Promissio *as Oswald Bayer's Key to Luther's Reformational Theology*

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Abstract

The study is an introduction to Oswald Bayer's groundbreaking work Promissio: The Reformational Turn in Luther's Theology *from 1972, which is now also available in English. It analyzes the research situation of the book and the approach and implementation of Bayer's investigation, which distinguishes between Luther's pre-reformational theology (until 1517) and his reformational theology since 1518, substantiating this distinction with a large number of meticulous textual analyses. The key observations and arguments are highlighted and compared with recent research and in some cases corrected. Particular emphasis is placed on the fact that linguistically identical formulations and sentences can have different meanings in early and later contexts. While for Bayer the "reformational turn" meant an insurmountable separation from Catholic doctrine, the study argues that Luther's discovery of the sacramental character of the* promissio *(promise) is precisely the basis for a promising Catholic-Lutheran ecumenism. Bayer's findings are also shown to be fruitful for the interdisciplinary discourse on "gift giving."*

Rarely has a study of Luther been published in English translation more than fifty years after it first appeared in Germany.[1] Oswald Bayer's *Promissio* has long deserved to be translated into English, but the book seemed untranslatable. Like no one before him, Bayer has revealed the special character of Luther's understanding of the word of God as *promissio*, as an effective word that does what it says, and how the relation of *promissio—fides* (promise and faith) is the organizing principle of Luther's theology as it appears in *The Babylonian Captivity of the Church*. From this starting point, which Bayer, with good reason, regards as defining what should be called "reformational," he takes a critical and analytical look at Luther's early theology, which, measured against this benchmark, does not appear to be reformational. He describes in detail the transition from Luther's early to his reformational theology in 1518. The

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presentation of Luther's theology that Bayer offers, with its sharply defined distinction between Luther's earlier work and his reformational theology, remains unsurpassed to this day. With its deeply penetrating textual analyses, always with an eye on the larger contexts and the systematic structures, it has set standards for the interpretation of Luther texts. Long before theologians also took part in the international discussion by sociologists and philosophers on the subject of "gift," Bayer recognized together with the concept of *promissio* also the concept of gift as the basic word of Luther's theology: it is a special way in which God gives himself to human beings, namely, giving through promise. This word is not just one topic of theology alongside others; the relation *promissio—fides* rather structures all *topoi* of theology, so that the understanding of this relation determines the understanding of Luther's theology as a whole. It was therefore always highly regrettable that this standard work of Luther research remained inaccessible to many Luther researchers and those interested in Luther, for linguistic reasons. This has now changed, and the publication of the English translation of *Promissio* is a happy event for international Luther research. All Luther scholars should be familiar with this book, even if they do not agree with it.

The brilliant translation by Jeffrey Silcock cannot be praised highly enough. Over several years of work, he has rendered Bayer's very dense diction, which even German native speakers cannot easily read, into a readable English, taking great care to ensure that the meaning is always accurately reproduced. He has also gone the extra mile to improve countless translations in *Luther's Works* and also to translate into English the hundreds of sometimes long Latin and Early German quotations in the German edition of *Promissio*. So I am sure that German readers will also soon turn to the English edition because of difficulties with the Latin language.

Bayer's book is extraordinarily rich in precise observations on the texts, astute systematic reflections, and pointed formulations. It needs patient readers who are willing to read slowly. What follows is a kind of reading aid. In an independent train of thought that does not follow the course of the book, I will present the main findings of *Promissio*. Since textual analysis is one of the strengths of the book, I will also interpret a number of Luther texts in my presentation that

were of particular importance for Bayer's argumentation; of course, this is done in light of Bayer's analysis.

Over time, Bayer's book has convinced many Luther researchers, but there are also a number of scholars who decidedly do not share his view.[2] As far as I can see, no attempt has yet been made to refute Bayer's textual analyses; the opponents have assumed that the presentation of their views would be convincing enough. Conversely, Bayer did not further address the alternative interpretations of the reformational turn after the publication of *Promissio*. That is why I emphasize Bayer's textual analyses to underline the claim of *Promissio*. Anyone who wants to criticize the book has to show that the text analyses are wrong and misleading. In my presentation of Bayer's ideas, newer research will be integrated and alternative positions will be confronted with his view and vice versa.

After an introduction to the research situation in which the book was written and with a view to the current discussion (I), I will offer an interpretation of Luther's *Explanations* 6, 7, 37, and 38—proofs for the respective theses of the *Ninety-five Theses*—, because they provide the exceptional situation that one can here directly observe Luther rethinking and reorienting his theology (II). They allow for understanding why Bayer speaks of a radical turn in Luther's theology. All Luther scholars are familiar with these four *Explanations*, but only a few have recognized their significance for Luther's development. Bayer has energetically pointed this out; thus I begin my presentation with the interpretation of these *Explanations*, and I recommend reading the book starting with its second part. Then I turn to an interpretation of *Pro veritate*, the disputation "For the Sake of Investigating the Truth and Comforting Terrified Consciences," which is indeed Bayer's discovery, even though it was already included in volume 1 of the Weimar Edition (III). But Bayer was the first to recognize that here Luther is systematically expounding his new understanding of the effective word of absolution. If, like Bayer, one takes *The Babylonian Captivity of the Church* as the benchmark for what deserves to be called "reformational," then this is the first reformational text. I will discuss the meaning and significance of Luther's reorientation in five directions. This is followed by a detailed presentation of Bayer's analysis of Luther's early

theology, taking up recent research especially (IV). Luther's discovery of *promissio* led him to discover the sacraments. In Section V, I briefly describe how, in Bayer's view, the relation *promissio—fides* orients Luther's sacramental theology, how it changes his Christology, his distinction between sacrament and example, and his understanding of dealing with the word (*pro me*—for me). It should become clear that the specific profile of the theology of *The Babylonian Captivity of the Church* and thus of "reformational" becomes blurred if it is not clearly distinguished from a specifically different early theology of Luther and vice versa. Section VI will summarize and indicate certain perspectives for developing Bayer's view further.

I. Introduction to the Research Situation

1. A sketch of the history of the question of the "reformational turn" and the place of Bayer's Promissio *in it*

The Jesuit Heinrich Denifle gloatingly noted in 1906: "To this day, Protestant theologians have not come to any kind of common understanding either about the genesis of Luther's subsequent apostasy or about the timing of it."[3] This is a quite embarrassing situation, as this question is not just about a historical problem; rather, it is about what is or should be normative for the churches that want to be "reformational" or "Lutheran" or at least if theologians want to use the word "reformational" with reference to Luther in a meaningful way. The challenge posed by this unresolved question has triggered an almost unmanageable discussion.[4] The respective contributions of the discussion combine basic systematic decisions, historical judgments, and current interests in such a way that it is often unclear whether they are talking about the same subject and can therefore be meaningfully related to one another.

Luther was not born a reformer; rather, he found his mature "reformational" theology in a complex development with many steps. To examine this development, we can, on the one hand, follow it from Luther's first lectures (*Dictata super Psalterium*, 1513–15), through the lectures on Romans (1515–16), Galatians (1516–17) and Hebrews (1517–18), to the second lectures on the Psalms (1518–21). In addition,

we have an increasing number of preserved sermons and soon also independent publications by the early Luther. On the other hand, we have Luther's own statements about his theological path and his decisive insights and discoveries. In retrospect he himself spoke often and in many different ways about the "earlier times" and what had changed in the meantime, about the difficulties he had to deal with theologically, about the hardships that beset him. We have information about Luther's own view of this process through many of his dinner table talks, remarks in sermons and lectures, letters and publications, and from at least two personal testimonies.[5] It is not easy to combine the two strands of information about Luther's development or to map them onto each other.

One would like to assume that Luther himself is best placed to say what is constitutive of his reformational theology and how and when he found this form of theology. Thus, Luther's self-testimony in the preface to the first volume of his Latin writings from 1545 has attracted particular attention in research.[6] In this preface, Luther describes how for a long time he was not able to understand why Paul could call the "revelation of God's righteousness" the "gospel" (Rom 1:17). Luther was used to understanding this righteousness in the manner of the philosophers as distributive righteousness and as an attribute of God, according to which he would punish the sinner, as Luther saw himself. So Luther hated this word, indeed hated "the righteous God who punishes sinners."[7] But hatred turned into love, Luther felt reborn and entered the gates of paradise when he, by God's grace, gained a philological insight: he realized the connection between the abstract "righteousness of God" and the concrete "the righteous lives by faith."[8] Now he understood the righteousness of God as the gift of God through which the righteous lives by faith. Luther also recognized this kind of genitive (*genitivus auctoris*) in other expressions such as "work of God" (the work that God does in us), "wisdom of God," "power of God," so that the whole of scripture took on a different face for him. And he found confirmation in Augustine, who in *On the Spirit and the Letter* understands the righteousness of God as that "with which God clothes us when he justifies us."[9]

This impressive testimony, which bears all the hallmarks of a conversion report, claims that the change took place at a certain point in time. Luther researchers have emphasized this. Those were "eventful hours in which his new realization dawned on him,"[10] "the sudden flash of something new."[11] In addition, in some table talks Luther reported that he had come to this discovery "in the tower."[12] Thus, this event was called Luther's "tower experience." This naturally provoked the search for this point in time in the early lectures—after all, one has the three criteria: the definition, the analogous genitive constructions, and the reference to Augustine. Signs of that insight were found in the interpretation of Psalm 70(71):2[13] or in the interpretation of Romans 1:16–17[14] in the Romans lectures. This view is known as the early dating of the reformational turn. Karl Holl explained:

> The Lectures on Romans published by Johannes Ficker has only just revealed the extent to which the reformer had come in 1515. The core of his view, the doctrine of justification, has already been completed. Luther presents his audience with a firmly coherent train of thought that completely replaces the Catholic doctrine of salvation with a new one. There is no longer any trace of inner insecurity in this.[15]

Others were more cautious and understood the early insight to be the core of the reformational theology, which Luther then further clarified and developed in the way a seed develops organically.[16]

Despite the three criteria, the search for the first emergence of the new insight did not lead to a generally accepted result, since the definition of "God's righteousness" as the righteousness with which God justifies the believer is Augustinian and, even together with the brief explanation that Luther gives in the preface, it allows for very different understandings of justification by faith. This problem can already be seen in the discussion of Denifle's collection of sources entitled *The Western Interpreters up to Luther on "The Righteousness of God" (Rom 1:17) and Justification*.[17] In it, Denifle lists over sixty exegetes before Luther who in interpreting Romans 1:17 used the Augustinian wording for the phrase "righteousness of God": the righteousness with which God clothes us. In this way, Denifle wanted to show that Luther's claim to have discovered something

new here seemed to be based on ignorance of the tradition or presumption. But Karl Holl showed that in these commentaries the Augustinian formula was integrated into very different theological contexts, so that Romans 1:17 despite the use of the Augustinian formula was understood differently and the familiar philosophical concept of justice was not overcome.[18] The Augustinian formula is in need of interpretation, and it has found different interpretations. This is why the search for the first occurrence of Luther's new insight has led to varied results, both concerning the precise meaning of "righteousness of God" in the preface and also the date of Luther's discovery.

If one adds to the three criteria mentioned a statement that Luther made in one of his table talks, then the discovery of its correct understanding can hardly be localized in the Romans lectures. Luther told his dinner companions with respect to Romans 1:17: "I lacked nothing before this except that I made no distinction between the law and the gospel. I regarded both as the same thing [. . .] But when I discovered the proper distinction—namely, that the law is one thing and the gospel another—I made myself free."[19] From the point of view of this table talk, an early dating is difficult.

In 1958, Ernst Bizer's book *Fides ex auditu*[20] questioned the hitherto widely shared assumption of early dating (with its variations) and argued for a late dating of the Reformation turn in 1518. Bizer wanted to solve the difficulty that Luther's preface alone does not clarify his understanding of the "righteousness of God" with sufficient precision "through a careful exegesis of the passages in which Luther himself speaks of *iustitia Dei*, especially where it occurs in connection with Romans 1:17."[21] In analyzing Luther's works from the first to the second lectures on Psalms, following Luther's text, so to speak, "with his finger line by line,"[22] Bizer came to the conclusion that finally in the *Acta Augustana* Luther equated the righteousness of God with faith and understood faith as belief in the word of promise and no longer as *humilitas* (humility) as in the lectures on Romans. Thus, according to Bizer, Luther discovered the "word as a means of grace." He "detected the meaning of the *promissio* for the faith."[23] In the epilogue to his book, Bizer explicitly draws on Luther's understanding of *promissio*, on which faith relies; the way in which God's

righteousness is imparted to human beings is thus part of the full definition of "God's righteousness."[24]

In Bizer's book, all of Luther's impressive theological work up to 1518 was regarded as pre-reformational; most of his colleagues found this almost sacrilegious. It took great courage for Bizer to question the prevailing view, and great perseverance to defend his thesis against the concentrated criticism of his colleagues. His book sparked "the most lively research controversy on the history of the Reformation after the Second World War." It was "in no way less appealing than the other major debate about the Reformation in the 20th century, the discussion triggered by Troeltsch about the medieval character or 'modernity' of the Reformation in terms of the number of contributions to the discussion and the differentiation of the range of opinions."[25]

Bizer was Oswald Bayer's doctoral adviser. Bayer took up the impulse and theme of his teacher in a time when Bizer was alone among a large crowd of critics. Bayer took the analysis to a new level in terms of methodology and the scope of the topics examined. In the period after *Promissio*, the acceptance of late dating increased considerably, mainly due to Bayer's book.

