Road to Reformation 1483-1521*. Translated by James L. Schaaf. Philadelphia: Fortress Press, 1985.
- _____. *Martin Luther: Shaping and Defining the Reformation 1521-1532*. Translated by James L. Schaaf. Minneapolis: Fortress Press, 1990.
- _____. *Martin Luther: The Preservation of the Church 1532-1546*. Translated by James L. Schaaf. Minneapolis: Fortress Press, 1993.
- Brinton, Crane. *The Anatomy of Revolution*. Revised and expanded edition. New York: Vintage Books, 1965.

- Brown, D. Catherine. *Pastor and Laity in the Theology of Jean Gerson*. Cambridge: Cambridge University Press, 1987.
- Burger, Cristoph. *Aedificatio, Fructus, Utilitas: Johannes Gerson als Professor der Theologie und Kanzler der Universität Paris*. Tübingen: J. C. B. Mohr, 1986.
- Burrows, Mark S. "Jean Gerson after Constance: 'Via Media et Regia' as a Revision of the Ockhamist Covenant." *Church History* 59 (1990): 467-81.
- Chodorow, Stanley. *Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum*. Berkeley: University of California Press, 1972.
- Combes, André. *Jean Gerson: Commentateur Dionysien*. 2 vols. Paris: Librairie Philosophique J. Vrin, 1940.
- Connolly, James L. *John Gerson: Reformer and Mystic*. St. Louis: B. Herder Book Co., 1928.
- De Vooght, Paul. "Le Conciliarisme aux conciles de Constance et de Bâle." In *Le Concile et les conciles: Contribution à l'histoire de la vie conciliaire de l'église*, 143-81. [s. l.]: Éditions de Chevetogne, Éditions du Cerf, 1960.
- Delaruelle, E., E.-R. Labande and Paul Ourliac. *L'Église au temps du Grand Schisme et de la crise conciliaire (1378-1449)*. Paris: Bloud & Gay, 1962.
- Dieckhoff, A. W. *Luthers Lehre von der kirchlichen Gewalt*. Berlin: Gustav Schlawitz, 1865.
- Dress, Walter. "Gerson und Luther." In *Evangelisches Erbe und Weltoffenheit*, edited by Wolfgang Sommer, 17-39. Berlin: Christlicher Zeitschriftenverlag, 1980.
- _____. *Die Theologie Gersons: Eine Untersuchung zur Verbindung von Nominalismus und Mystik im Spätmittelalter*. Gütersloh: C. Bertelsmann, 1931.
- Ebner, Albert. "Luther und das Konzil." *Zeitschrift für Katholische Theologie* 84 (1962): 1-48.
- Ehse, Stephan. "Luthers Appellation an ein allgemeines Konzil." *Historisches Jahrbuch* 39 (1918/19): 740-48.
- Emme, Dietrich. *Luthers Weg ins Kloster: Eine wissenschaftliche Untersuchung in Aufsätzen*. Regensburg: Dietrich Emme, 1991.

Fasolt, Constantin. *Council and Hierarchy: The Political Thought of William Durant the Younger*. Cambridge: Cambridge University Press, 1991.

Figgis, John Neville. *From Gerson to Grotius 1414-1625*. Cambridge: University Press, 1907.

Gabriel Biel. *Canonis Misse Expositio*. Edited by Heiko Oberman and William Courtenay. Wiesbaden: Franz Steiner Verlag, 1963.

Gayet, Louis. *Le Grand Schisme d'Occident*. 2 vols. Florence: Loescher et Seeber, 1889.

Gill, Joseph. *Eugenius IV: Pope of Christian Union*. Westminster, Maryland: Newman Press, 1961.

Girgensohn, Dieter. "Die Universität Wien und das Konstanzer Konzil." In *Das Konzil von Konstanz: Beiträge zur seine Geschichte und Theologie*, F. S. Herman Schäufele, edited by August Franzen and Wolfgang Müller, 252-81. Freiburg, Basel, Wien: Herder, 1964.

Grane, Leif. *Modus Loquendi Theologicus: Luthers Kampf um die Erneuerung der Theologie (1515-1518)*. Leiden: E. J. Brill, 1975.

_____. *Contra Gabrielem: Luthers Auseinandersetzung mit Gabriel Biel in der Disputation Contra Scholasticam Theologiam 1517*. [s. l.]: Gyldenhal, 1962.

Hägglund, Bengt. *Theologie und Philosophie bei Luther und in der Occamistischen Tradition: Luthers Stellung zur Theorie von der Doppelten Wahrheit*. Lund: C. W. K. Gleerup, 1955.

_____. "Luther und die Mystik." In *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, ed. Ivar Asheim, 84-94. Philadelphia: Fortress Press, 1967.

