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LUTHER AND THE APOLOGY

1530 TO 1531

A research paper presented to the Faculty
of Concordia Seminary, St. Louis,
Department of Historical Theology
in partial fulfillment of the
requirements for the degree of
Bachelor of Divinity.

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by

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CHAPTER I

A SURVEY OF PROBLEMS

There are two primary concerns in the describing of and commenting on Martin Luther's marks and notes in Philipp Melanchthon's Apology of the Augsburg Confession. The Augsburg Confession was a public document, subscribed by evangelicals at Augsburg.¹ Whereas the Apology also was, begun as such a public document, it was not allowed to be read at the Diet. There was no opportunity for the Apology to become a rallying point as the Augsburg Confession was for the evangelicals and the Pontifical Confutation was for the papal party. The Apology was a private document and bore the name of Philipp Melanchthon,² even though many other evangelicals contributed to its various parts. The question must be asked whether Luther had a role in the composition or not. The answer must come from Luther's hand, his correspondence and books of 1530 and 1531, rather than from students' lecture notes or table talks.³

Secondly, Luther's comments need to be examined by a confessional church. Luther disagreed with Melanchthon's theology and exegesis. If

¹Johannes von Walter, Luther und Melanchthon (Gütersloh: C. Bertelsmann Verlag, 1931), p. 4 ff.

²Apology, Preface, 5.

³Because of the time factor, Luther's homiletical, exegetical, and catechetical works of 1530 and 1531 are not considered. It is very likely that the conclusions expressed in the paper will be challenged and changed on the basis of these writings.

confessional subscription is to mean anything, Luther's dissent must be considered.

But why was the Apology received as so valuable by the evangelicals? There can be no denying that Article IV, "On Justification," is a monumental work, surpassing in comprehensiveness what Luther wrote at the same time. But there were many other apologies, each with its individual claim for recognition and consideration. Is the subject matter of Article IV that critical? Or was Melanchthon's work received as it was because it was printed with the first edition of the Augsburg Confession?

The marks and notes are listed and numbered in Appendix A. This enumeration will be used as references throughout the paper, even though they are nowhere given such distinct numerical order in other editions. Appendix B contains a translation of the notes and Appendix C brings the marks and notes into a single table with the references in the Apology. The lesser notes (e. g. 23) and personal references (e. g. 14) are not described. The personal notes contain difficult and problematic materials which call for separate, thorough study. The notes concerning marriage of the priests and monastic vows (7-47) show essential agreement between Luther and Melanchthon with a few exceptions (35-37).

CHAPTER II

LUTHER AND THE APOLOGY, 1530-1531

After the papal party had delivered the Pontifical Confutation (3 August 1530) in a special audience with Emperor Charles V, the confessional camp was thrown into great confusion.¹ The fact that the evangelicals were not given a copy of the Confutation put them at a distinct disadvantage.² Melanchthon told Luther that the princes were doing nothing positive by 8 August.³ Luther wrote to his wife:

We still have nothing from Augsburg. We have it by way of rumor that the response of our opposition should be read publicly, but supposedly they would not give our side a transcript, so that our side would not be able to respond. I do not know whether it is true. Our side⁴ will not remain for long where people are so shy of the light.

By 21 August Luther expected Melanchthon to return home at any time.⁵ There seemed to be a spark of optimism, however, in the notice that an arbitration committee had been set up on 22 August.⁶ Luther wrote to Spengler:

...but still we have received information about a new committee at Augsburg, set up after the Landgrave's departure, and it strikes us as wonderful to see. God give us further graces, Amen!⁷

¹Johann Agricola to Luther, WABr V, 543.

²Melanchthon to Luther, WABr V, 537

³Melanchthon to Luther, WABr V, 542.

⁴Luther to his wife, WABr V, 544.

⁵Luther to Melanchthon, WABr V, 554.

⁶Melanchthon to Luther, WABr V, 555-556, and Luther to Melanchthon, WABr V, 559-560.

⁷Luther to Spengler, WABr V, 561.

But Luther was clearly distressed and angered by Melanchthon's conciliatory position,⁸ especially in the articles of agreement.⁹ Before Melanchthon could receive Luther's letter, he described how the committee was trying to "patch up an agreement."¹⁰ Luther's strongest statements came the next day, on 28 August.¹¹ Philipp of Hesse was also thoroughly disgusted with Melanchthon and shared Luther's hostile feelings.¹²

Throughout these exchanges, however, there is no mention in Luther's work of a document written specifically in defense of the Augsburg Confession as a refutation of the Pontifical Confutation.¹³ The document which Melanchthon did manage to compose while he was at Augsburg was never officially received.¹⁴

In 1530 and 1531 after Melanchthon's return to Wittenberg¹⁵ there is no mention by Luther of a document being prepared by Melanchthon. Yet Melanchthon was certainly hard at work on it.¹⁶ In his writings of 1531¹⁷ Luther does not talk about such a work. In Warning to His Beloved Germans he mentioned an "answer".¹⁸ The nature or quality of it is not described.

⁸Melanchthon to Luther, WABr V, 562.

⁹Luther to Melanchthon, WABr V, 577, 578, and Luther to Jonas, WABr V, 579.

¹⁰Melanchthon to Luther, WABr V, 581.

¹¹Luther to Melanchthon, WABr V, 584; see also Luther to Melanchthon, WABr V, 618.

¹²Melanchthon to Luther, WABr V, 599-600.

¹³Melanchthon to Camerarius, CR II, 383.

¹⁴CR XXVII, 247.

¹⁵Conf. WABr V, 680.

¹⁶CR II, 384 ff.