Bayer argued: If "righteousness of God" needs to be further interpreted by the relation *promissio—fides*, as Bizer at the end of the third edition of his book indicated, then it seems to be appropriate to examine the question of the reformational turn not primarily from Luther's preface of 1545 as the *definiendum* (that which must be defined), but above all from the *definiens* (that which defines), namely from that relation.[26] As justification, Bayer referred to a series of then unnoticed self-testimonies in which Luther speaks of the resurgence of *promissio*, which had been forgotten in the papacy.

> Formerly, under the papacy, when I was a monk, the word or promise was never spoken and never heard. I give thanks to God that I can live at a time like this when it resounds in my ears and in the ears of all Christian people. For whoever hears the word, easily understands the divine promise, which was obscure and unknown to all theologians throughout the papacy.[27]

And this is the content of the promise, presented as a personal confession:

> I have been baptized. I have been absolved. In this faith I will die. No matter what trials and tribulations confront me, I will certainly not be shaken; for he who said: "Whoever believes and is baptized will be saved" (Mark 16:16) and "Whatever you loose on earth will be loosed in heaven" (Matt 16:19) and "This is my body; this is my blood, which is shed for you for the remission of sins" (cf. Matt 26:26,28)—he cannot lie or deceive. This is certainly true.[28]

With the problems with Luther's testimony of 1545 outlined above in mind, Bayer insisted that the Reformation discovery cannot be found expressed in a formula or structure, but can only be identified in a "textual context that is as clear and self-contained as possible."[29] He sees such a textual context in Luther's writing *The Babylonian Captivity of the Church* because it "unmistakably shows Luther's own position."[30] He takes this book as a benchmark against which a text must identify itself as "reformational" through the relation *promissio-fides*. For Bayer, the first text that meets this criterion is the disputation "For the Sake of Investigating the Truth and Comforting Terrified Consciences" (= *Pro veritate*) from the early summer of 1518.[31] Although it was included in the first volume of the Weimar edition, it had remained largely unnoticed until then. Kurt Aland had pointed it out,[32] but it was Bayer who first recognized its decisive importance. The text discusses the sacrament of penance as the context of justification with the help of the relation between *promissio* and faith. The disputation concludes—quite unusually—with a summary (*Summa Summarum*): "The righteous will live not from works of the law, and also not from the law, but from faith. Romans 1[:17, Rom. 3:28]." Thus, the disputation is meant as an explication of the understanding of "God's righteousness" in Romans 1.

The *promissio* in the sacrament of penance is an oral, external word, the word of Christ (Matt 16:19) said by the priest to the penitent. This word is the promise of forgiveness and grace and nothing else. This allows for the distinction of the accusing law from the liberating gospel. The *promissio Christi*, like every promise, aims at the trust of the one to whom it is given. And because the *promissio* promises the individuals concrete grace, they can and should trust it firmly. Thus, certainty of salvation is possible because it is based solely on the *promissio*. Identifying the gospel-promise as bodily word overcomes the Augustinian separation of the inner and outer words. These three

elements belong together logically; only the external word of the *promissio* allows the distinction between law and gospel, and only on the basis of this distinction is the gospel-promise pure gospel, which creates the certainty of salvation.

Luther gained his insight by reflecting on the sacrament of penance, but it restructures his entire theology. Bayer shows what this means for baptism, the Lord's Supper, Christology, prayer, and meditation. Luther is not a systematic theologian like Thomas Aquinas, who analyzes every theological *topos* in every aspect and detail, but he is a highly systematic thinker. From 1518 onwards Luther develops all topics of theology in the sense of the newly discovered relationship of *promissio—fides*.

With the three elements mentioned, Bayer looks for "*the* turning point in the rich history of turns in Luther's theology."[33] When he, from this perspective, describes Luther's developing theology before 1518 as "not-reformational," this of course does not mean that Luther's enormous theological work up to that point (the rejection of a Scholasticism based on Aristotelian philosophy, the *sola gratia* as set out in the *Disputation Against Scholastic Theology*, the *solus Christus* in the *Heidelberg Disputation*, the reorientation of the study of theology) would be regarded as insignificant; the achievements of this theology are lasting elements of what then followed in 1518. But Bayer emphasized that Luther's early theology does not meet the three criteria mentioned. This also means that the *theologia crucis* (theology of the cross), as Luther presented it in Heidelberg, does not yet fulfill these Reformation characteristics.

Bayer insists that what was new in 1518 cannot be understood as the unfolding of a seed, as the organic development of an early reformational turn. It was not a quantitative development, but rather a qualitative turn. It was the answer to the question of the earlier theology, but the answer could not be derived from the question and not even expected from it. It was a contingent discovery.

Bayer's book has two parts. The second part describes the discovery of the Reformation relation *promissio—fides* and its consistent elaboration by Luther;[34] the first one shows how Luther's theology before 1518 proves to be not yet reformational in this perspective.[35]

It is possible that a reader will agree with the analysis of *promissio* and its consequences in the second part, but hesitate to agree with Bayer's judgment on Luther's early theology. The question here is whether elements that Bayer describes as "reformational" are already to be found before 1518. Bayer may admit that there are elements that seem to anticipate what he calls "reformational" also before 1518, but he insists that such sentences need to be read in their respective contexts. Aland makes an important methodological remark:

> If one interprets only individual passages, one finds easily the early beginning, and indeed at any given point in time, while these passages, on which full light seems to lie, are in reality—as considering the *whole* statement of the respective publication, sermon, lecture, etc. proves—at least embedded in a semi-darkness, which as such proves compellingly that the sun of the new knowledge has not yet risen.[36]

Bayer astutely observes that important terms like "faith" and "word" change their meaning. It is also important to bear this in mind when it comes to formulas such as *extra nos* or *simul iustus et peccator*. Bayer's close reading of these formulas shows that they have a different meaning in early theology than later. So one has to be very careful that later meanings are not read into earlier texts, which unfortunately often happens. Earlier motifs such as *humilitas*, which Luther later criticizes, are not simply abandoned, but integrated into a new context. In this way, they are changed and preserved. Here Bayer provokes readers to read carefully, again and again by comparing how the same biblical texts were interpreted in Luther's early theology and later.

But it also happens after 1518 that "old" and "new" statements coexist without mediation, and Luther sometimes finds it difficult to consistently realize his insight in new topics; sometimes he gets stuck halfway there. Bayer's talk of the "reformational turn" does not refer to an instant change; rather it took time, over "The History of the Reformational Turn," as the original subtitle of his book puts it. It is not primarily chronologically oriented, even though Bayer emphasizes the year 1518, but is about a difference in the matter and, in view of this, about a "before" and "after."

2. Berndt Hamm's criticism of the "scholarly construction of Luther's Reformation turn"

Theologians who support either the early or the late dating of the reformational turn agree that there was a particularly profound turning point in the process of the many changes in Luther's theology that made his theology a "reformational" theology, whether this turning point is assumed to be early or late or is understood to have been instantaneous or to have lasted a certain time. But this view is currently disputed by renowned Luther scholars like Berndt Hamm and Volker Leppin.[37] Berndt Hamm, for example, criticizes "the scholarly construction of Luther's 'Reformation turn.'"[38] We should not "fixate on isolating the great decisive 'Reformation turn' doctrinally or chronologically;" rather, "we can discern a wide arc of Reformation development with various moves and clarifications."[39] Hamm is very reluctant to use the term "Reformation" since, in his eyes, its use is strongly determined by dogmatic-normative decisions. Thus he uses it only with three conditions:

> First, it helps me describe those factors that led to a fundamental "system-crashing" departure from medieval religiosity. Second, the concept should be handled so loosely that it cannot be fixed to one central discovery or change; instead, it should span a wide arc of changes and an entire ensemble of discoveries. Third, the concept signifies the material and historically observable connection between Luther's early theology (hidden from the general public of his time) and his later published works of theology, which became the foundation for the evangelical church and its confessional identity.[40]

These conditions create some problems. First, Luther made a huge number of discoveries between his time in Erfurt and the writings that became foundational for the evangelical church. What characteristic qualifies one of these discoveries to be part of the "arc of changes" called "reformational?" If all of Luther's discoveries can be called "reformational," the term becomes meaningless. But what then characterizes certain discoveries as "reformational?" The term "reformational" belongs to the concepts that characterize a certain theology, a certain event, a certain epoch before others. Therefore, its meaning *per se* does not arise from the consideration of history alone; rather, the determination of its meaning is based on a decision.

This is unavoidable if someone wants to use the term meaningfully. One can make this decision transparent with arguments (like Bayer) or leave it unaddressed; but also in this case dogmatic decisions and interests will orient the meaning. Second, it is, of course, a major (dogmatic?) decision to see "system-crashing" as a defining element for "reformational." Is the term "system-crashing" a meaningful historical term? Hamm has an admirable and comprehensive knowledge of medieval forms of piety. But if one of Luther's ideas cannot be found among the wide range of these forms or there is no answer to one of Luther's questions, this does not mean that something has been "crashed." "System" is not an historical fact, but a systematic construction of today's Luther scholars. This can easily be seen from the fact that for individual researchers "the system" is crashed by very different elements of Luther's theology or theologies, which also means that "system" is being understood in different ways, depending on the respective theologians. For example, Hamm and Bayer would connect the "system-crashing" with different elements or stages of Luther's theology, thus indicating that "system" means something different for each of them. Third, in Hamm's first condition, "reformational" is only defined negatively; in the third condition, far-reaching positive theological statements are the subject. The term "reformational" thus seems to become amorphous.

Hamm convincingly explains what a spiritual and theological challenge the *Anfechtungen* (tribulations) posed for Luther already in the friary in Erfurt and that the struggle with them opened up a long path of gaining new insights. He judges that the "existential and theological consequence of Luther's early experiences of *Anfechtung* in the cloister was the first turning point of Reformation significance."[41] In view of Hamm's vehement criticism of the "scholarly construction of Luther's Reformation turn," it is highly surprising to read about the year 1517:

> In the first months of 1517 at the latest, the increasing turn from inward to outward led to a revision of his concept of faith, through which Luther released himself from an integrative understanding of faith that encompassed the two poles of humility and hope, of self-despair and comforting trust in Christ's promised righteousness, in order to combine the concept of *fides* only with the bright side of the relationship to God: assurance, trust, hope, joy, certainty,

> and security. But this meant a change in the whole structure of his theology. Up to this point, he had followed the theological traditions of the Late Middle Ages, especially in the functional unity of the theology of piety, justification, and repentance. Now, however, justification and repentance separated from each other. True repentance lost its relevance in the theology of justification.[42]

What Hamm describes here and places in the year 1517 ("a change in the whole structure of his theology") is pretty much exactly what is usually referred to as the "reformational turn" in the late dating of this event. Thus he seems to contradict himself.

Hamm's description of Luther's profound turning in 1517 largely coincides with Bayer's conception of the turning point and yet differs deeply: for Bayer, this turning point hinges on the discovery of the external word of the *promissio*, as manifested in the disputation *Pro veritate*. Hamm wants to find the disintegration of penitential theology and justification theology in Luther's interpretation of the seven Penitential Psalms.[43] Hamm attempts to establish this by the fact that the word "faith," which only occurs a few times in Luther's text, is related "exclusively to the righteousness of God given in Christ, without entering into the vocabulary of repentance, and without mentioning themes like confession, humility, and penitence."[44] But in the countless places where the vocabulary of repentance appears, one would just guess, in the sense of that disintegration, that Luther would also talk about faith. Faith is only mentioned in very few places, and yet faith should be mentioned in many other places, because one can only speak of repentance correctly if one explicitly distinguishes it from faith and relates each to the other.[45] In my opinion, Luther's interpretation of the Penitential Psalms contains a massive combination of justification and repentance theology, just the opposite of disintegration.[46] Bayer expresses this aptly when he calls Luther's publication of 1517 the "authentic compendium of his early theology."[47]

The example of the different understandings of Luther's interpretation of the Penitential Psalms shows how important textual exegesis is when it comes to competing with different conceptions of "reformational." The reader can find in Bayer's book a great number of very precise and detailed text analyses; they are a challenge also for further Luther research.