Harran, Marilyn J. *Luther on Conversion: The Early Years*. Ithaca and London: Cornell University Press, 1983.

Harvey, Margaret. "The Letter of Oxford University on the Schism, 5 February 1399." *Annuaire Historiae Conciliorum* 6 (1974): 121-34.

_____. "The Letters of the University of Oxford on the Withdrawl of Obedience from Pope Boniface IX." *Studies in Church History* 11 (1975): 187-98.

- Headley, John. *Luther's View of Church History*. New Haven and London: Yale University Press, 1963.
- Heinz-Mohr, Gerd. *Nikolaus von Kues und die Konzilsbewegung*. Trier: Paulinus Verlag, 1963.
- Helmrath, Johannes. *Das Basler Konzil 1431-1449: Forschungsstand und Probleme*. Cologne: Böhlau Verlag, 1987.
- Hendrix, Scott H. *Luther and the Papacy: Stages in a Reformation Conflict*. Philadelphia: Fortress Press, 1981.
- _____. *Ecclesia in Via: Ecclesiological Developments in the Medieval Psalms Exegesis and the Dictata Super Psalterium (1513-1515) of Martin Luther*. Leiden: E. J. Brill, 1974.
- _____. "In Quest of the Vera Ecclesia: The Crises of Late Medieval Ecclesiology." *Viator* 7 (1976): 347-78.
- Hennig, Gerhard. *Cajetan und Luther: Ein historischer Beitrag zur Begegnung von Thomismus und Reformation*. Stuttgart: Calwer Verlag, 1966.
- Hoffman, Bengt R. *Luther and the Mystics: A re-examination of Luther's spiritual experience and his relationship to the mystics*. Minneapolis: Augsburg Publishing House, 1976.
- Holl, Karl. "Die Entstehung von Luthers Kirchenbegriff." *Gesammelte Aufsätze zur Kirchengeschichte I: Luther*, 288-325. Tübingen: J. C. B. Mohr, 1932.
- Iserloh, Erwin. "Luther und die Mystik." In *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, ed. Ivar Asheim, 60-83. Philadelphia: Fortress Press, 1967.
- Jedin, Hubert. *A History of the Council of Trent*. Translated by Ernest Graf. 2 vols. St. Louis: B. Herder Book Co., 1957.
- Johns, Christa Tecklenburg. *Luthers Konzilsidee in ihrer historischen Bedingtheit und ihrem reformatorischen Neuansatz*. Berlin: Alfred Töpelmann, 1966.
- Jordan, George Jefferis. *The Inner History of the Great Schism*. London: William & Norgate, 1930.
- Junghans, Helmar. *Der junge Luther und die Humanisten*. Göttingen: Vandenhoeck & Ruprecht, 1985.

- Kelly, J. N. D. *The Oxford Dictionary of the Popes*. Oxford: Oxford University Press, 1986.
- Kilcullen, John. "Ockham and Infallibility." *The Journal of Religious History* 16 (1991): 387-409.
- Kitts, Eustace J. *Pope John the Twenty-third and Master John Hus of Bohemia*. London: Constable and Comp., Ltd., 1910.
- Knowles, David. *The Evolution of Medieval Thought*. New York: Vintage Books, 1962.
- Köhler, W. *Luther und die Kirchengeschichte nach seinen Schriften, zunächst bis 1521*. Erlangen: Junge, 1900.
- Kolde, Th. *Luthers Stellung zu Concil und Kirche bis zum Wormser Reichstag, 1521*. Gütersloh: C. Bertelsmann, 1876.
- Köstlin, Julius. *Martin Luther: Sein Leben und seine Schriften*. Edited by Gustav Kawerau. 5th ed. 2 vols. Berlin: Alexander Duncker, 1903.
- _____. *The Theology of Luther in its Historical Development and Inner Harmony*. Translated from the 2nd German ed. by Charles E. Hay. 2 vols. Philadelphia: Lutheran Publication Society, 1897.
- Locke, Clinton. *The Age of the Great Western Schism*. New York: The Christian Literature Company, 1896.
- Masson, Anne L. *Jean Gerson, sa vie, son temps, ses oeuvres*. Lyons: E. Vitte, 1894.
- Maurer, Wilhelm. "Der ekklesiologische Ansatz der abendländischen Kirchenspaltung nach dem Verständnis Luthers." *Fuldaer Hefte* 18 (1968): 30-59.
- Meier, Ludger. "Research That Has Been Made and Is Yet To Be Made on the Ockhamism of Martin Luther at Erfurt." *Archivum Fransiscanum Historicum* 43 (1950): 56-57.
- Meinhold, Peter. "Steht Luther im Weg?: Ekklesiologie und Konzil bei Luther." In *Der Evangelische Christ und das Konzil*, 49-66. Freiburg im Breisgau: Herder-Bücherei, 1961.
- Moeller, Bernd. "The German Humanists and the Beginnings of the Reformation." In *Imperial Cities and the Reformation*. Philadelphia: Fortress Press, 1972.