In fact, Luther cited the Catechism as the best apologetic document in the face of the imperial and papal attacks.¹⁹

There is a curious expression in Luther's letter to Spalatin of
10 October 1531:

No one has offered us the confession of Johann Fresleben and we have never seen it. The Lord will render the people of Zwickau mutilated because they deserved it for their tremendous ingratitude and cruelty to that fine man. But it is their custom to torment the Holy Spirit, nevertheless to their own damnation. I should have been happy to write my apology, but I am thoroughly distracted by pressing business and held by committed services, so that not even a seventh part of me can attend to it when it requires all of me.²⁰

As the editors of the Weimar edition point out,²¹ there are three possible explanations for "my apology." First, he may have referred to his own apology designed to refute the Pontifical Confutation, an apology which he never wrote. Secondly, he may have referred to the translation of the Apology by Melanchthon. And thirdly, he may have been speaking about a desire on his own part to defend himself in writing against the people of Zwickau who had attacked him.

In defense of the first possibility reference is made to a statement

¹⁷WA XXX³, 249-509.

¹⁸WA XXX³, 287, 295.

¹⁹WA XXX³, 317.

²⁰WABr VI, 203.

²¹WABr VI, 204, footnote 4.

by Melanchthon of 8 April 1531:

We are almost finished with the Apology. I hope that it will be satisfactory for you and for other good men. Now Luther has drawn up a German apology.²²

There seems to be another possibility, however. The retort to the imperial party was written by Luther at the request of Philipp of Hesse.²³ This work, Warning to His Beloved Germans, was being written in October 1530, probably finished in that month.²⁴ The publication of it took place the following spring, probably in the first third of April 1531.²⁵ This seems to be the most logical reference, especially the use of the verb "has drawn up" in Melanchthon's letter. The difficulty comes when the two expressions "my apology" and "German apology" are brought together.

The second possibility is not well taken. Justus Jonas translated the Apology. It was common knowledge that he was working on it. And he noted that by April 1531 he had translated as far as the article on marriage of the clergy (Apology, XXIII [117]).²⁶

The third possibility, that Luther intended to write a specific defense against the attacks from Zwickau, is made all the more likely

²²Melanchthon to Brenz, CR II, 494. See also Melanchthon to Camerarius, CR II, 501.

²³WABr V, 660.

²⁴WA XXX³, 254, footnote 7. See also Melanchthon to Brenz (mid-April is a doubtful dating), CR II, 498.

²⁵WA XXX³, 255-266. See also the letter of Spengler which lends itself to a similar explanation.

²⁶CR II, 493.

because of an earlier statement to the same effect by Luther to Stephan Roth,²⁷ dated 4 March 1531.

There does not appear to be a good reason to assume that another, lost document belongs in the Lutheran corpus--an Apology by Luther. Warning to His Beloved Germans is an apology. There is no reason to take the term "apology" in the disparate parts of the Melanchthonian and Lutheran correspondence, join them, and apply a technical sense to the term. In the most important reference is the expression "I should have been happy to write," expressing doubt, if not merely wishful thinking.

The Apology by Melanchthon is dated by a number of statements in his correspondence. On 8 April 1531 he says: the Apology is almost (CR reads "well") done.²⁸ And on 11 April: my Apology is being published in these days and I shall see to it that you get one.²⁹ Around 25 July 1531 there is a notice of Christoph Schramm to the effect that forty copies of the Latin Apology in seven folios had been sent to Melanchthon.³⁰ On 7 June Melanchthon wrote to Brenz:

...and I ask that you answer through him [the messenger] also concerning the argumentation which I have just written out and that you write your opinion about the Apology. Just now the Apology is being pressed and I am eager to produce something better in the statement on justification.³¹

²⁷WABr VI, 47.

²⁸CR II, 494.

²⁹CR II, 495.

³⁰Kolde, "Neue Augustanastudien," Neue kirchliche Zeitschrift, XVII (1910), 735, footnote 2.

³¹CR II, 504.

Brenz told Melanchthon of his misgivings in the article "on good works."³² He told Luther to expend all effort to establish the church, apparently trying to bring about a closer cooperation and communication between the two men.³³

Melanchthon's weakness and fear at Augsburg are only one side of the issue. He was striving for unanimity among the evangélicals when he was convinced, at least for the time being, that there could be no unity with the imperial and papal parties. Luther stood as a threat to this new unity and Melanchthon resented it.³⁴

When the Apology was completed, revised, rewritten in parts, translated, and printed in September 1531,³⁵ there appeared to be little communication between Luther and Melanchthon. Melanchthon answered an earlier letter of Brenz³⁶ in which he admitted his confusion in determining a course of action:

When could a conscience have peace and certain hope if it ought to know that we are declared just, precisely then, when the newness is being perfected within us?³⁷

*Just
mine*

Melanchthon felt the ethical problem most critically, and especially his own existential predicament in the evangelical movement. He was still polite and courteous in answering another letter of Brenz:³⁸ your letter

³²CR II, 510.

³³WABr VI, 134.

³⁴Melanchthon to Bucer, CR II, 498. See also the letter of March 1531, CR II, 485.

³⁵Bek., XXIII.

³⁶WABr VI, 98-100.

³⁷WABr VI, 100, especially line 33.

³⁸CR II, 510-512.

pleased both Luther and me and you seemed to think and speak correctly.³⁹

In the table talks of 1532 Luther is reported to have spoken of "our confession and apology."⁴⁰ He noted that Melanchthon "would never have written unless he were forced and that he would have liked to make [it] better and better."⁴¹ But at the earlier stage in the period of the composition of the Apology there does not appear to be this kind of encouragement expressed in Luther's writings.

The foregoing data allow for two different interpretations. Luther and Melanchthon were teaching on the same faculty and working on some of the same projects. They could confer regularly--formally and/or informally --on the separate issues of the Apology. It is merely coincidence that there is no notice of such conferences in the correspondence of either man.

On the other hand, there were certain hard feelings about Melanchthon's attitude at Augsburg--hard feelings Luther shared with Philipp of Hesse. While Melanchthon worked untiringly at uniting some of the evangelical movements, Luther seemed bound and determined to force concession to his own position or else sabotage the attempt. Even when both men were living and working near each other, they did not confer often because of these hostile feelings, at least, that is, on the composition of this Apology by Melanchthon.⁴²

The latter conjecture appears to be the more likely at this point.

³⁹CR II, 516.

⁴⁰WATR II, 540, 5-8.

⁴¹WATR II, 570, 11-12.