II. Luther on the Way to His Reformational Theology

1. Analysis of Explanations 6, 7, 37, and 38

It is indeed breathtaking to follow in the *Explanations* of the *Ninety-five Theses* in slow motion, so to speak, how Luther's thinking is changing and how it then finds a clear and coherent expression in the disputation *Pro veritate*. The following analysis of *Explanations* 6, 7, 37, and 38 should be kept in mind when discussing Bayer's understanding of the "reformational turn." These explanations are crucial for Bayer's view.[48]

In his *Ninety-five Theses*, Luther first clarifies what can and cannot be forgiven through indulgences. He distinguishes between the penalties for and the guilt of sin. He addresses the penalties for sin in theses 1 to 5, and the guilt of sin in theses 6 and 7. Repentance or hatred of the sinful self must last until the entry into the kingdom of heaven and thus cannot be remitted (theses 1–4).[49] The Pope can only remit the punishments that he himself imposes (thesis 5).[50] As far as the guilt of sin is concerned, the Pope can only declare that it has already been forgiven by God (thesis 6).[51] The fact that the repentant sinner must go to the sacrament of penance then has the meaning of humiliation, which is part of hating oneself (thesis 7).[52] After it is clear that indulgences have nothing to do with the forgiveness of guilt, Luther again discusses the question of the remission of punishments in theses 8-13.[53]

Berndt Hamm comments on Thesis 6: the limitation of papal authority "holds good not only for the remission of divine punishment but also for the forgiveness of sin [*culpa*], which, in Luther's view, lies solely in God's power, while the pope (as also the priests when giving absolution in confession) can only declare and confirm that God has released from sin."[54]

But Luther did not mean this critically; rather, in this declarative understanding of absolution he saw himself in community with a broad current of medieval theology, for example with Peter Lombard[55] at the beginning and with Gabriel Biel[56] at the end of medieval Scholasticism. Luther even remarks: "Since everybody concedes the truth of this thesis, it is not necessary to support it by my statement."[57] Peter Lombard explains the declarative understanding with

the help of the story of the healing of the lepers (Luke 17:14–15). Jesus heals the lepers, but sends them to the priests, who have to declare for the community that these people are now healthy again. The priest does not heal, he only declares them healed.[58] This is the understanding that Luther shared in the *Ninety-Five Theses*.

But in *Explanation* 6, Luther himself raises an objection: If his view of absolution were correct, Matthew 16:19 would have to read like this: "'Whatever I [Jesus] shall loose in heaven, you [Peter] shall loose on earth.' But on the contrary it says, 'Whatever you shall loose on earth, I shall loose or it shall be loosed in heaven,' so that what is meant is that God approves that which the priest looses rather than the opposite."[59] In view of the fact that his understanding is not in accordance with Matthew 16, Luther remarks: "I will indicate here what moves me to do so, and once more I will confess my ignorance, if anyone thinks it worthwhile to enlighten me and to make this matter clearer."[60] Luther's aporia is this: according to his understanding so far, it is God who forgives through the infusion of grace that creates true contrition; according to Matthew 16 it is the priest who forgives. Luther asks: "How is it possible that forgiveness can happen 'on earth' before the infusion of grace, that is, before the forgiveness of God, although without the grace of God, which first forgives the guilt, a person cannot even have the desire to seek forgiveness."[61]

In the explanation of the seventh thesis, which deals with the traditional requirement to go to the priest for forgiveness, Luther offers the following solution.

> When God begins to justify humans, he first of all condemns them; those whom he wishes to raise up, he destroys [. . .] [God] does this, however, when he destroys humans and when he humbles and terrifies them into the knowledge of themselves and of their sins [. . .] God works a strange work in order that he may work his own work: this is the true contrition of the heart and humiliation of the spirit, the sacrifice most pleasing God. [. . .] But then humans are so ignorant of their justification that they believe they are very near damnation, and do not think that this is an infusion of grace but rather the effusion of God's wrath upon them.[62]

So far this is in line with what we know from the theology of the early Luther. But then Luther makes an astonishing statement:

"However, as long as they remain in this miserable confusion of their conscience, they have neither peace nor consolation, unless they flee to the power of the church and seek solace and remedy when they have uncovered their sins and afflictions through confession."[63]

The experience of sadness over sin is not "sweet," as some mystics might say, but rather unbearable for the sinner and would lead to despair without the keys of the church. The priest sees the penitents' contrition and, trusting in the authority given to him, should proclaim to them the hidden work of God and thus the forgiveness of sins, in this way giving peace to their conscience. The absolved should not doubt their forgiveness in any way—not because of the priest or his office, but because of Christ's word to Peter: "What you shall loose on earth . . ."[64] A distinction is made here between the *reality* of forgiveness and the *certainty* of forgiveness. The reality comes from the hidden action of God under the opposite, the certainty and thus the peace of conscience should come from priestly "forgiveness." This is not yet a solution. How can the word of the priest create certainty if it does not also bring about forgiveness itself? But for the first time, Matthew 16:19 plays a role for Luther. The formula "as much as you have, as much as you believe" appears here, albeit only in relation to peace.[65] The declarative understanding of forgiveness has not been overcome. Luther repeats: "even if the remission of guilt takes place through the infusion of grace before the remission of the priest, this infusion is of such a nature and is so hidden under the form of wrath that humans are more uncertain about grace when it is present than when it is not."[66] Therefore the word of the priest which is the word of Christ is needed. As long as we are uncertain, there is no remission. The work of God gives grace, the work of the priest gives peace. Divine and human action are separate, but both are needed.

Thesis 6 expresses Luther's own view in 1517 and also in 1518, even though reluctantly, when he writes Explanation 6. As Explanations 6 and 7 show, Luther is in the process of realizing that his own understanding of forgiveness contradicts the word of Jesus Christ in Matthew 16:19. In Explanation 7, he only partially succeeds in solving this contradiction. He notes: "I am still working in understanding [the thesis],"[67] but the half solution calls for a satisfactory

solution, which is then hinted at in Explanation 38 and carried out in *Pro veritate*. Unfortunately, in his critique Cardinal Cajetan dealt mainly with Explanation 7.

Explanations 37 and 38 belong together with Explanations 6 and 7. Both pairs have the same structure: first, the remission of sins and, respectively, participation in all the benefits of Christ and the church in the intimacy between God and humans, and then the question of ecclesiastical mediation. Thesis 37 refers to the *Instructio summaria* of Albert of Mainz, in which the four principal graces of the plenary indulgence are mentioned. The third is the sharing (*participatio*) in all the benefits of the universal church.[68] Thesis 37 reads: "Any true Christian, whether living or dead, participates in all the benefits of Christ and the church, which are given to them by God, even without indulgence letters."[69] Luther adds to the sentence of the *Instructio summaria*, which speaks only of the "benefits of the universal church": "the benefits of Christ." He then argues in the explanation: "It is impossible for one to be a Christian without having Christ. But if you have Christ, then at the same time you also have everything that belongs to Christ."[70] Furthermore: "By faith in Christ, the Christian is made one spirit and one with Christ."[71] In this union with Christ, our sins become the sins of Christ, but Christ's righteousness becomes our righteousness.[72] So the "happy exchange" is implied. Because it is faith that brings about this direct union with Christ, this union and thus the sharing in the benefits of Christ is not effected by the keys of the church. This corresponds to the declarative understanding of what the church does. Thus, of that *participatio* it is to be said: "it is given by God alone before and without those [the keys of the church and the letters of indulgence]: just as forgiveness is given before forgiveness, absolution before absolution, so participation is given before participation."[73] But what then is the role of the Pope of which Thesis 38 speaks ("Nevertheless, remission and participation of the Pope are by no means to be disregarded, for they are, as I have said [Thesis 6], the declaration of the divine remission.")?[74] Luther refers—distancing himself—to "those",[75] the scholastic theologians, who, as in the sixth thesis on the forgiveness of guilt, speak of "declaration." Luther admits that he

cannot see how they would answer differently. However, he wants to develop his own answer in the following explanation.[76]

In Explanation 37, Luther speaks so beautifully about the happy exchange, and in a completely anti-hierarchical way, as Protestants like to say. Thus, it is almost shocking how he continues in Explanation 38. He emphasizes that he had already expressed a concern in Explanation 6,[77] namely,

> that I do not like the way of speaking that the Pope does nothing more than declare or approve the divine forgiveness or granting. For this makes, first of all, the keys of the church virtually worthless, and, in a sense, even makes Christ's word when he says "Whatsoever" [Matt 16:19] invalid. To speak of it as a declaration is, in fact, too modest a statement. Secondly, because for those to whom the declaration is given, everything becomes uncertain, even though their forgiveness and reconciliation would be confirmed publicly before others and the church.[78]

Surprisingly, Luther does not want to restrict the authority of the Pope (and the priests), but, on the contrary, to strengthen it! How does Luther intend to solve the strong tension between what he said in Explanation 37 und his concerns just quoted? He now argues first as in Explication 7. The repentant sinners are close to despair, although grace is secretly bestowed upon them, and—this is new—as sinners they cannot believe that they could become partakers of the benefits of Christ, become partakers of the divine nature (2 Pet 1:4), and moreover "a child of God, an heir of the kingdom, a brother of Christ, a companion of the angels, a lord of the world."[79] "Therefore, the judgment of the keys is necessary here, so that humans do not believe in themselves, but rather believe in the keys, that is, the priest."[80] They do not believe in their own state of mind—in their self-perception, the penitents see themselves to be far from grace—but in the keys. Now the problem arises again that the priest could err if he could only declare that forgiveness has already happened. Luther argues: "[They may believe that their sins are forgiven] not on account of the priest or his authority, but on account of the word of the one who said and does not lie: 'Whatever you loose' etc. For those who believe in that word the key cannot err. But it does only err with those who do not believe that this absolution is valid."[81]

Here, unexpectedly and in a form not yet developed, appears the idea that will soon become the central structure of Luther's theology: if "the key" cannot err, then it cannot merely confirm what is, but must create what it says. The "I absolve you" now has the character of a promise, which is addressed to an individual "you" and to which the "you" who is addressed must respond, either in faith or in mistrust. Because the priest speaks the word on behalf of Christ, it is effective; because it is the word of Christ, it can be unconditionally trusted. The word creates the reality of forgiveness, but this reality only becomes a reality for a person through faith in the promise. "You have as much as you believe."[82] Those who do not believe the word of Christ through the mouth of the priest deny the reality that has just been created by the creative word. Something happens when the "I absolve you" is spoken in the name of Christ; it is not the case that something only happens when the word is believed. That is why Luther says that it is better not to approach absolution if you do not believe that you will be absolved there. That would be an injustice against God and the highest disrespect.[83]

Explanation 38 should be the proof for thesis 38 with the declarative understanding of forgiveness and participation in the benefits of Christ and the church; but at the end of his reflection on Thesis 38, Luther comes to the conclusion that he should revoke this thesis: "I do not maintain it in its entirety, rather I deny it to a large extent."[84] Luther seems to have replaced the declarative understanding of absolution with an effective one, but the new understanding is still very rudimentary and undeveloped.

2. Luther's Ninety-Five Theses—a reformational text?

The question of whether the *Ninety-five Theses* are the result of reformational theology or whether Luther only found this theology in the conflict caused by the theses is a much-discussed question, and it is often associated with the question of a reformational turn. But the question also arises, of course, even if one does not want to speak of such a turn. After analyzing explanations 7 and 38 in line with Bayer, it makes sense to address this question explicitly. This will be done in a discussion of the argument that Berndt Hamm gives for his view that the *Ninety-five Theses* are a reformational text. Hamm mentions

the problem that there is "no trace" in the theses of Luther's new understanding of justification, grace, and salvation.[85] Hamm offers this solution: "We find only traces of the Ninety-Five-Theses' Reformation character when we read them as witness to Luther's reorientation, in which he had abandoned the traditional combination of repentance and justification."[86] This is a somewhat strange argument from silence: one must first imagine a background that is not even hinted at in the *Theses* in order to understand them as reformational! They can only be witnesses to something if we know from elsewhere what they are witnessing. Luther wrote the *Theses* in order to discuss the question of the "power and efficacy of indulgences"[87] with colleagues. According to Hamm, shortly before, Luther had learned to separate justification and repentance in a long process. But in the *Theses*, Luther would not give his colleagues the slightest hint of this disintegration of the two that "meant a change in the whole structure of his theology?"[88] Then the *Explanations* must provide information about Luther's thinking at that time.