Morrall, John B. *Gerson and the Great Schism*. Manchester: The University Press, 1960.

_____. "Ockham and Ecclesiology." In *Medieval Studies, Presented to Aubrey Gwynn, S. J.*, edited by J. A. Watt, J. B. Morrall, F. X. Martin, 481-91. Dublin: Colm O Lochlainn, 1961.

Müller, Gerhard. "Ekklesiologie und Kirchenkritik beim jungen Luther." *Neue Zeitschrift für Systematische Theologie und Religionsphilosophie* 7 (1965): 100-28.

Noël Valois. *La France et le Grand Schisme d'Occident*. 4 vols. Paris: Alphonse Picard et Fils, 1902.

Oakley, Francis. "Almain and Major: Conciliar Theory on the Eve of the Reformation." In *Natural Law, Conciliarism and Consent in the Late Middle Ages: Studies in Ecclesiastical and Intellectual History*, [Chapter X]. London: Variorum Reprints, 1984.

_____. *The Western Church in the Later Middle Ages*. Ithaca and London: Cornell University Press, 1979.

_____. "Conciliarism in the Sixteenth Century: Jacques Almain Again." *Archiv für Reformationsgeschichte* 68 (1977): 111-32.

_____. *The Political Thought of Pierre d'Ailly: The Voluntarist Tradition*. New Haven, Connecticut: Yale University Press, 1964.

Oberman, Heiko A. *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism*. Grand Rapids: William P. Eerdmanns, 1967.

_____. "Headwaters of the Reformation: *Initia Lutheri—Initia Reformationis*." In *Luther and the Dawn of the Modern Era*, edited by Heiko A. Oberman, 40-88. Leiden: E. J. Brill, 1974.

_____. "*Simul Gemitus et Raptus*: Luther und die Mystik." In *The Church, Mysticism, Sanctification and the Natural in Luther's Thought*, ed. Ivar Asheim, 20-59. Philadelphia: Fortress Press, 1967.

Ozment, Steven E. *Mysticism and Dissent: Religious Ideology and Social Protest in the Sixteenth Century*. New Haven and London: Yale University Press, 1973.

_____. *The Age of Reform: 1250-1550*. New Haven and London: Yale University Press, 1980.

- _____. "The University and the Church: Patterns of Reform in Jean Gerson." *Medievalia et Humanistica*, New Series, 1 (1970): 111-26
- _____. "Mysticism, Nominalism and Dissent." In *The Pursuit of Holiness in Late Medieval and Renaissance Religion*. Edited by Charles Trinkhaus with Heiko A. Oberman. Leiden: E. J. Brill, 1974.
- _____. *Homo Spiritualis: A Comparative Study of the Anthropology of Johannes Tauler, Jean Gerson and Martin Luther (1509-16) in the Context of Their Theological Thought*. Leiden: E. J. Brill, 1969.
- Pascoe, Louis B. "Jean Gerson: The 'Ecclesia Primitiva' and Reform." *Traditio* 30 (1974).
- _____. *Jean Gerson: Principles of Church Reform*. Leiden: E. J. Brill, 1973.
- Pelikan, Jaroslav. "Luthers Stellung zu den Kirchenkonzilien." In *Konzil und Evangelium: Lutherische Stimmen zum kommenden römisch-katholischen Konzil*, edited by Kristen E. Skydsgaard, 40-62. Göttingen: Vandenhoeck & Ruprecht, 1962.
- Peterson, David. "Conciliarism, Republicanism and Corporatism: the 1415-1420 Constitution of the Florentine Clergy." *Renaissance Quarterly* 42 (1989): 175-226.
- Post, R. R. *The Modern Devotion: Confrontation with Reformation and Humanism*. Leiden: E. J. Brill, 1968.
- Posthumus-Meyjes, G. H. M. *Jean Gerson: Zijn Kerkpolitiek en Ecclesiologie*. S'Gravenhage: Martinus Nijhoff, 1963.
- Roberts, Agnes Elizabeth. "Pierre d'Ailly and the Council of Constance: A Study in 'Ockhamite' Theory and Practice." *Transactions of the Royal Historical Society*, 4th ser., vol. 18 (London, 1935): 123-42.
- Rueger, Z. "Le 'De Auctoritate Concilii' de Gerson." *Revue d'Histoire Ecclesiastique* 53 (1958): 775-95.
- Ryan, John J. *The Nature, Structure and Function of the Church in William of Ockham*. Missoula, Montana: Scholars Press, 1979.
- Salembier, Louis. *The Great Schism of the West*. Translated by M. D. London: Kegan Paul, Trench, Truebner, and Company, 1907.