⁴²Jonas and Melanchthon were both involved with Luther in four faculty opinions: WABr V, 680-681; VI, 39-40, 191-192, 229-230.

CHAPTER III

EARLY NOTICE AND TRANSCRIPTION OF LUTHER'S MARKS AND NOTES

The precise chronology of the publication of the Apology¹ shows that the earliest defense, "The Former Apology," or "The First Delineation of the Apology,"² was not published or circulated in that form. The later form, "Second Apology,"³ or "Apology of the Confession,"⁴ was the result of thorough revision at the hand of Melanchthon and others (?).⁵ Certainly, as we have seen, Brenz had a hand in the formulation of "on good works" and "on justification".

Latin texts were published twice without Justus Jonas' German translation.⁶ The differences in the German version are, at least in many cases, the result of changes in the Latin text before the two were printed together. The fact that Luther's notes are in the first edition would show that the work was completed and that he was being consulted in the final form of the Apology.

One copy of the first edition is found in the Royal Library at

¹Kolde, op. cit., pp. 729-737.

²CR XXVII, 247.

³CR XXVII, 247, 402 ff.

⁴Bek., XXII-XXIII, 141 ff.

⁵Apology, Preface, 5: me et alios; 8: nostram, etc.

⁶April and September (first printings), cf. Kolde, op. cit., pp. 729 ff., especially 734, 735.

Gotha.⁷ The date, according to Kolde⁸ and Clemen,⁹ is about 26 September 1531. On another copy of the same edition in the Royal Library at Dresden (A-130) there is a notation at the top of the title page:

1578, 30 May, when we were at the meeting at Torgau, his excellency, Elector August of Saxony, gave us a similar copy in which there was written on the first page at the word "Wittenberg" in the hand of the Reverend Master Philipp Melanchthon:

To Dr. Martin: And I ask that he read and make changes.

And in this very copy in a number of places was the hand of Luther, which I have transcribed throughout.¹⁰

The transcription (Dresden A-130) is from the copy which is still in the Gotha library. As will be pointed out in the next chapter, a number of incidents in Luther's life and work correspond with the particular notations in the Gotha copy.

The older editions of the notes are by Albert Meno Verpoortenn, Christian Wilhelm Spieker, and Heinrich Bindseil (CR XXVII, 451 ff.).¹¹ The text used in this report was edited by Otto Clemen.¹²

⁷WA XXX³, 487.

⁸Kolde, op. cit., 734-735.

⁹WA XXX³, 487.

¹⁰WA XXX³, 487-489.

¹¹WA XXX³, 488.

¹²In his introduction Clemen says that the earlier work by Bindseil has many errors. Since it cannot be determined exactly what some of the ligatures and abbreviations are in the original hand, the text of Clemen is collated with the text of Bindseil in Appendix A. The translation of Appendix B is from Clemen's edition only.

There are still problems with the Gotha and Dresden copies, however. First, since the German translations and the Latin text of the Augsburg Confession are not marked, it is possible that the Gotha copy was not made available to Luther as a bound book. The German translations and the Augsburg Confession could have been put with the Apology at a later date and been bound together.¹³ Secondly, the identification of "To Dr. Martin" with Luther and the hand that wrote the notations was first made by Maximilian Mörlein, the Superintendent at Coburg, hardly what one would call a graphanalyst. Not that the book was not sent to Luther or that some of the notations were his. But the analysis should probably be more careful and more critical throughout.

¹³The Foundation For Reformation Research has a copy of the first edition which was made from unfolded and uncut proofsheets of the Latin texts of the Augsburg Confession and the Apology. These proofsheets were annotated by an unknown hand and were later joined with the German translations and bound into one book. (FRR, film no. 1077.3 and 1077.4.)

CHAPTER IV

LUTHER'S MARKS AND NOTES

Only three articles of the Apology receive attention: Article IV, "On Justification"; Article XXIII, "On Marriage of Priests"; Article XXVII, "On Monastic Vows." All three of these were burning issues for Luther the winter of 1530/1531 and the following spring and summer. Luther's understanding of justification was threatened by the imperial and papal parties at Augsburg. He issued a warning to his countrymen to beware and be strong at all costs.¹ The imperial edict of September 1530 constituted another threat. Luther made his own comments on the edict.² Again and again he showed that below the civil and ecclesiastical politics and their national political issues lay the real issue of theology. And at the base of the issue of theology lay the article on justification. Luther was thoroughly committed to the subject matter of Article IV. The marriage of priests came up again and again in Luther's career,³ often closely associated with monastic vows.⁴ And the problems of monastic vows were, in turn, closely associated with the concept of call. In addition, Luther had to deal with the touchy subject of the divorce of Henry VIII in September 1531.⁵ So it was natural that Luther treat these particular

¹WA XXX³, 321-388.

²WA XXX³, 252-320.

³Christian Hertwig's request for a position, for instance, in WABr VI, 214-216.

⁴WABr VI, 3-10, 69-75.

⁵WABr VI, 175 ff., 200 ff.

subjects.

In Appendix A the marks and notes are enumerated according to Clemen's editing. The forty-seven marks and notes can be divided according to the following scheme:

	Long notes:	Short notes:	No notes:
Black underline:	<u>3</u> .	<u>1</u> , <u>2</u> .	<u>7</u> .
Red underline:		<u>8</u> , <u>10</u> , <u>12</u> , <u>13</u> , <u>15</u> , <u>16</u> , <u>17</u> , <u>18</u> , <u>23</u> , <u>26</u> , <u>35</u> , <u>36</u> , <u>37</u> .	<u>9</u> , <u>11</u> , <u>19</u> , <u>20</u> , <u>21</u> , <u>27</u> , <u>28</u> , <u>29</u> , <u>31</u> , <u>32</u> , <u>34</u> , <u>38</u> , <u>39</u> , <u>40</u> , <u>43</u> , <u>44</u> , <u>46</u> , <u>47</u> .
No underline:	<u>4</u> , <u>30</u> .	<u>5</u> , <u>6</u> , <u>22</u> , <u>24</u> , <u>25</u> , <u>33</u> , <u>41</u> , <u>42</u> , <u>45</u> .	