Thesis 5 says that the pope can only remit penalties imposed by him.[89] In *Explanation* 5, we read:

> The third [kind of] punishment is that voluntary and evangelical punishment about which had been said above [in *Explanations* 1 to 4] that it is put into effect by spiritual penance in accordance with 1 Cor 11 [:31]: "If we were to judge ourselves surely we should not be judged by the Lord." This is the cross and mortification of suffering which is mentioned in Thesis 3. Since, however, this has been commanded by Christ and it belongs to the essence of spiritual penance and is certainly necessary for salvation, under no circumstances has the priest any power at all to increase or diminish.[90]

In this explanation, one cannot detect any trace of that disintegration. Cross and mortification are regarded as "necessary for salvation." Thesis 62 sounds reformational: "The true treasure of the church is the most holy gospel of the glory and grace of God."[91] But how can the following thesis 63 then be formulated: "But this treasure is naturally most odious, for it makes the first to be the last?"[92] This is explained as follows:

> The gospel [!] destroys those things which exist, it confounds what is strong, it confounds what is wise, and reduces them to nothingness, to weakness, to

> foolishness, because it teaches humility and cross . . . But all shrink back before this rule of the cross whose pleasure is in earthly things and in their own. They say: "This is a hard saying." [John 6:60] Therefore it is not surprising that this saying of Christ is most odious to those who desire to be something, who want to be wise and mighty in their own eyes and before humans, and who consider themselves to be "the first."[93]

Explanations 5 and 63 show that Luther has not yet achieved that disintegration which Hamm assumes in 1517, while in Explications 7 and 38 we can follow the laborious process of that disintegration, with the consequence that thesis 38 is withdrawn. But in the *Explanations*, too, one must see that what Luther had begun to recognize in Explanations 7 and 38 had no impact on Thesis 63, which is written entirely in the style of the early theology. Therefore, one will have to judge that Hamm's view of the *Ninety-five Theses* as a reformational text fails in the face of the *Explanations* at the latest. If Luther had carried out the disintegration in 1517 that Hamm assumes, the explanations would have to look quite different. As they stand, they preclude Hamm's interpretation.

III. Pro veritate: *Luther's First Reformational Text*

1. Analysis of the disputation

The disputation *Pro veritate*[94] reveals the basic structure of Luther's new insight and its significance; a brief analysis may show why Bayer identified it as the first "reformational" text. Luther does not here focus on the question of the remission of punishment, as he did in the *Ninety-five Theses*, but rather on the forgiveness of guilt, which he had earlier addressed, namely, in theses 6 and 7.[95] The center of the disputation is formed by two double theses, one negative and one positive in both cases:

> 8. Remission of guilt is neither based on the contrition of sinners nor on the office or authority of priests. 9. It is based rather on faith, which directs itself to the Word of Christ saying: "Whatever you loose . . ." etc. [96]

11. Christ did not want the salvation of people to consist in the action or decision of humans, 12. but rather as is written: "He carries everything with the word of his power" [Heb 1:3] and "he purifies the hearts of people through faith" [Acts 15:9].[97]

The last thesis offers the biblical justification: The word of God carries everything, even faith. No particular quality that is inherent either to the penitent or to the priest is the condition for the forgiveness of guilt. The faith on which forgiveness depends cannot therefore be understood as a human action. Faith depends on the word of Christ in Matthew 16:19. This word is therefore not only the object of faith, but also its subject. It is "subject" in the sense that it awakens faith, and "subject" in the sense of the Latin *subiectum*: that in which faith has the basis of its existence. The word of Christ, spoken by the priest, is highly effective. "24. The power of the keys works a dependable and infallible work through the word and command of God, as long as one doesn't willfully abuse it."[98]

It is not the Pope who is infallible, but the word of Christ (Matt 16:19) and thus also his work through the mouth of the priest. The word of the priest, *Absolvo te* (I absolve you), is effective because it is the word of Christ and not because of the consecration of the priest. This is highly remarkable and astonishing: the word of promise creates the reality of forgiveness. The word does what it says. Therefore, and only therefore, Luther can urge the penitents to believe in the promise without hesitation and reservation. Thus, if humans do not believe that they have received forgiveness for their sins when the priest has spoken the words *Absolvo te*, they deny that they can rely on Christ's word. This doubt arises when forgiveness is made dependent on anything else than the promise of Christ, for example, on true repentance, which only leads to despair.[99] Instead, the word of Christ demands that "Those who have been absolved by the power of the keys should prefer to die and renounce the whole of creation rather than doubt their absolution."[100] Luther goes beyond Catholic doctrine on the effect of the sacraments *ex opere operato* (by the work worked) because he sees not only the forgiveness but also the acceptance of it in faith as the work of the word of Christ. When Luther

calls for faith in the word of the *promissio*, it is, so to speak, a creative imperative that has the power to awaken faith in the name of Christ.

This has a direct impact on the understanding of the priesthood. "The priests are not the originators of forgiveness, but rather servants of the word for faith in forgiveness."[101] Thus, since the promise is effective and calls for faith, the priest should no longer look for signs of repentance in the penitents (as in the declarative understanding), otherwise they might get the idea that repentance would be the reason for forgiveness.[102] "Much more must the word of Christ be pressed upon those: 'Believe, my son, your sins are forgiven you' [Matt 9:2] than their worthiness be ascertained."[103]

In view of the parallelism of divine and human activity in Explanation 7, the following theses indicate a profound change: "Just as the priest is the one actually teaching, baptizing, and distributing communion, and yet these are the works of the internally operating Spirit alone, 31. so also [the priest] is the one actually forgiving sins and absolving guilt, and yet this is a work of the internally operating Spirit alone."[104]

The twofold *solus* (alone) of the Spirit's operating no longer excludes human activity as in Augustinian spiritualism but explicitly includes it. The priest is said to be an active subject; he is the one who teaches, baptizes, distributes the Lord's Supper—and forgives. But these (external) works are at the same time the works of the Holy Spirit *alone*, working internally. Without saying so, we must speak here of a kind of *communicatio idiomatum* (exchange of attributes). The two actors remain themselves, and yet *in their actions* they are inseparably linked. "For nothing justifies except faith in Christ alone, for which the administration of the word through the priest is necessary."[105]

2. The meaning and significance of the theology of Pro veritate

2.1 The "Copernican turn" in understanding "promissio"

The new understanding of *promissio* needs to be clarified further. When the priest says, "I absolve you of your sins in the name of the Father, the Son, and the Holy Spirit," this is Jesus' promise of Matthew 16:19 said to an individual person at a certain time and place.

Matthew 16:19 is a general sentence, "Whatever you loose on earth will be loosed in heaven"; Luther perceives this as the entitlement for the priest to say "I absolve *you*" in a concrete situation so that the priest's words are immediately Christ's words. Not believing the priest's words that one's sins are forgiven means not trusting Christ's promise and making him a liar.

Scholastic theologians also spoke of God's promises.[106] But these had a general character and a conditional structure. Theologians in the Franciscan tradition emphasized that nothing created can force the absolutely free God to react in a certain way. God in his absolute power (*potentia Dei absoluta*) can do whatever he wants to do as long as it is not self-contradictory. But in his absolute freedom, God can determine himself to establish a connection between a human reality and a divine response, that is, to make a pact or promise that guarantees such a connection and which humans can absolutely rely on (*potentia Dei ordinata*; ordained power of God). It is thus an expression of divine mercy when God commits himself to such a promise. Gabriel Biel defined the content of one of God's pacts in this way: "This conditional sentence is necessary: If humans do what is in their power [A], God will give his grace [B]."[107] Condition A is to love God above all and fulfill his commandments; this is possible for humans by their natural power without grace.[108] If condition A is fulfilled, then consequence B will necessarily follow, due to the divine immutability. Thus the bestowal of grace or eternal glory happens by grace alone—without God's *promissio* there would be no connection between a human action and a divine reaction—but at the same time grace is dependent on what humans do according to the rules of the covenant. "By grace alone" and "by works alone" are internally connected.[109] There can be no doubt about the connection between A and B, because the immutable God is responsible for this. However, doubts are unavoidable as to whether a person has actually fulfilled condition A, because humans cannot see through themselves completely.

In his *Disputation Against Scholastic Theology* (1517), Luther rejected completely as Pelagian the assumption that humans were able to fulfil condition A (loving God with one's whole heart and thus be truly repentant) without grace; rather, loving God for God's sake

is the work of grace, the act of realized complete conversion (so to speak, B → A).[110] This abolishes the traditional *pactum* concept. Nevertheless, a remnant of it remains. Sinners are not able to love God above all, but they can confess that they are not able to fulfill this command. There is the old monastic rule as of 1 Corinthians 11:31: "If we judged ourselves, we would not be judged." In fact, this self-judgment takes place through the action of God's grace; the humans who see themselves only as sinners are left to trust in the *promissio* of 1 Corinthians 11:31, that their salvation lies precisely in their self-condemnation. Thus the conditional structure of justification is not completely abandoned. The logic of it requires one to be anxious about the authenticity of one's remorse and to doubt it. Not to be concerned would endanger salvation. According to the remaining conditional structure, hope of salvation requires the ultimate repentance and self-judgment. This is the situation of Explanation 7.

Matthew 16:19 provokes Luther to make a Copernican turn. Forgiveness is not based on the repentance and self-condemnation of the sinner (a human act, even if created by grace), but on the word of Christ through the mouth of the priest (a divine act). Luther transforms the universal sentence of Matthew 16:19 ("whatever . . .") in the mouth of the priest directly into a concrete word to the one who is confessing. The priest speaks the word in the authority of Christ, indeed, it is Christ who addresses the word to the penitent. Luther thus gained a fundamentally different understanding of *promissio* than the scholastic tradition. In the old understanding, the promissional relation A → B, which is general, becomes concrete when A (repentance) is concretely fulfilled. Now, in *Pro veritate*, B is conferred concretely without asking about A. The pain of sin is presupposed, but contrition is not the condition for B.

This change presupposes that justification has a concrete context, namely, confession, the spoken word of the priest, which is effective since it is at the same time the word of Christ. This overcomes the Augustinian separation of external and internal, as mentioned. This has also put an end to uncertainty, because now the penitents no longer need to hope for the grace hidden under the opposite; rather, they hear Christ say to them: "Your sins are forgiven!"

The concrete word of promise shapes the faith in this word. Luther is aware that he has to justify this understanding of faith. In his written defense sent to Cardinal Cajetan after their first encounter in Augsburg in 1518, Luther writes: "I must now prove that persons going to the sacrament must believe that they will receive grace, and not doubt it, but have absolute confidence, otherwise they will do so to their condemnation."[111] Luther offers a biblical proof, citing seven passages in which Jesus offers a specific *promissio* to a specific person in a specific situation and expects faith.[112] However, the priest facing a penitent is not Jesus in person. If the argument is to make sense, Luther must assume that the sacraments are situations of encounter in which the priest can say the words of Jesus associated with the sacraments in the person of Jesus as I-you *promissio*. God has not committed himself to *a rule A* → B as in the old *promissio* conception, but binds *himself* to the word of Matthew 16:19 which becomes immediately the word of the priest who unconditionally promises B (without any A), and thus demands faith in this promise. Bayer thinks that the "nominalist idea of the ordained power of God" now has come "into effect here in a new way: in the promise of salvation, which is sharply distinguished from the word of judgment."[113] Luther summarized his final understanding as follows: "God has never dealt nor deals with us in any other way than through a word of promise, as I said. We in turn cannot ever deal with God in any other way than through faith in the word of his promise."[114]

In his book *Promissio, Pactum, Ordinatio*, Berndt Hamm has a small section on Martin Luther in which he also refers to Bayer's *Promissio*.[115] Here, different approaches are already evident, combining both proximity to one another and distance, and these are still influential today. That is why it is worth taking a closer look at them. Hamm explicitly agrees with Bayer's summarizing account of Luther's theology after 1518, as found in the second part of the eleventh chapter of *Promissio*,[116] although he does not agree with Bayer's dating of the Reformation turning point.[117] He says that after 1517 Luther increasingly emphasized "the salvific mediation of the *verbum externum* [external word]." He agrees with Bayer: "Only in this way does the afflicted conscience receive assurance of salvation."[118] But he seems to disagree with Bayer's interpretation of Luther's early theology

and criticizes Bayer's sharp distinction between the two meanings of *promissio* as described above. Bayer calls them "legislated" (*legislatorisch*) and "proclaimed and given" (*prädikatorisch exekutiv*).[119] Hamm criticizes Bayer for overlooking "Luther's discovery of the constant actuality of the pactum-promise for the *semper incipiens* [the person who is always beginning]."[120] Hamm thinks: "So the promise for Luther [before 1517] is not a distant date from the past, but a present address."[121] But he provides no evidence for this discovery from Luther.[122] The fact that at that time Luther understood justification as a movement of permanent beginning in progress (*incipere, proficere*)[123] does *not* imply that *promissio* is a "present address." This is read into the text. *Promissio* remains a general rule. We have just seen in *Explanation* 7 what a "present address" means for Luther. One cannot find it in Luther's lectures before 1518.