_____. *Le Cardinal Pierre d'Ailly, Chancelier de l'Université de Paris, Évêque du Pay et Cambrai 1350-1420*. Tourcoing: Georges Frère, 1932.

Schäfer, Ernst. *Luther als Kirchenhistoriker: Ein Beitrag zur Geschichte der Wissenschaft*. Gütersloh: C. Bertelsmann, 1897.

Schmidt, Oswald. *Luthers Bekanntschaft mit den Alten Classikern: Ein Beitrag zur Lutherforschung*. Leipzig: Veit, 1883.

Schmiel, David. *Via Propria and Via Mystica in the Theology of Jean le Charlier de Gerson*. Graduate Study No. X, School for Graduate Studies, Concordia Seminary, St. Louis, Missouri. St. Louis: Oliver Slave, Ltd., 1969.

_____. "Martin Luther's Relationship to the Mystical Tradition." *Concordia Journal* 9 (1983): 45-49.

Schwab, Johann Baptist. *Johannes Gerson: Professor der Theologie und Kanzler der Universität Paris*. 2 vols. Würzburg, 1858; reprint, New York: Burt Franklin.

Schwiebert, E. G. *Luther and His Times: The Reformation from a New Perspective*. St. Louis: Concordia Publishing House, 1950.

Seeberg, Reinhold. *Lehrbuch der Dogmengeschichte, Dritter Band: Die Dogmengeschichte des Mittelalters*. 4th ed. Leipzig: A. Diechertsche Verlagsbuchhandlung D. Werner Scholl, 1930.

Selge, Kurt-Victor. "Die Leipziger Disputation zwischen Luther und Eck." *Zeitschrift für Kirchengeschichte* 86 (1975): 26-40.

Smith, John Holland. *The Great Schism*. New York: Weybright and Talley, 1970.

Spitz, Lewis W. "Luther and Humanism." In *Luther and Learning*, edited by Marilyn Harran, 69-94. London and Toronto: Associated University Presses, 1985.

_____. "Headwaters of the Reformation: *Studia Humanitas, Luther Senior, et Initia Reformationis*." In *Luther and the Dawn of the Modern Era*, edited by Heiko A. Oberman, 89-116. Leiden: E. J. Brill, 1974.

Stange, Carl. "Luther und das fünfte Laterankonzil." *Zeitschrift für systematische Theologie* 6 (1929): 339-444.

_____. "Luther und das Konzil zu Pisa von 1511." *Zeitschrift für Systematische Theologie* 10 (1933): 681-710.

- Steinmetz, David Curtis. *Misericordia Dei: The Theology of Johannes von Staupitz in its Late Medieval Setting*. Leiden: E. J. Brill, 1968.
- Stelzenberger, Johann. *Die Mystik des Johannes Gerson*. Breslau: Müller & Seiffert, 1928.
- Swanson, R. N. *Universities, Academics and the Great Schism*. Cambridge: Cambridge University Press, 1979.
- _____. "The University of Cologne and the Great Schism." *Journal of Ecclesiastical History* 28:1-15.
- Tavard, George H. *Holy Writ or Holy Church: The Crisis of the Protestant Reformation*. New York: Harper and Brothers, 1959.
- Tierney, Brian. "Ockham, the Conciliar Theory, and the Canonists." *Journal of the History of Ideas* 15 (1954): 40-70.
- Tschackert, Paul. *Peter von Ailli (Petrus de Alliaco): Zur Geschichte des Grossen Abendländischen Schisma und der Reformconcilien von Pisa und Constance*. Gotha: Perthes, 1877.
- Ullman, Walter. "The University of Cambridge and the Great Schism." *Journal of Theological Studies* N. S. 9 (1958): 53-77.
- _____. *Medieval Papalism: The Political Theories of the Medieval Canonists*. London: Methuen & Co. Ltd., 1949.
- _____. *The Origins of the Great Schism: A Study in Fourteenth-Century Ecclesiastical History*. London: Barnes, Oates, & Washbourne, 1948.
- Vignaux, Paul. "Sur Luther et Ockham." *Franziskanische Studien* 32 (1950): 21-30.
- Vogelsang, Erich. "Luther und die Mystik." In *Luther-Jahrbuch* 1937, edited by Th. Knolle, 32-54. Weimar: Hermann Böhlau, 1937.
- Zahrnt, Heinz. *Luther Deutet Geschichte: Erfolg und Mißerfolg im Licht des Evangeliums*. Munich: Paul Müller, 1952.