Of the marks and notations, some are underlined (black and red), and others are not: some have longer notes, some shorter, others no notes at all. The length or the color, of course, does not mean anything in itself. Notes 3, 4, 30 deserve special attention because of their length and content. Note 37 brings up the basic issue of the individuality of call.

Article IV is taken up in notes 1 to 6: the exegesis of Luke 7:47, 50 (1-3); the exegesis of Daniel 4:24 (4); the meaning of forgiveness in Matthew 6:14 (5); the testimony to the Christian of his forgiveness (6). Luther seemed to be the only person capable of handling these particular problems in this particular way.

In order to explain the quotation of Luke 7:47 ("many sins were forgiven her because she loved much"), Melanchthon claimed that Jesus used a stylistic device called synecdoche (Apology IV, 152). Luther disagreed, as he indicated by underlining the term (1). Melanchthon built his case on the term "love" (Apology IV, 154); Luther pointed out that the precise term required the using of the whole phrase "she loved much" (2). Luther went

Luther went on to explain (3):⁶

There are three important points:

1. Christ's explanation has it that it was faith that received the forgiveness (Luke 7:50).

2. The forgiving comes before the loving; consequently, the loving much indicated that many sins had been forgiven.

The address of Jesus is geared to render the Pharisee without excuse and make him the sinner.

3. The argumentation of Jesus offers a paradox. Her sin was public and Christ forgave her publicly and hence she was publicly righteous, because of her faith known only to the eye of God. But the Pharisee became the public sinner--Christ damned him publicly--because he tried to be righteous according to a principle of law.

The use of synecdoche, as Luther pointed out (3), would certainly be reversed and employed by the papists to dash the whole Biblical undergirding of justification by faith.

Luther had to ask (4) what Melanchthon meant by faith (Apology IV, 261-262). Saving, or "true", faith is "required" in believing in a promising God: "false" faith is "required" in believing in a threatening God. The analogy still holds in Daniel 4:24, that on moral grounds the right will and the true knowledge are preferred to the mere deeds. All the more in heavenly matters the right will and the true knowledge are "required" which ARE faith. So Luther saw that the requirement of faith is met by God, not by man (in Daniel 4:24, that is, the king). Faith is itself the God-wrought right will and true knowledge.

Luther felt that Melanchthon had turned the tables on the element of faith in Christians' forgiving of one another (Apology IV, 272). The person who is not forgiven and who has not received the Holy

⁶The arguments of Luther's notes are summarized. The text is given in Appendix A and a translation in Appendix B.

Spirit cannot really forgive (5). He can only forget. Forgiveness is something else.

Luther also pointed out that the promise of remission of sins in connection with good works is an internal (6), rather than an external sign (Apology IV, 275). Melanchthon's expression would allow for dangerous ideas regarding the function of the sacraments. Luther insisted, on the other hand, that these signs are derived from the Christians' awareness of sonship and are an internal thing.

These weaknesses in Melanchthon's argumentation are well taken and excellently expressed. The door had been left open, Luther felt, to thorough destruction of justification by faith and of God-wrought faith.

Luther moved to familiar ground in notes 7-13 (Apology XXIII). He reinforced Melanchthon's observations and added encouragement. He called attention to Melanchthon's use of "nature" and "natural" (8-10), in themselves understandable and usable, but perhaps open to misinterpretation. Luther probably took heart (11) in the insistence of Melanchthon that the marriage of all people belonged to the order of creation (Apology, XXIII, 9). Luther felt that the demand by the papists for a law commanding priests to marry (Apology XXIII, 15) be met by a demand by the evangelicals for a Biblical law forbidding priests to marry (12).

The wording of Melanchthon's statement about vow and human law is stated in a double negative for emphasis (Apology XXIII, 16), an effective but complicated device. Luther advised a strong single negative. (13).

Article XXVII is marked by notes 14 to 47. There is only one significant disagreement in this series, Article XXVII, 48-49. Christ's call is to suffer with him (35), Luther felt, rather than to follow him (Apology XXVII, 48). Melancthon had said that the Christian's call is a personal individual thing (Apology XXVII, 49). Luther inserted the little word "not" (37). He did so out of his experiences with the people at Zwickau. One of the chief problems in that city was that people treated their calling by God as their own personal business and no one else's. The Christian's call must be public for Christ's sake (36). The community gains or loses according to the call of each man and therefore it cannot be a private matter.

Luther dealt with critical matters in ~~the~~ Apology, not only with style (23) and order (15-22, 25, 26). The earlier notes can be considered a request for modification. But his negation of a simple proposition (37) means that there is more involved.

CHAPTER V

SUMMARY

The Apology became an official confessional document at Smalcald on 23 February 1537.¹ Four years before this time Luther had highest praise for it, according to one collection of table talks.² The text of the Apology has always been a problem for the confessional church because Melanchthon changed whole sentences and paragraphs from one edition to the next. But even his final revisions, as far as I have checked, do not reflect a consideration of the comments of Luther in the Gotha annotated copy.

Whereas the introduction by Clemen³ does not appear to treat the notes and marks critically, there is an explication of the problem. It seems to me that in the most important notes (1 to 6, 35 to 37) the only personal capable of saying what was said was Luther! In other cases of simple enumeration or underlining it does not make any difference.

But the question rings loudly now as it did when the paper began. How does a Lutheran subscribe to a document which Luther felt needed correction, but which was not changed according to Luther's wishes? Is the Apology Lutheran in that case? Where the problem is resolved, what does subscription to the Apology mean, if anything?

¹Smalcald Articles, Subscription (Bek., 496-497).

²WATR III, 127. 3 March 1533.

³WA XXX³, 487 ff.