Hamm "comes from the Scholastic doctrine of merit to Luther's *Dictata super Psalterium"* and, with "an eye trained for subtle nuances," sees "Luther's remarkable new approach in comparison to the scholastic tradition of [God's] self-commitment."[124] Bayer would immediately agree with this; the differences between Luther's early theology and the Franciscan *pactum* theology are obvious. But Bayer speaks of a fundamental change *within* Luther's theology that is marked by the difference between *promissio* as a general rule and *promissio* as a concrete word. One would have expected that Hamm, who has so carefully examined the scholastic theologies of *pactum*, would have been the first to recognize and acknowledge this fundamental change in the understanding of *promissio*. The question of whether the conditional structure of the *pactum* has really been overcome *before* Luther's discovery of new *promissio* needs to be examined. Bayer's analysis of Luther's early theology will show that this is not the case.[125]

2.2 Understanding the efficacy of the signum efficax

Luther's understanding of *promissio* also changes the understanding of the efficacy of the sacraments and the word. Scholasticism went beyond Augustine and understood the sacrament as *signum efficax* (effective sign). From a semiotic perspective, this is a problem. "For

how could it be that the thing to which a sign refers is first brought forth in this reference?"[126] In Scholasticism, there are two alternative theories about how to understand the efficacy of the *signum efficax*: the theory of cooperation of the Thomistic tradition with the sacrament as *causa concurrens* (concurrent cause) and the covenant theory with the sacrament as *causa sine qua non* (cause without which not).[127] Luther is aware of both:

> A great majority have supposed that there is some hidden spiritual power in the word and water, which works the grace of God in the soul of the recipient. Others deny this and hold that there is no power in the sacraments, but that grace is given by God alone, who, because of his pact, assists the sacraments which he has instituted. Yet all are agreed that the sacraments are "effective signs" of grace, and they reach this conclusion by this one argument: if the sacraments of the new law were mere signs, there would be no apparent reason why they should surpass those of the old law. Hence they have been driven to attribute such great powers to the sacraments of the new law that they think the sacraments benefit even those who are in mortal sin; neither faith nor grace are required—it is sufficient that no obstacle be set in the way, that is, no actual intention to sin again.[128]

It is clear that Luther cannot find himself in either of the two alternatives since they lead to the aforementioned consequence. Luther criticizes the theologians of the *Sentences* for having completely misunderstood the sacraments, since "they have taken no account either of faith or of promise" and, clinging only to the sign, they "draw us away from faith to work, away from the word to the sign."[129]

In the fourth book of his *Collectorium*, Gabriel Biel poses the question of the effect of the sacraments by asking how creatures affect one another. According to the covenant theory, this does not happen through a force that acts on others, but according to a rule ordered by God, according to which an event A is followed by an event B. In a marginal note to Biel, Luther objects that all creatures would then be sacraments. The flaw lies in the fact that "the knowledge of the *promissiones* and the knowledge of faith are missing."[130]

Thus Luther must find his own way to explain properly the efficacy of the *signum efficax* in ways indicated above. The Holy Spirit

is active in an operating unit with the priest (communication of attributes in the action) who in the name of Christ says the *promissio* to the faithful calling for faith in the promise. Luther's point is that the *word as a word* is effective. This efficacy must not be understood in the sense of a general causality as in Biel's understanding that Luther has criticized; rather, the linguistic nature of the cause must be considered. Luther holds a kind of *ex opere operato* understanding for the sacraments, but since it is the *promissio* that is operative, the sacraments require faith in order to be received and not the absence of an obstacle. This is a promising alternative to the two scholastic models of sacramental efficacy. Phillip Cary observes that "What makes the difference [between Luther and Augustine] is medieval sacramental theology which made it possible for Luther to conceive of an external word that gives what it signifies."[131] But the fact that medieval sacramental theology only required the absence of an obstacle in the recipient for the sacramental sign to be effective was precisely the reason that motivated the early Luther to stay with Augustine.[132] Expositions 6 and 7 are so eye-opening because they show that Luther did not arrive at his new theology from a medieval sacramental theology, but rather through the challenge of Matthew 16:19. In this way he found his *own* sacramental theology, but in this way he also found *a common ground* with the sacramental theology of the Middle Ages, to which Cary rightly attaches so much importance.

2.3 Signum efficax *and faith*

The following two sentences by Luther must be thought of together: "The power of the keys works a dependable and infallible work through the word and command of God, as long as one doesn't willfully abuse it"[133] and "that the sacraments are efficacious signs of grace, not because of the mere fact that the sacrament is performed but because it is believed, as St. Augustine contends and as I have said previously."[134] Because absolution is accomplished through a word of *promise*, *faith* in this word is required in order to receive it properly. And because this spoken word accomplishes an *infallible work*, *unrestricted faith* is possible and required.

In his lectures on Hebrews, Luther speaks of the need of a different disposition for receiving the sacraments than the mere absence of an obstacle (being determined not to commit a mortal sin), as the scholastic *ex-opere-operato* (by the work performed) theory taught. Rather, faith is required.[135] Luther may use "that statement of St. Augustine: 'It justifies not because it is performed, but because it is believed'"[136] as an argument against that theory, but when it comes to the new insight of *Pro veritate* the alternative presented in this quotation does not fully correspond to it. Cary says: "For Augustine there can be no saving external word of grace—nothing corresponding to what Luther calls 'gospel'—because all external words count as letter rather than Spirit."[137]

Karl-Heinz zur Mühlen is right in speaking of "the replacement of *contritio* as a disposition for the reception of the sacrament by faith"[138] in Luther's lectures on Hebrews, but obviously he sees no problem in this. But in this case, one inner state of the soul (contrition created by the Spirit) would merely be exchanged for another (faith created by the Spirit) and thus the uncertainty of whether one's own contrition is genuine would be replaced by the uncertainty of whether one's own faith is genuine. The uncertainty of salvation would remain. The conditional structure would not be overcome. After Luther has discovered the external saving word, the relationship of word and faith has also been redefined. Concerning the "middle" Luther, zur Mühlen observes that Luther emphasizes the first part of Augustine's sacramental formula ("The word comes to the element and makes the sacrament") since he has been dealing with Anabaptists and enthusiasts. Luther "feels compelled to interpret his earlier reception of Augustine's sacramental formula, which also emphasized [as the Anabaptists do] faith as a condition for receiving the sacrament, in such a way that faith does not constitute the efficacy of the sacrament, but only receives the sacrament grounded in word and sign."[139] But this is the consequence of Luther's discovery manifested in *Pro veritate*, not only of a challenge by Anabaptists. Luther researchers who think like zur Mühlen seem not to see that this is not just a question of where to put the emphasis, but a structural change.

If faith is understood as a disposition for reception, the believers would have to believe in their own faith if they wanted to have certainty of forgiveness. This is exactly how Cajetan understood Luther and raised the accusation of works righteousness here. "If this is the faith by which, 'as much as you believe, so much you have,' then a conclusion follows that is alien to Christian truth. For this faith, because acquired, is human work, and it would follow that confidence in penance would consist in one's own work of believing."[140] In his *Concerning Rebaptism: A Letter of Martin Luther to Two Pastors* (1528),[141] Luther discusses the argument of Anabaptists that baptism should be based on the faith of the baptized. He sees an analogy between his own earlier situation when he based forgiveness on contrition and the situation of the Anabaptists, who want to base baptism on their own faith. Luther distinguishes between faith *in* the *promissio* which is necessary and basing baptism *on* faith which is wrong. Then, assurance of salvation would not be possible because no one can fully see through and trust themselves and be certain that they have the true faith.

> True, one should believe in baptism. But we are not to base baptism on faith. There is quite a difference between having faith, on the one hand, and depending on one's faith and making baptism depend on faith, on the other. Whoever allow themselves to be baptized on their faith, are not only uncertain, but also idolators who deny Christ. For they trust in and build on something of their own, namely, on a gift which they have from God, and not on God's Word alone, as others may build on and trust in their strength, wealth, power, wisdom, holiness, which also are gifts given them by God.[142]

Luther foresaw that the Anabaptists would have to be baptized again and again when their faith changed,[143] just as one goes to confession again and again when the contrition changes, as long as forgiveness is based on contrition.[144]

Phillip Cary aptly sums up the problem when he distinguishes what he calls a "Protestant Logic of Faith" from a "Lutheran Logic of Faith."[145] He formulates two syllogisms. For absolution, the Protestant syllogism looks like this:

> Major premise: Christ promises absolution of sins to those who believe in him.
> Minor premise: I believe in Christ.
> Conclusion: I am absolved of my sins.

The Lutheran Syllogism:

> Major premise: Christ says, "I absolve you of your sins in the name of the Father, the Son, and the Holy Spirit."
> Minor premise: Christ never lies but only tells the truth.
> Conclusion: I am absolved of my sins.[146]

In the Protestant logic, the promise is the *general* rule (A → B): "If you believe in Christ, Christ will absolve you of your sins," making faith the condition for what is promised to become reality. In the Lutheran syllogism, the promise is a *concrete* one, spoken in a concrete situation of encounter "I and you / your sins." There is no condition on the part of humans, rather the "condition" lies on the part of Christ: in his promise and faithfulness. There is no mention of faith in the Lutheran syllogism, but the minor premise is an expression of faith. The believers do not reflect on themselves and their faith but look to Christ and recognize his reliability. That *is* faith.

It may be astonishing to recognize that Cajetan thinks structurally with the scholastic tradition in the model of the "Protestant syllogism." "For contrition is necessary above all else [. . .]. There is no problem in contrition being uncertain, for God himself has commanded us to approach the sacraments in just this kind of uncertainty."[147] Those who go to the sacraments in this understanding are necessarily "reflexive," they need to have their inner constitution in mind when they ask whether the sacrament has had its effect on them. That is Catholic subjectivism!

The accusation of subjectivism is an old Catholic accusation against Luther's understanding of faith. Paul Hacker raised it particularly vehemently.[148]

> The famous first sentence of the Ninety-five Theses, which Luther sent to the Archbishop of Mainz and Magdeburg and the Bishop of Brandenburg on 31 October 1517, was not the origin of what is called the "Reformation" as a historical event, that is, it does not characterize the spirit of the movement that led to the division of the Western church and faith in the 16th century. Rather, it stands at the end of a great period in Luther's religious life and thought.[149]

For Hacker, the first of the *Ninety-five Theses* on the lifelong repentance of Christians is an expression of "a great period in Luther's

life," which unfortunately came to an end shortly afterwards when in 1518 Luther began to understand faith as a "reflective faith." "The ego bends back on itself in the *act of faith*. This faith is *reflective*."[150] "According to the earlier theology, humans are pardoned or justified by being judged and humiliated; according to the new, by believing that they are justified."[151] Luther's faith is "faith in one's own faith."[152] In doing so, however, Hacker turns Luther's insight of 1518 into its opposite. Luther's fierce warning against relying on contrition in *Pro veritate* is precisely his fight against the reflexivity of faith: the persons who are concerned about their contrition are precisely the ones who bend back on themselves. But a person can never find certainty in herself: "you cannot and ought not trust yourself."[153] Faith therefore looks to the word of Jesus *alone*, because Jesus Christ *alone* is absolutely reliable. Faith can therefore be defined precisely as looking away from oneself towards the word of Christ alone, that is, as a decidedly non-reflective faith. When the priest says to the penitent: "In the name of the Father and of the Son and of the Holy Spirit, I absolve you," they are first addressed as "you"; so they can *then* say "I": "I am absolved." This is why the connection between Luther and Descartes ("I think, therefore I am"), which Hacker claims,[154] is completely absurd, even if some Luther scholars and many Protestant theologians feed this misunderstanding.[155]

2.4 Cajetan and Luther 1518—an original controversial theological situation?[156]

For Bayer, one proof of the claim that *Pro veritate* is a reformational text is the fact that this text "creates the original controversial theological situation."[157] In his encounter with Luther in 1518 in Augsburg, Cardinal Cajetan rejected the *promissio-fides* theology of *Pro veritate* which Luther advocated against him, when he declared with respect to it: "This is to construct a new church."[158] It seems that there is no better proof of the reformational character of *Pro veritate* than the Cardinal's specific rejection of its theological point. This presupposes that one criterion for "reformational" is that it allows the Protestant churches to be distinguished and separated from the Roman Catholic Church.

Bayer agrees with Gerhard Hennig's assessment of the encounter between Luther and Cajetan: "They had understood each other

excellently, both the Thomist and the reformer, they had agreed that the dissent lay in the doctrine of the sacraments and ecclesiology, and had developed the obviously irreconcilable concepts of the two sides."[159] In what follows, this judgment will be examined, also as a case-study with regard to the question of whether the distinction from and the rejection of "the Catholic" should serve as a defining characteristic of "the reformational."