APPENDIX A

LUTHER'S MARKS AND MARGINAL NOTES

1. Apol., IV, 152; Bek., 190, 1-3 (footnote 1); WA, 30³, 489, 1-2; CR, XXVII, 451, 9-10 (*).
Underlined: KATA SYNEKDOCHEN.
2. Apol., IV, 154; Bek., 190, 14-16; WA, 30³, 489, 3-4; CR, XXVII, 451, 20-21 (**).
Underlined: Et ipsa. . .vocet dilectionem.
Note: dilexit multum.
3. Apol., IV, 154; Bek., 190, 28-29 (footnote 2); WA, 30³, 489, 5-490, 29; CR, XXVII, 451 28-31 (***).
Underlined: Christus autem. . .mulieris comparabat.
Note:

1 Fides tua te salvam fecit, quia hoc ad mulierem dicit ostendens non dilectione, sed fide omnia meruisse. Ergo fides accepit remissionem peccatorum.

Urgendum est
utrumque

2 Cui minus dimittitur, minus diligit, Ergo remitti est ante diligere. Quare et illud sic intelligitur (CR, interpretetur): Dimittuntur ei peccata multa, quia dilexit multum.

Et dicitur hoc adversus superbium Phariseum, qui definiebat eam esse peccatricem. Imo respondet Christus: Adeo non est peccatrix, vt iam non solum fide vos praevenit, sed etiam charitate superaverit, Et in Iustitiam (CR, add: item) legis pervenit, ad quam tu sectando legem (CR, longe) adhuc abes.

Igitur Non illi, sed tibi dico, ut eam (CR, iam) scias etiam foris absolutam et non iam peccatricem as vobis habendam esse, quia melior est vobis, plus diligit quam tu et iustior est lege quam vos. Ideo nec secundum legem volo eam haberi peccatricem apud vos. Et etiam publice eam absolvo, ut quae etiam in vestra legis Iustitia vos vicerit et condemnet (CR, condemnarit). Est ergo Inversio Rhetorica: Ipsa est peccatrix, Imo (CR, et tamen) ipsa est Iusta, Tu vero peccator, quia facit foris, quae tu non facit (CR, facis), Et peccata eius scias esse remissa. Sic ostendit Christus displicere sibi peccatricem appellari ab eo, qui maior erat peccator et trabe sua neglecta festucam istius Iudicat.

3. Ipsa parabola confirmat remissionem gratuitam esse priorem et sequi dilectionem, quia is, cui plura dimittuntur, plus diligit. Recte (ait Christus) Iudicasti. Ergo rectum est dilectionem sequi remissionem peccatorum. Facit autem hysteron proteron contra Phariseum, vt eam etiam publice absolutam ostendat, ut dixi, coram mundo, quia non solum credit coram deo, Sed etiam ostendit suam

fidem mundo. ergo Et coram mundo est Iusta et non amplius peccatrix.

(CR, add: 1+) remissio fidei occulta
charitatis publica

Ibi Tua fides
(dicit) sal.
(CR, add: 2+) Iustitia Ideo Hic Tibi dico qui
publice eam dam-
nasti

Wie gefellt dir das? Ich spreche sie auch fur euch und nach ewrem
eigen gesetz recht. Quia dimissa ei peccata esse debetis concedere
Et non peccatricem Iudicare.

4. Apol., IV, 261-262; Bek., 211, 32ff. (footnote 1, p.212); WA, 30³,
490, 30-491, 5; CR, XXVII, 493, 28-494, 37 (*).

Note:

Quaeritur, an verbum Danielis sit Dei. Si Dei, ergo fides praerequiritur
deum esse, cuius est verbum (CR, add: legis). Ergo in omni (CR, cum)
verbo legis includitur fides in deum minantem
dei promittentem
ut dicit Ebrae. XI: omnem accedentem oportet credere, quod deus
sit et remunerator sit.

Hic nunc quaeritur de vera fide
falsa

Nunc ipsi moraliter voluntatem rectam
Item (CR, et) coguntur prius Intellectum verum actibus praeferre

Quanto magis in his recta voluntas fides
celestibus verus intellectus quae est requiritur.
verbum

5. Apol., IV, 272; Bek., 214, 33 (footnote 1); WA, 30³, 491, 6-9; CR,
XXVII, 496, 33 (*).

Note:

Non possumus remittere, nisi prius remissum sit nobis et missus sit
nobis spiritus sanctus. Sonst heists vergeben, Aber nit vergessen.

6. Apol., IV, 275; Bek., 214, 51 (footnote 2); WA, 30³, 491, 10-12; CR,
XXVII, 497, 12-13 (*).

Note:

Imo interna, Cum cor nostrum non coarguit nos. Scimus, quod filium
(CR, filii) Dei simus.

7. Apol., XXIII, 7; Bek., 335, 5-8; WA, 30³, 491, 13-14; CR, XXVII, 598,
41-44 (*).

Red underlined: Cum autem. . .aut votis.

8. Apol., XXIII, 8; Bek., 335, 27-30 (footnote 2); WA, 30³, 491, 15-18;
CR, XXVII, 599, 5-7 (*).

Red underlined: Sicut igitur. . .potest natura.

Note:

Sic ille dixit: Mater mea vovit, quod ego debeo fieri Episcopus.
Et ille, Qui vovit sese nolle amplius mingere in gloriam Dei.

9. Apol., XXIII, 9; Bek., 335, 42-43; WA, 30³, 491, 19; CR, XXVII, 599, 12-13 (**).
Red underlined: foeminae esse. . .sit immutabile.
10. Apol., XXIII, 9; Bek., 335, 45-48 (footnote 3); WA, 30³, 491, 20-23; CR, XXVII, 599, 14-17 (***).
Red underlined: Nam ubi. . .humanis tolli.
Note:
Et simul sequitur, Quod, donec terra repleta est, omnes omnium nuptiae cessare debent, donec per mortem evacuetur (CR, evacuatur) terra pro futuris nuptiis.
11. Apol., XXIII, 13; Bek., 336, 27-28; WA, 30³, 491, 24-25; CR, XXVII, 600, 1-2 (*).
Red underlined: Haec sunt. . .labefactari queant.
12. Apol., XXIII, 15; Bek., 336, 41-42 (footnote 2); WA, 30³, 491, 26-28; CR, XXVII, 600, 8 (**).
Red underlined: quasi sacerdotes non sint homines.
Note:
Et vos ostendite praeceptum, quod praecipiat sacerdotibus non licere uxores habere.
13. Apol., XXIII, 16; Bek., 337, 3-7 (footnote 1); WA, 30³, 491, 29-31; CR, XXVII, 21-24 (***).
Red underlined: neque hanc. . .aut concupiscentiam.
Note:
Concupiscentia non tollitur neque natura per votum aut legem humanam.
14. Apol., XXVII, 1; Bek., 377, 32 (footnote 1); WA, 30³, 491, 32-38; CR, XXVII, 627, 43 (*).
Red underlined: Johannes Hilten.
Note:
Hunc virum arbitror adhuc vivum aut recens mortuum fuisse, cum Ego Isenaci literis primis erudirer. Memini enim eius factam mentionem ab hospite meo Henrico schalben (CR, S chalden) cum compassione quasi vincti in carcere. Eram autem 15 aut 14 annos natus. Erat autem idem Henricus Schalben (CR, Schalden) intimus istis Minoritis pene captivus et servus eorum cum tota familia sua.
15. Apol., XXVII, 16; Bek., 382, 20-21; WA, 30³, 492, 1-2; CR, XXVII, 630, 40-41 (*).
Red underlined: Pauperitatis, obedientiae & castitatis.
Note: tria vota.
16. Apol., XXVII, 16; Bek., 382, 22-26; WA, 30³, 492, 3-4; CR, XXVII, 630, 42-45.
Red underlined: Paupertatem, obedientiam, De coelibatu.
Note: 1, 2, 3.
17. Apol., XXVII, 20; Bek., 383, 40-384, 1-2 (footnote 1); WA, 30³, 492, 5-6; CR, XXVII, 631, 31-32 (*).
Red underlined: quae apud. . .esse baptismo.
Note: Blasphemia B. Thome.

18. Apol., XXVII, 24; Bek., 385, 6-9; WA, 30³, 492, 7-8; CR, XXVII, 632, 17-19 (*).
Red underlined: fingunt se, vendunt haec.
Note: 1, 2.
19. Apol., XXVII, 25; Bek., 305, 21-22; WA, 30³, 492, 9; CR, XXVII, 632, 28-29 (**).
Red underlined: praeceptis satisfieri. . .praecepta fieri.
20. Apol., XXVII, 30; Bek., 387, 23-25; WA, 30³, 492, 10-11; CR, XXVII, 633, 29-30.
Red underlined: Deus ne. . .vitam aeternam.
21. Apol., XXVII, 33; Bek., 387, 54-56; WA, 30³, 492, 12-13; CR, XXVII, 634, 3-4.
Red underlined: multo minus. . .traditiones humanae.
22. Apol., XXVII, 36; Bek., 388, 35 (footnote 2b); WA, 30³, 492, 14-15; CR, XXVII, 634, 25 (*).
Note: 1 Perfectio 2 Status perfectionis.
23. Apol., XXVII, 38; Bek., 389, 12; WA, 30³, 492, 16-17; CR, XXVII, 634, 40 (**).
Red underlined: Scribitur Antonio.
Note: S. Antonius.
24. Apol., XXVII, 38; Bek., 389, 22 (footnote 2); WA, 30³, 492, 18-19; CR, XXVII, 635, 1 (*).
Note: Sic de paphnutio.
25. Apol., XXVII, 41; Bek., 390, 21-22; WA, 30³, 492, 20-21; CR, XXVII, 635, 33-34 (**).
Note: De relinquendis omnibus 1.
26. Apol., XXVII, 41; Bek., 390, 22; WA, 30³, 492, 22; CR, XXVII, 635, 34 (***)
Red underlined: Alia desertio.
Note: 2.
27. Apol., XXVII, 41; Bek., 390, 34-35; WA, 30³, 492, 23; CR, XXVII, 636, 3.
Red underlined: non qui faciunt iniuriam.
28. Apol., XXVII, 41; Bek., 390, 36-37; WA, 30³, 492, 24; CR, XXVII, 636, 4.
Red underlined: sustinent iniuriam.
29. Apol., XXVII, 42; Bek., 390, 52-53; WA, 30³, 492, 24; CR, XXVII, 636, 13.
Red underlined: quod centuplum in hac.
30. Apol., XXVII, 45; Bek., 391, 10-11 (footnote 1); WA, 30³, 492, 26-493, 2; CR, XXVII, 636, 22 (*).
Note:
Vade, Vende omnia scilicet (CR, sed) eadem causa qua relinquenda sunt, idest propter Christum, non propria electione. Sic Beati pauperes spiritu vel eadem causa ut supra. Christus ibi loquitue de causa

Euangelii, de cruce et confessione publica tempore belli Satane
(CR, tantum).