Hennig's statement suggests that the meeting between Luther and Cajetan was a reciprocal discourse and not an interrogation in which the Cardinal was commissioned to force Luther to recant, but not to discuss with him. What could Luther understand of Cajetan's theology in this situation? Luther did not know that the Cardinal had examined various of his theses in ten treatises with scholastic thoroughness.[160] He did not have the opportunity to study them at all as we do. The Cardinal had only two Luther texts at his disposal: the *Sermon on Penance* and the *Explanations*. The *Sermon on Penance* begins in the sense of the penitential theology of the early Luther, but then towards the end starts again with the new approach with reference to Matthew 16:19.[161] As we have seen, Luther presents theses 6 and 37 of the *Ninety-five Theses* as his own opinion, albeit with reservations, as he later remarks; in *Explanation* 38 he denies "a large part of" the thesis.[162] Cajetan criticizes thesis 6 with reference to Matthew 16:19,[163] but he does not realize that Luther himself expresses the same criticism against his own thesis in *Explanation* 6.[164] How should the Cardinal understand such a work in progress?[165] In addition, by October 1518, when Luther met Cajetan, Luther had made further theological progress compared to the previous spring when he wrote the *Explanations*. In his letter of October 31, 1517, to Archbishop Albrecht of Brandenburg, to which the *Ninety-five Theses* were attached, Luther said: "For a human being does not attain security about salvation through any episcopal function, since a person does not even become secure through the infused grace of God. But instead the Apostle [Paul] orders us constantly to 'work out our salvation in fear and trembling.'"[166] In *Pro veritate*, on the other hand, the tone is completely different: "The one who has been absolved by the power of the keys should prefer to die or to renounce the whole of creation rather than doubt his absolution."[167] Richard Rex writes: "Luther was a moving target in 1518, and his

earliest opponents found themselves shooting at shadows as he raced ahead onto new grounds."[168] Luther writes to Karlstadt from Augsburg after his meeting with Cajetan: "I will not become a heretic by contradicting the opinion that made me a Christian; I would rather die, be burnt, banished, or accursed."[169] This refers to the precise point of controversy: the certainty of faith of having received grace in the sacrament. According to Bayer's investigation, Luther only came to this insight after a long process and with difficulty, and only a few months before Augsburg. How could Luther then assume that the Cardinal would accept this, or even understand it adequately?[170] In any case, both theologians had much more to say than they could say to each other in the brief encounter in Augsburg. All these circumstances do not suggest that the conditions for a deep understanding of Cajetan and Luther were present.

The question now is whether Cajetan's treatise ("Faith in the sacrament as certainty of forgiveness")[171] shows that he understood Luther correctly. In this treatise, Cajetan deals primarily with Explanation 7 and the "Sermon on Penitence." He applies two distinctions to Luther's texts. Firstly, the sacrament can be viewed either from the side of the sacrament itself or from the side of the recipient. Secondly, a distinction must be made between infused faith and acquired faith. The first form of faith is without error and refers to the sacrament itself; the second form of faith can err and refers to the circumstances under which the sacrament is performed, including the condition of the recipient.

> It is not part of infused faith to believe in the effect of absolution in this particular person, that is, in myself. What is of infused faith is rather the belief that absolution rightly given by the church's minister is efficacious in granting grace to a worthy recipient. This latter faith entails no error, but I can err if I believe in the effect in myself or in this particular individual, since in either of us there could be some obstacle.[172]

"Especially, we believe in the utterly certain efficacy of the words, 'Whatever you loose on earth,' *for a disposed recipient*."[173]

Cajetan now applies the two concepts of faith to Luther's sentence "I certainly believe that I am absolved." The alternative then arises: If "believe" is understood here in the sense of infused faith, then the sentence is wrong, because infused faith does not contain

any information about individual persons. If "believe" is understood in the sense of acquired faith, that is knowledge through observation of the particular circumstances of the sacrament, then the sentence is also wrong, because in this knowledge I can err and do so again and again. Because Cajetan thinks in terms of the two basic distinctions mentioned, he can only understand Luther's view of the certainty of faith in the sense of knowledge acquired through introspection. However, Luther's repeated insistence that forgiveness should not be based on contrition excludes relying on either the introspection of the penitents or the priest's observation of their repentance. For Luther, certainty depends on the word of Christ, which the priest promises to the individual as a word concerning this individual. Since Cajetan does not know such a word—the *promissio*—he must completely misunderstand Luther's certainty of faith. It is consistent that he interprets Luther's absolution as the result of faith in one's own faith and therefore as works righteousness. There is no more profound misunderstanding of Luther than this.[174]

The encounter between Luther and Cajetan in Augsburg was indeed a "primordial controversial theological situation," but in a different sense than Bayer has assumed. Cajetan incorporated Luther's view of the certainty of forgiveness into his own system with its basic distinctions; he therefore misunderstood Luther and attributed to him views that Luther explicitly denied. Cajetan therefore rejected a theology that Luther did not hold in this way. This is not altered by the fact that Cajetan's and Luther's conceptions prove to be profoundly different if one understands them better, that is, from their own respective premises. The historical analysis of this encounter, which describes the contingent circumstances (limited knowledge of the other, the power imbalance between the Cardinal with his demand for recantation and the Wittenberg professor's demand for discussion, conflicts of interest), together with Cajetan's manifest misunderstandings do not allow this encounter to be stylized as an archetypal situation between "the" Reformation and "the" Thomists or "the" Catholic. Cajetan's and Luther's theological concepts are certainly incompatible, and both theologians reciprocally rejected each other's positions. But it is another question whether it was possible that Cajetan could have accepted that one could also describe Christian faith with other basic distinctions than those he used to reject

Luther, with other methods, and with terms that have a different meaning. We must not turn the contingent fact of his reaction into a necessity. Cajetan could have reacted differently.[175] Then he would not have had to say: "This is to construct a new church." These are not mind games. In the Lutheran/Roman Catholic *Joint Declaration on the Doctrine of Justification* (1999), the Roman Catholic Church officially declares with precise reference to the Luther–Cajetan controversy: "Catholics can share the concern of the Reformers to ground faith in the objective reality of Christ's promise, to look away from one's own experience, and to trust in Christ's forgiving word alone (see Matt. 16:19; 18:18)."[176]

In this paragraph, Luther's view with reference to Matthew 16 and 18 is precisely described and recognized by the Roman Catholic Church as a legitimate alternative theological possibility. What Bayer, following Hennig, understood as an archetypical situation of the Lutheran/Catholic separation has proved to be precisely the basis for a meaningful ecumenical dialogue! By reflecting on the sacrament of penance in 1518, Luther discovered the sacraments in general and used the *promissio-fides* relation to shape his theology in a sacramental way.[177] This allows common ground to be discovered among the different theological elaborations.

2.5 The problem of a linguistic interpretation of Luther's understanding of promissio

A distinction needs to be made between the changes in Luther's theology, which Bayer analyzes perceptively, and their further interpretation by Bayer in a linguistic perspective. He sums up his understanding in a nutshell. "That the *signum* itself is already the *res*, that *the linguistic sign is already the matter itself*—that was Luther's great hermeneutical discovery, his reformational discovery in the strictest sense."[178] This is a very pointed statement, often quoted, but one can ask whether it corresponds entirely to what Bayer has observed in Luther. When speaking of an "effective word," one would logically assume that the effect is to be distinguished from the word. Bayer quotes the famous table talk: "The philosophical sign is the mark of something [*res*] that is absent; the theological sign is the mark of

something [*res*] present."[179] Here, the distinguishing feature is not that the theological sign is the thing itself, while the philosophical sign is not; rather, the difference is whether the *res* signified by the sign is present (because it is created by the sign) or absent. Bayer finds support in John Austin's speech act theory.[180] In the lectures "How to Do Things with Words,"[181] Austin divides speech acts into constative and performative ones, and this distinction is taken up by Bayer. He uses this distinction to express the character of the *promissio* and to make it linguistically comprehensible: the promise is a performative speech act. But Austin takes this twofold classification only up to the tenth lecture. At the end of this lecture, Austin abandons this distinction as untenable: "Furthermore, in general, the locutionary act as much as the illocutionary is an abstraction only: every genuine speech act is both."[182] Bayer's linguistic interpretation of *promissio* is therefore not supported by Austin.[183] The description of Luther's overcoming the Augustinian hermeneutics of signification (internal—external) requires a different linguistic description than the one offered by Bayer.

Reinhard Hütter has identified a problem in Bayer's interpretation of Luther that corresponds to the failure to take account of that change in Austin's linguistic conception. He summarizes Bayer's understanding. "On the basis of the strict distinction between performative and constative utterances, ultimately rejected by Austin, Bayer now insists that the gospel—the *promissio*—is not a propositional sentence. Rather, the promise is only really a promise if it is purely performative, that is, insofar as it does something, accomplishes something, not insofar as it says something, that is, makes a statement."[184] This conclusion that Hütter draws shows that Bayer's reference to Austin has led to a theological-linguistic short circuit, that does not allow us to do justice to Bayer's insights into Luther's discovery of *promissio*. Hütter sees that this is in tension with both Luther's *and* Bayer's strong interest in "the locutionary content of the gospel."[185] He asks:

> Doesn't the matter perhaps only become really plausible in the reversal of Bayer's thesis, namely that for Luther the Gospel is primarily an utterance that makes a certain statement, which also plays an illocutionary role due to the

> very specific character of its content?[186] . . . The gospel as the *doctrina* of Jesus Christ, which makes very specific statements about him, has a promising power that is essential to it. The fact that the Gospel is a *promissio* is therefore not a statement about its form, but about its illocutionary quality. That is to say, by telling in the right way who Jesus Christ is, what he said, did and suffered, a promise, a *promissio* is necessarily made to the listeners—qua object—but the illocutionary quality depends entirely on the locutionary content—who this Christ is.[187]

But it is itself a significant discovery that "the *doctrina* of Jesus Christ [. . .] has a promising power that is essential to it," and, as Bayer has shown, Luther made this discovery in carefully analyzing the "illocutionary act" of absolution. Bayer's interpretation of Luther should be liberated from the wrong alternative between "constative" and "performative." Thus it is still a pending task to analyze the theological facts in Luther, as Bayer has described them, with the means of a developed linguistic theory and with precise attention to its terminology. But linguistic theory should also be open to the special nature of the subject of *promissio*. Both theology and linguistic theory would benefit from such a dialogue between different disciplines.[188]

IV. Bayer's Analysis of Luther's Early Theology

1. Total sinfulness of humans: perverse love of self instead of total love for God

"There can be no doubt that the matter addressed with the terms *judgment* and *righteousness* must be regarded as the original motif of the early Luther's theology."[189] It may be appropriate to begin this section by describing the background of Luther's early theology: his experience and theology of the total sinfulness of all human beings. Bayer does not elaborate much on this, but having it in mind will help us understand better what Bayer emphasizes in analyzing the early Luther. Luther's basic experience in the Augustinian friary in Erfurt is aptly described by Berndt Hamm.

> What is new is that Luther reached the end of his monastic drive for perfection by realizing the total emptiness of his efforts toward holiness before God and by seeing that there was no longer any possibility of ascending to God by his

> own spiritual powers. He believed that he could no longer escape his crisis of conscience through an intensification of spiritual virtuosity or works of holiness. Luther then confessed that, with respect to God's judgment, people have nothing to offer but sins and absolute unworthiness all their lives.[190]

But what makes such a personal experience a *theological* insight? It needs to be theologically substantiated. Luther's frightening perception of his own sinfulness is to be understood as a response to the divine demand that "you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength" and "you shall love your neighbor as yourself."[191] It makes all the difference that Luther understood the commandment to love God in a radical way as a demand for total surrender to God, which encompasses all aspects of life, not only the will and the intellect, as the Scholastics taught, but also emotions, feelings, aspirations, and all human desire. Emotions and aspirations arise in the soul before the intellect or will can become active. Emotions and desires can be moderated and their effects limited by developing virtues, but the will does not have control over them; the will does not have the person as a whole at its disposal. So a surrender of the whole person to God is not possible for humans, however much humans may trust in their natural abilities. But this is what the command to love God requires, as Luther understands it. He has a trans-moral concept of sin. In a famous invective, Luther criticized the scholastic theologians who think that one can love God with one's natural abilities above all, "*O stulti, O Sawtheologen!*" ("O fools, O pig-theologians!"),[192] pointing out that they have no control over the desires in their souls. "But humans who desire and love something else, can they love God? But this desire is always in us; therefore love for God is never in us, unless it is begun by grace."[193] In his lectures, Luther constantly points out to his listeners that they often do the opposite of what the commandments demand, or only half-heartedly or with an eye to reward and punishment; that they seek good, such as virtues, wisdom, and even piety, but for their own sake. So, Luther often used this definition of sin: to seek one's own in everything.[194] But by doing so, humans make themselves the ultimate goal, whereas their ultimate goal should be God. This finally means: "Humans are by

nature unable to want God to be God. Indeed, they themselves want to be God, and do not want God to be God."[195] Luther finds this perversion in every action as well in the reactions to suffering. Since it is often overlooked, it needs to be emphasized. Luther's concept of sin in his early lectures depends on the concept of love for God. "For this evil [concupiscence] in us is itself sin, because on account of it we do not succeed in loving God above all things."[196] In these lectures, Luther never tires of attacking and attempting to destroy the sinful existence of human beings. One side of his early theology could be described as a major project of deconstructing the "old human being." Then it is a great challenge to explain how humans who are so deeply under the power of sin can be saved. As long as the love for God remained his primary theological guiding concept, Luther could not find a convincing solution for this problem. We can here note that one of the alternatives in the discussion about the "reformational turn" is whether one considers "reformational" the problem that Luther here identified and confronted (Hamm), or rather (only) the solution that he developed (Bayer).