31. Apol., XXVII, 46; Bek., 391, 21-22; WA, 30³, 493, 3; CR, XXVII, 636, 31.
Red underlined: Desertio Facultatum.
32. Apol., XXVII, 47; Bek., 391, 33-34; WA, 30³, 493, 4; CR, XXVII, 636,
35-37 (***).
Red underlined: Quare cum. . .inutilis cultus.
33. Apol., XXVII, 47; Bek., 301, 35-36; WA, 30³, 493, 5; CR, XXVII, 636, 38.
Note: Extravagans (not in CR).
34. Apol., XXVII, 47; Bek., 391, 39-40, 30³, 493, 6; CR, XXVII, 636,
41-637, 1 (*).
Red underlined: rem pugnantem cum ciuili consuetudine.
35. Apol., XXVII, 48; Bek., 391, 45 (footnote 4); WA, 30³, 493, 7-8;
CR, XXVII, 637, 4 (**).
Red underlined: sequere me.
Note: ./• patere mecum.
36. Apol., XXVII, 49; Bek., 391, 47-48 (footnote 5); WA, 30³, 493, 9-10;
CR, XXVII, 637, 6-7 (***).
Red underlined: ita haec. . .est omnium.
Note: imo est omnium, quia publica propter Christum.
37. Apol., XXVII, 49; Bek., 392, 4-5; WA, 30³, 493, 11-12; CR, XXVII,
637, 12 (+).
Red underlined: Vocationes sunt personales.
Note: Non.
38. Apol., XXVII, 51; Bek., 392, 25-27; WA, 30³, 493, 13; CR, XXVII, 637,
23-24.
Red underlined: Propter fornicationem. . .vxorem suam.
39. Apol., XXVII, 55; Bek., 393, 16-17; WA, 30³, 493, 14; CR, XXVII, 638,
9-10.
Red underlined: sicut lectiones. . .docere audientes.
40. Apol., XXVII, 55; Bek., 393, 24-26; WA, 30³, 493, 15; CR, XXVII, 638,
16-17.
Red underlined: breues &. . .infinite BATTLOGIAI.
41. Apol., XXVII, 58; Bek., 394, 13 (footnote 2); WA, 30³, 493, 16-17,
CR, XXVII, 638, 44-45 (*).
Note: Et erat temporale, deinde non celebs, nec pauper, nec obediens.
42. Apol., XXVII, 59; Bek., 394, 25 (footnote 3); WA, 30³, 493, 18-19;
CR, XXVII, 638, 50 (**).
Note: Nec isti fuerunt celibes aut obediens aut pauperes ut monachi.
43. Apol., XXVII, 67; Bek., 396, 1-2; WA, 30³, 493, 20-21; CR, XXVII,
640, 6-7 (*).

Red underlined: Et hoc modo fidem accipit in eodem Cap.

44. Apol., XXVII, 68; Bek., 396, 7; WA, 30³, 493, 22; CR, XXVII, 640, 11.
Red underlined: hos abijcere fidem.

45. Apol., XXVII, 68; Bek., 396, 10 (footnote 1); WA 30³, 493, 23-26.
CR, XXVII, 640, 13 (**).

Note:

relabebantur forte ad Iudaismum, cum in Ecclesia non invenirent,
qui vellet aut posset ducere. Et Iudei odio Christi libenter eas
duxerint.

46. Apol., XXVII, 69; Bek., 396, 23; WA, 30³, 493, 27; CR XXVII, 640, 20.
Red underlined: haec vna vox.

47. Apol., XXVII, 69; Bek., 396, 24-25; WA, 30³, 493, 28; CR, XXVII, 640, 21.
Red underlined: Frustra colunt me mandatis hominum.

APPENDIX B

TRANSLATION OF LUTHER'S MARGINAL NOTES

2. She loved much.

3. 1. Your faith has rendered you saved, because he said this to the woman showing it was not by love, but by faith, that she has merited therefore faith received forgiveness of sins.

You must

insist on 2. A person who is forgiven less loves less; therefore, both: to be forgiven is before loving. Consequently, that is to be understood thus: many sins are forgiven her, because she loved much.

And this is spoken against a haughty Pharisee, who labeled her a sinner. In reply Christ answers: now she is not a sinner, in that already not only has she excelled you in faith, but also she has surpassed you in love. She also discovered the righteousness of the law. By following after the law, you are still lost.

Therefore, not to her, but to you, I say that you know that she has been acquitted openly and that you ought consider her a sinner no longer, because she is better than you. She loves more than you and she is more righteous in the law than you. For this reason I do not want her to be considered a sinner in your midst according to the law. And I certainly acquit her publicly, so that she now has overcome you and condemns you in your righteousness of the law. Consequently, there is a rhetorical transposition: she is a sinner; no! she is righteous; you are a sinner for sure, because she does openly what you do not do (?). And you know that her sins have been forgiven. Thus Christ showed that it displeased him that she was called a sinner by a person who was a greater sinner and judged her mote with his own beam forgotten.

3. This parable establishes that gracious forgiveness is prior and that love follows, because a person who is forgiven more loves more. Christ says: you have judged correctly. Therefore it is correct that love follows forgiveness of sins. But against the Pharisee he turns the tables, in that he shows that she was even forgiven publicly, as I have said, in the eyes of the world, because not only does she believe in the eyes of God, but she also shows her faith to the world. Therefore she is righteous also in the eyes of the world and is no longer a sinner.

 of faith, hidden
forgiveness of love, public

righteousness therefore here (to her) your faith saves, he says
 there (to him) I am speaking to you, who
 condemn her publicly.

Does that appeal to you? I pronounce her righteous also before you and according to your own law. You ought to agree because her sins were forgiven and not judge her a sinner.

4. One must ask whether it is Daniel's or God's word. If it is God's word, then faith is required to be God. Then, in every word of God (of law) faith is included in God threatening as Hebrews 11:6: it is necessary that every aspirant believe that God is and that he is the Rewarder. Here now one must ask: true faith.
false
Now those deeds were a right will
Thus urged on moral a true knowledge to be preferred to deeds.
grounds rather
So much more in a right will which are faith are sought.
heavenly matters a true knowledge word
5. We are not able to forgive unless first we have been forgiven and the Holy Spirit has been sent to us. So, it is called "forgiven", but not "forgotten."
6. No! rather internal, because our heart did not prove us wrong. We know, because we are sons of God.
8. So that fellow said: my mother vowed that I should become a bishop. And another one: he vowed that he would not want to urinate any more to the glory of God.
10. And likewise it follows, that as long as the earth has been filled, all marriages of all people ought to cease until the earth is emptied through death for future marriages.
12. And you show a law that demands that it is not permitted for priests to have wives!
13. Neither lust nor nature are abolished by a vow or a human law.
14. I believe this man is still alive, or has just recently died, since I was taught in elementary school in Eisenach. For I remember that mention was made of him by a guest, Heinrich Schalben, sympathetically, as though he were imprisoned. I was fourteen or fifteen years old. But Heinrich Schalben, close to the Franciscans as he was, was almost almost made captive and their slave with his whole family.
15. Three vows.
16. 1, 2, 3.
18. 1, 2.
22. 1, perfection. 2, state of perfection.
23. Saint Antonius.
24. So concerning Paphnutius.
25. Concerning everyone's leaving, 1.

26. 2.

30. Go, sell everything [Matthew 19:21], as though it is the same case for which they must be forsaken, that is, on account of Christ, and not on the basis of personal decision. So "Blessed are the poor in spirit" [Matthew 5:3] for the same reason as above. There Christ speaks about the case of the Gospel, about the cross and public confession at a time of war with Satan.

33. The Extravagant One.

35. °/° Suffer with me.

36. No! rather, it is everyone's, because it is public for Christ's sake.

37. Not.

41. And it was temporal; secondly, he was not celibate, nor poor, nor obedient.

42. These were not celibate or obedient or poor, as monks are.

45. Perhaps they fell back into Judaism, when they did not find in the church men who wished or could lead. And Jews with their despising of Christ probably led them.

APPENDIX C

	Apology	Bekenntnis- schriften	WA XXX ³	CR XXVII
1.	IV,152.	190,1-3.(1).	489,1-2.	451,9-10 (*).
2.	IV,154.	190,14-16.	489,3-4.	451,20-21 (**).
3.	IV,154.	190,28-29 (2).	489,5-490,29.	451,28-31 (**).
4.	IV,261-262.	211,32 (1).	490,30-491,5.	493,28-494,37 (*).
5.	IV,272.	214,33 (1).	491,6-9.	496,33 (*).
6.	IV,275.	214,51 (2).	491,10-12.	497,12-13 (*).
7.	XXIII,7.	335,5-8.	491,13-14.	598,41-44 (*).
8.	XXIII,8.	335,37-30 (2).	491,15-18.	599,5-7 (*).
9.	XXIII,9.	335,42-43.	491,19.	599,12-13 (**).
10.	XXIII,9.	335,45-48 (3).	491,20-23.	599,14-17 (**).
11.	XXIII,13.	336,27-28.	491,24-25.	600,1-2 (*).
12.	XXIII,15.	336,41-42 (2).	491,26-28.	600,8 (**).
13.	XXIII,16.	337,3-7 (1).	491,29-31.	600,21-24 (**).
14.	XXVII,1.	377,32 (1).	491,32-38.	627,43 (*).
15.	XXVII,16.	382,20-21.	492,1-2.	630,40-41 (*).
16.	XXVII,16.	382,22-26.	492,3-4.	630,42-45.
17.	XXVII,20.	383,40-384,1-2 (1).	492,5-6.	631,31-32 (*).
18.	XXVII,24.	385,6-9.	492,7-8.	632,17-19 (*).
19.	XXVII,25.	385,21-22.	492,9.	632,28-29 (**).
20.	XXVII,30.	387,23-25.	492,10-11.	633,29-30.
21.	XXVII,33.	387,54-56.	492,12-13.	634,3-4.
22.	XXVII,36.	388,35 (2b).	492,14-15.	634,25 (*).
23.	XXVII,38.	389,12.	492,16-17.	634,40 (**).
24.	XXVII,38.	389,22 (2).	492,18-19.	635,1 (*).
25.	XXVII,41.	390,21-22.	492,20-21.	635,33-34 (**).
26.	XXVII,41.	390,22.	492,22.	635,34 (**).
27.	XXVII,41.	390,34-35.	492,23.	636,3.
28.	XXVII,41.	390,36-37.	492,24.	636,4.
29.	XXVII,42.	390,52-53.	492,24.	636,13.
30.	XXVII,45.	391,10-11 (1).	492,26-493,2.	636,22 (*).
31.	XXVII,46.	391,21-22.	493,3.	636,31.
32.	XXVII,47.	391,33-34.	493,4.	636,35-37 (**).
33.	XXVII,47.	391,35-36.	493,5.	636,38.
34.	XXVII,47.	391,39-40.	493,6.	636,41-637,1(*).
35.	XXVII,48.	391,45 (4).	493,7-8.	637,4 (**).
36.	XXVII,49.	391,47-48.(5).	493,9-10.	637,6-7 (**).
37.	XXVII,49.	392,4-5.	493,11-12.	637,12 (+).
38.	XXVII,51.	392,25-27.	493,13.	637,23-24.
39.	XXVII,55.	393,16-17.	493,14.	638,9-10.
40.	XXVII,55.	393,24-26.	493,15.	638,16-17.
41.	XXVII,58.	394,13 (2).	493,16-17.	638,44-45 (*).
42.	XXVII,59.	394,25 (3).	493,18-19.	638,50 (**).
43.	XXVII,67.	396,1-2.	493,20-21.	640,6-7 (*).
44.	XXVII,68.	396,7.	493,22.	640,11.
45.	XXVII,68.	396,10 (1).	493,23-26.	640,13 (**).
46.	XXVII,69.	396,23.	493,27.	640,20.
47.	XXVII,69.	396,24-25.	493,28.	640,21.

LUTHER AND THE APOLOGY, 1530 TO 1531

Postscript

There are many tasks remaining to make of this report a useful piece of research. The agreement between professor and student in the case of the original study included: the topic, the periodization, and the primary materials (Luther and Melanchthon). The paper can be extended readily with:

1. a careful analysis of the secondary materials--almost none of it used for this study--to be found in the introductory materials of the Bek. or Schottenloher 34636a - 34645 (+);¹

2. a survey of the Luther-Melanchthon / Melanchthon-Luther materials (Schottenloher 13120 - 13132 (+), 15390 - 15392a (+), 56356 - 56361, 56666, 56973 - 56975a;

3. a careful analysis of the fuller documentation of the Augsburg sessions of the Imperial Diet in 1530--the old stand-by being Urkundenbuch zu der Geschichte des Reichstages zu Augsburg im Jahre 1530, hrsg. von Karl E. Förstemann (Halle: Waisenhaus, 1833 - 1835), 2 vols. and Schottenloher 28011 - 28067 (+).

There is little doubt that the historical problem itself is worth the effort of examining carefully and fully the extant record.

¹At the end of this section Schottenloher gives additional cross references, which are indicated by (+) rather than cited in a long column of numbers.

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