So, in his early lectures, Luther does not appear to have been primarily concerned with the assurance of salvation; he seems more like a second John the Baptist, active as a radical penitent preacher. "The primal motif of Luther's early theology: all his interest is directed to humility, which as God's work entirely, is for him the proper movement of faith."[197] "Rather than engaging in an anguished quest for a gracious God, which is how his spiritual life is often portrayed nowadays, his primary aim at first was to undermine the tepid complacency that he thought was the besetting sin of his era."[198] In retrospect, however, the question of certainty of salvation appears as a pressing problem for Luther.[199] We should be aware of both.

2. Understanding justification in the model of movement

Bayer has observed that for the early Luther, the concept of movement plays a major role when it comes to describing the existence of the sinner seeking grace. Therefore, it seems appropriate to outline briefly the results of recent research on this topic before Bayer's view is presented.[200]

In a sermon from December 27, 1514,[201] Luther mentions a scholastic doctrine that had brought him to the brink of despair about God. According to this doctrine, the infusion of grace expels all sin in an instant—a person is either in grace or in sin. Now, according to his understanding of sin, Luther is convinced that even a person in grace is not wholly and completely dedicated to God in love. But anyone who does not completely fulfill the commandment to love is completely a sinner! Luther argues:

> Whoever does less than they ought, sins. But every righteous person in doing good does less than they ought. Well, then, I shall prove the minor premise in the following way: Whoever does not do good out of complete and perfect love of God does less than they ought. But every righteous human being is that kind of a person. I shall prove the major premise through the commandment: "You shall love the Lord your God with all your soul, and all your powers" etc. [Mark 12:30] . . . Therefore we must love God with all our powers, or we sin.[202]

In view of this, how should one understand "being in grace?" Luther can no longer think of grace as a quality or *habitus* in the soul, because the concept of the *habitus* allows only for an either/or of sin or grace.[203] The *habitus*, however, stands for the duration of being in grace. How can this duration of existing in grace now be conceived? In order to solve this challenge, Luther begins to understand being and remaining in grace as a *movement* of justification.

Luther often speaks of the Christian as *forever* being in this movement. Bayer understands this "forever (*semper*)" as a sign of Luther's early theology: "Such an existential movement, which according to the Aristotelian conception of motion basically lasts 'forever' (*semper*) [. . .] can only make us fundamentally uncertain because of its constant fluctuations."[204] But this "forever" does not come from Aristotle, but from sin, which always qualifies humans until death. Bayer assumes an "Aristotelian idea of permanence"[205] of motion, but for Aristotle, motions are not "forever," rather they have a beginning and an end.[206] Luther is not under the constraint of an Aristotelian thought, rather he deliberately uses an Aristotelian doctrine to describe the complex structure of a theological problem: a person in grace who at the same time is a sinner. And it is important that Luther follows an Ockhamist interpretation of Aristotle in this case.[207]

Unlike the Scholastics, Luther does not distinguish between the motion from sin to grace (instantaneous) and the motion of growth in grace (gradual, aiming at eternal glory), but rather places both motions in one. According to Ockham, the movement consists of potentially infinite points of motion. In Luther's theological application of this doctrine, the starting point of the motion is sin, the end point is righteousness. Each point has a double qualification: no longer being at the starting point of being a sinner, thus in this respect righteous, but also not yet being at the end of the movement, thus in this respect still a sinner. Each point of the movement is thus characterized by a "simultaneously" (*simul*). If a person were to stop at any point of the motion, she would declare herself to have reached the final point (righteousness), even though she is not yet at the final end and thus still a sinner. Thus, stopping at a certain point, she would become merely a sinner. She is justified only by being in motion. Therefore the person must "forever (*semper*)" continue from the respective present point which is now the starting point (sin) to the coming point (righteousness). The famous sentence "To proceed is always to begin anew" does not mean, as it is often understood, to start again and again at the first zero point like Sisyphus, rather it means not to stop at the present point, but to move on.[208] The formula is almost a definition of motion. For Luther, there is real progress, but making progress does not mean to be "more" justified; rather, progress may lead to a deeper insight into one's sinfulness. The formula "partly–partly (*partim–partim*)" also has its precise meaning in the context of the Ockhamist theory of motion[209] and does not mean anything different from the *simul* of being righteous and sinner.[210] At every next point, righteousness is *gratia operans* (operating grace), newly given by God. Luther uses these complex elements of the Ockhamist theory of motion in order to develop an alternative to the understanding of created grace as *qualitas* or *habitus*. It is inherent in the logic of this model that certainty of forgiveness would mean standing still and must therefore be ruled out for the sake of justification. Bayer is often critical of how Luther uses "motion" and, in particular, of *semper*. This excursus on movement should help provide a better understanding of what Luther meant.

The same applies to Bayer's interpretation of the Christmas sermon of 1514, with which *Promissio* begins. According to Bayer, it "presents an entire theological outline that is extremely unified."[211] But a more recent analysis has shown that Luther uses different Aristotelian motifs in the sermon to make different theological ideas plausible, but uses them eclectically rather than creating a self-contained theory of the word as motion.[212] When Luther wants to explain the second part of this sentence: "As the Word of God became flesh, so it is certainly necessary that the flesh becomes the Word,"[213] he refers to the Aristotelian doctrine of knowledge and not to the doctrine of movement.[214] Aristotle says that in actual knowledge, the intellect is its objects. This serves as an analogy for the statement that humans become the Word. Just as it is the possible intellect that becomes one with what is thought through cognition, the same applies to human beings: "We must abandon ourselves and become empty by renouncing [. . .] ourselves completely."[215] The fact that Luther finds a model for this in Aristotle prompts him to make a surprising statement. "This beautiful philosophy, which is understood by few, is useful for the highest theology."[216]

Bayer's insistence that understanding justification as movement implies uncertainty about salvation remains correct, even if his description of that movement needs to be modified. Bayer traces the motif "we must become the Word" from the Christmas sermon through Luther's early theology, indicating the different dimensions of what "word" means ("The Gospel as Enemy,"[217] "The Inner Word: Hidden Grace,"[218] "The External Word: Public Judgment,"[219] "The Word as Total Demand,"[220] "The Word and God,"[221] "The Word and Christ,"[222]) and how, accordingly, faith, which is related to the Word, is shaped. Bayer emphasizes that in understanding the sentence "the flesh becomes the Word" Luther also displays great similarities with the theology of Tauler, as well as the repeated use of Aristotelian motifs, such as the theory of intellect and the matter-form-scheme. Through suffering and deprivation, the new human being appears, which can also be interpreted as the removal of an old form and the introduction of a new form into a matter. Analyzing Luther's texts, Bayer concludes: "According to the Romans

lectures, faith depends on the word of God encountered as law, not also and especially on the promise of grace."[223]

3. Promissio *(= pact) as basic structure in Luther's early theology*

As we have already seen, *promissio*, the key concept of Luther's reformational theology, also appears in the scholastic texts, but in a completely different sense.[224] The early Luther does not use the word *promissio* very often. On the one hand, he has already abandoned the scholastic idea of the pact of God (*pactum Dei*) or the *promissio* of God by constantly insisting that humans are absolutely unable to love God with their whole heart. On the other hand, he emphasizes that they are able—with the help of the Holy Spirit—to confess their inability and sin and to pray for grace, and this would be the way of receiving grace and justification. Thus the conditional structure has not been entirely given up, and Bayer identifies it as the underlying structure of Luther's early theology. In the movement from sin to righteousness described above,[225] humans look to the starting point (sin) with self-judgment or contrition, and to the end point with the plea for mercy and justice. "For Luther's early theology, the judgment doxology and the prayer of supplication . . . are the only two concrete basic forms in which God and humans meet."[226]

Bayer analyzes two constellations in which Luther explicitly invokes the *promissio* concept and which deal with these two basic forms.[227]

In his interpretation of Psalm 51, Luther mentions Mark 16:16 as one such pact of God. "He made a testament (*testamentum*) and a pact (*pactum*) with us so that whoever believes and is baptized will be saved . . . In this pact, God is true and faithful and saves as he promised."[228] A little later it says, those who do not confess their sin, "are not justified by God in accordance with his pact, for since 'they do not believe [Mark 16:16b], etc.'"[229] Here, faith is understood as contrite confession and thus as a prerequisite for justification. "Therefore, sin must always be feared, and we must always be accused and judged in the presence of God. If we judge ourselves, we will certainly not be judged by the Lord."[230] The covenant is thus

defined by 1 Corinthians 11:31 which interprets Mark 16:16. "That is, for early Luther, the promise of salvation is realized specifically in the confession of sins and the judgment of self."[231]

The other covenant for the transition from sin to grace, now looking forward, is this one: "For he [Christ] promised regarding his spiritual advent: 'Ask, and you will receive; seek, and you will find; knock, and it will be opened you. For everyone who asks receives, etc.' [Luke 11:9–10] Hence, the [scholastic] doctors rightly say that God infallibly gives grace to those who do what is in them."[232]

Of course, Luther strongly disagrees with Gabriel Biel's definition of the *content* of the covenant, but he still retains the *structure* of the relation between condition and consequence. Certain human activities are required; they alone allow for concretizing or applying the *pactum* which is a general rule (A → B). In the comment on Romans 4:7, Luther says "God *(has) decreed* to impute sin to everyone except to those who are groaning, and fearing, and *constantly* imploring his mercy."[233] To be sure, the human activity (supplication) that is A is created by the Holy Spirit and thus is grace. So, there is the aporia that grace is given in order to fulfil the requirement of the bestowal of grace according to the covenant. Again, it becomes clear that on the one hand, this breaks the pactum model, but on the other hand, the conditional structure is still retained, as is particularly evident in Explanation 7.

Bayer also identifies the *pactum* or *promissio* structure in the guiding principle of the exposition of Romans 4:7. It reads: "Saints are always sinners inwardly, therefore, they are always justified outwardly."[234] We recognize the two elements of the *pactum*: humans regard themselves as sinners ("inwardly"), while the consequence is being justified in the eyes of God ("outwardly").[235] The pact that constitutes the relation between the two sides is expressed by "therefore." Thus we find here again a conditional structure even though Romans 4:7 ("Blessed are those whose iniquities are forgiven") does not require it.

With respect to the conditional structure of the *pactum*, either the accusation of sin can be particularly strong, or the hope can be expressed that the righteousness that is indicated ("promised") in God's covenant will be bestowed upon the person. Thus, one can

find very dark, but also light tones in Luther's lectures. Elements of pastoral care that go beyond what would normally be said in a lecture can be incorporated into the lectures.[236] And it must be noted that humans' self-accusation of sin and their pleading for righteousness are both wrought by the Holy Spirit, and so are the fruits of grace before grace. The affirmation (righteousness) comes, as it were, on the back of negation; both are God's work, his proper and his foreign work, but humans experience the negation and can only hope for the affirmation and ask for it. It is understandable that this complex situation can be interpreted in different ways. But one must see the systemic necessity of the uncertainty, which Bayer has astutely worked out and identified in countless passages of Luther's lectures.

Luther's thinking here is very similar to that of Augustine. Therefore, the following remark by Phillip Cary on the difference between Augustine and (the reformational) Luther will be illuminating:

> Where Luther departs from Augustine is *how* he flees to grace. Augustine flees by seeking grace in prayer, whereas Luther flees by finding grace in the gospel. Instead of a human word asking for a divine gift, Luther directs us to a divine word that gives it. To learn theology from Luther is to learn to find grace in this way, in the word of Christ given to us rather than in our own works and prayers.[237]

4. The gospel meets from without in a single way, but works internally in a double way

The gospel encounters those who as sinners seek their own in everything as an enemy. "We must agree with this adversary and thus (!) he will become our friend."[238] What is said here about God (Commentary on Romans 8:15) is said about the gospel in the First Lecture on Psalms: "The gospel has the name and word of God that says it is our adversary. Therefore, we must agree with every adversary on the way."[239] According to the comment on Romans 6:17, the Word of God is eternal and unchanging, therefore "the wisdom of the flesh" must be abandoned in faith in that Word. By believing the accusing Word, people become conformed to the Word, indeed they become the Word, and that means they become righteous, wise, and good.[240] "The gospel *meets* us from outside *in a single form*, as an

adversary, but works through an inner change *in a double way*. In a nutshell, grace comes about through judgment."[241]

The idea that the gospel meets the sinner as adversary is most radically developed in the *theologia crucis* (theology of the cross), as it appears in the "Heidelberg Disputation"[242] and in Explanation 58.[243] It is not so much an alternative type of theology, as it is often seen, rather it is a theological instruction for the theologian (= Christian) on how to deal with good and evil, and so it is a frontal attack on the self-seeking human being. Even if Bayer does not explicitly address it, it can be used to understand the passages that gave rise to calling Luther's early theology a "negative theology" and "metaphysics of existence."[244]

The theologian of glory mistakes good for bad and bad for good. Works are bad because they build up the old Adam, who chooses the works seeking his or her good in all of them, while suffering is good because it destroys the self-seeking person.[245] The realization that God is wise, just, good, and strong, derived from creation, is indeed correct and good (!),[246] but the theologian of glory abuses it, because this knowledge of God is not followed by love for God above all.[247] Luther argues: The theologian of glory wills the good and prefers the better to the good, and he loves the highest good (*summum bonum*), God, most. But this theologian does not love God for God's sake, rather for the sake of the loving person.[248] Thus this form of love for God is the highest form of egocentric self-love. That is why God appears under the opposite: the *summum bonum* on the cross! In the face of the cross, a person either turns away in disgust or her self-love is broken. Thus, "to love is to hate oneself, to condemn oneself, and to wish the worst."[249] All good things become evil for those who seek themselves in everything. Therefore, if something is to be good for these people, it must be met as evil. Thus "our good is hidden, so deeply, that it is hidden under its opposite . . . And all our affirmations of any good are altogether hidden under the negation of the same, so that faith might have its place in God, *who is a negative essence. He is goodness, wisdom, and justice, but cannot be possessed or touched except by the negation of all our affirmations*."[250] Bayer draws a conclusion from this. "It means the equation of the 'hidden God' and the 'revealed God,' which in turn means that only the judging

God is revealed."[251] The corresponding human existence is that of the *exinanitio* (the surrender of oneself) in faith.

5. Extra nos

A similar structure can be found in the question of how the formula *extra nos* is to be understood. The formula is used in Luther's theology to indicate that our righteousness is not our *own* righteousness, rather it is an *alien* or *foreign* righteousness. The formula appears both in the early lectures and in Luther's reformational theology. Thus one needs to clarify the respective meanings of the formula in their respective contexts. The motif first appears in the Romans lectures; Luther most probably adopted it from Tauler.[252] Here, *extra nos* can only be negatively defined by "outside of all things"; faith has no positive point of reference. If the life of faith is hidden in God, then a person only ever experiences its negation or is busy negating what she wrongly might base her hopes on. Bayer concludes, "nothingness is the placeholder for comfort."[253]

> When the hope that arises from the desire for a beloved object is delayed, its love is made all the stronger. And so, what is hoped for and the hoping person become one, as it were, through intense hope . . . Thus love changes the lover into the beloved. Accordingly, hope changes hopers into what they hoped for, but what they hoped for is not apparent. Hope therefore transfers them into the unknown and hidden, into an inner darkness, so that they do not even know what they hope for, and yet they know what they do not hope for.[254]

There is a fundamental alternative here, whether the formula *extra nos* is defined solely by negations, or whether something external appears that is also positively defined as a point of reference, as in the following. "And this is the reason why our theology is certain: it snatches us away from ourselves and places us outside ourselves, so that we do not depend on our own strength, conscience, experience, person, or works but depend on that which is outside ourselves, that is, on the promise and truth of God, which cannot deceive."[255]

The situation is not different with the formula *extra nos in solo Christo* (outside of us in Christ alone). Christ is the archetypical model of how God acts, namely, under the opposite. Thus in the end,

also being *extra nos in solo Christo* can only negatively be understood as "being outside of all things."[256]

6. Certainty of salvation in Luther's early theology?

> One must realize what a lack of clarity or a hesitation on this very point [that of personal certainty of salvation] would mean for the whole understanding of Luther's inner development. If Luther started from the concern "How can I get a gracious God?" and yet in 1515 still doubted the possibility of assurance of salvation, can he then in the monastery have really 'got' a gracious God?[257]

Holl's view that already the early Luther taught the certainty of salvation is still widespread among Luther researchers. But, to reiterate, there are two systemic reasons that make certainty of salvation difficult or impossible. First, Bayer repeatedly emphasizes, with good reason, that with the idea of justification as a movement, certainty of salvation is impossible. And indeed, because Luther understands being in grace while remaining a sinner in the model of the Aristotelian-Ockhamist interpretation of movement, it becomes clear that the certainty of salvation would bring the movement to a standstill and thus endanger salvation itself. Only if humans continue self-accusation and pleading God's mercy are they regarded righteous by God. Second, as long as a conditional structure of justification exists, humans must fulfill certain conditions; but they can never be sure whether they have actually fulfilled these conditions, because no one can have full insight into themselves. Therefore, certainty of salvation is not possible for them.

Of the many texts to be examined in this regard, only Luther's interpretation of Romans 8:38 in the lectures on Romans will be considered here. Luther only accepts the "I am certain" for Paul on the basis of a private revelation, while for the others he argues with Ecclesiastes 9:1: "'humans do not know whether they are worthy of love or hate' . . . For even though it is certain that the elect of God are saved, yet no one is sure that they have been chosen because of the general rule."[258] With this, Luther takes back what could be read, in the comment on Romans 2:15 that takes up Romans 8:33–34, as a Reformation-sounding certainty of salvation.[259] In his comment

on Romans 8:28 ("those who were chosen according to his [God's] plan") he says, "But those who fear and tremble at these words [Rom 8:28b] do have the best and most favorable sign [of grace]."[260] The background for this paradoxical intention is the divine promise (in the old sense as general rule): "God, who cannot lie, has said: 'the sacrifice acceptable to God is a broken spirit,' that is, a despairing spirit; 'a contrite and humble heart, God, you will not despise.'"[261] One can focus either on the condition (fear and humility) or on the consequence of the promise, namely, salvation. But since one cannot move from one to the other and stand still there, *certainty* of salvation does not appear to be achievable.

We may ask: What would a person who lived according to the theology of the early Luther look like? Bayer has demonstrated how often Luther uses negations which turn into affirmations, while humans experience the negations (*in re*) but only hope for the affirmations (*in spe*). Phillip Cary has stretched Luther's negation-lines to the utmost (as Luther himself often does) *without the affirmations*; in their conjunction, this leads to a despairing human existence according to Cary.

> I call this a dubious teaching because it is hard to see how such a free and cheerful will could arise in a person who is working as hard as he can to (a) agree with a word of God that condemns him, (b) seek a justification that he never believes he has, and (c) cultivate the fear that all his works are the result of the bottomless iniquity of his own self-will. How does someone who believes these things ever come to love God rather than fear him? Where in his teaching is there any ground for a will that is free, cheerful, and delighted with God? How do you delight in God whose word toward you is always condemnation, and who moreover demands that you love him with a free and cheerful will, which you must never believe you actually have? It seems much more likely that a monk who adopts such a theology will end up hating the God whom he must regard as his adversary and accuser.[262]

V. A Brief Overview of Luther's Reformational Theology in Bayer's View

1. "Promissio—fides" *as basic structure of reformational theology*

In the second part of his book, Bayer not only analyzes the process of Luther's reformational turn, as described above,[263] he also shows

that the new understanding of *promissio* and the relation *promissio-fides* forms the basic structure for his theology from 1518 and after. It is not just that the external word is now emphasized more strongly by Luther, as is often said, but rather that there is a new structure to his theology. One can simply ask whether the sacramental theology of *The Babylonian Captivity of the Church* could be reconstructed using the tools of Luther's theology from before 1517. Bayer shows that this is not the case.

It is noteworthy that of the three *promissiones* that became so important to Luther after 1518, he only mentions the baptismal *promissio* of Mark 16:16 in his early theology,[264] but not the gifting words of the Lord's Supper and Matthew 16:19.[265] The reformational understanding of the Lord's Supper is based on the concept of *testamentum* as a *promissio* of Christ on the way to death and resurrection.[266] The understanding is not oriented to the action of the mass, but to the *promissio*. Bayer deliberately does not call it the word of institution, but the gifting word.[267] Thus, he takes the structure and point of the *promissio* seriously; with it, Christ gives himself, and the addressees ("for you") are also named. A testament has three elements: the death of the testator, the promise of inheritance (forgiveness of sins), and naming of the heir. Because receiving an inheritance is not a good work, the mass cannot be understood as such. Belief in the *promissio* makes humans heirs; therefore, the *promissio* is aimed at the individuals and their faith; it individualizes the recipients, only individuals can receive the inheritance for themselves, but not for another. Remembrance ("Do this in remembrance of me!") belongs to the Lord's Supper. This happens both in preaching the promise and in confession which praises what Christ has done for us. While the meditation of the mass in Luther's early theology is "an awareness of Christ's suffering through one's self-mortification,"[268] in the center now is "the certainty of God's salvific coming to us and his presence with us here and now."[269] Luther declares "The mass is part of the gospel; indeed, it is the sum and short form of the gospel."[270] Bayer calls it the "epitome" of the uniqueness of the promise "and thus the basic text, summary, and norm of every *sermon*."[271]

In the section on baptism,[272] Luther makes clear that Christ's promise is the foundation of baptism in such a way that baptism is

not destroyed by sin, as if, as Jerome said, only "the second plank after shipwreck"[273] were left if someone had sinned after baptism. "For just as the truth of his divine promise, once extended to us, continues until death, so our faith in it must never cease, but be nourished and strengthened even to death, a continual remembrance of this promise made to us in Baptism."[274] Figuratively speaking, sin does not destroy the ship of baptism; rather, sinning means falling out of the ship of baptism, while repentance is the regretful return to the ship through faith in the baptismal promise. Now, preaching receives the task: to invite and exhort to constant belief in baptism. Indeed, Luther

> gave the sermon a new function by making the promise of baptism, repentance, and the Lord's Supper its basic text. The origin of the reformational understanding of preaching can be seen in the notion of promise, which grew out of a profound reexamination of the function of the sacraments and cannot be separated from this context either historically or systematically.[275]

2. Christology, sacrament/example, pro me *("for me")*

Bayer argues that with the recognition of the *promissio*, Luther's Christology, the understanding of the term pair "*sacramentum/exemplum* (sacrament/example)" and the meaning of *pro me* ("for me") also changed profoundly. The two formulas are prominent and play an important role both in Luther's early and his reformational theology, but their content is changing even if their wording remains the same. In what follows, the reformational turn of the three topics is described, but since they are actually different aspects of the same turn there will be overlaps, and similar arguments will recur.

2.1 Pro me *and sacrament/example*

For Luther's early theology, as well as for his contemporaries, it was clear that it is spiritually not meaningful to deal only with the historical facts of Christ's life. Luther, in a comment on Tauler, says "Take note: to remember the passion of Christ literally as presented in Scripture produces nothing, but to remember it spiritually is life."[276] But how does a relationship come about between what is presented in the biblical texts, the facts, the image of Jesus Christ,

and the existence of the person meditating? This is the question of the significance of the facts "for me" (*pro me*). Bayer claims that the meaning of the formula changes from a tropological "for me" to a promissional *pro me*. Bayer analyses the question of the *pro me* in Luther's early theology in the context of what he calls "sacramental meditation on scripture."[277] Therefore, this question overlaps with the pair of terms "*sacramentum/exemplum*."

Luther could call the significance of texts or facts also "sacrament." In a marginal note on Augustine's *De trinitate* IV, Luther comments: "The crucifixion of Christ is a sacrament, because it signifies the cross of penitence in which the soul dies to sin, but is an example because it incites us truly to offer our body to death or the cross."[278] Luther takes up this paired term "sacrament and example" from Augustine who uses the two terms as a pair only at this point; Luther continues to use the pair throughout his life, but with different meanings. This quotation shows that here for Luther, *sacramentum* and *exemplum* are intertwined as inside and outside. As the following will show, for the early Luther, they are not clearly distinguished from each other as what precedes and follows.

In another marginal note on Augustine, Luther says: "The death of Christ brings about the soul's death to sin."[279] Thus the death of Christ as a sacrament signifies *and* effects repentance. What Christ suffered, he suffered "for us"—as a model of our justification. In faith, that is, in penitence and self-emptying, humans reenact Christ's suffering within their lives. The cross of Christ is spread across the whole world; it signifies the many crosses that people have to bear, as also Tauler said: "Children, the cross stands for all the crosses that we may be called to suffer."[280] Luther could see himself confirmed here by Tauler. If the sufferings and tribulations are willingly accepted, they are indeed means of salvation. It is an old tradition that the Christ event includes the church and the individual Christians, which is expressed in the tropological interpretation of scripture.

The image of the suffering Christ has an effect on our imagination and creates our sharing in Jesus' sorrows. Luther thinks precisely "about the acceptance (*Annahme*) and reception (*Aufnahme*) of what is presented through its reproduction in the intentional act."[281] "It is also impossible for the soul to remain still when it is so moved,

for when a drop of blood [of Christ] stirs the soul, it begins to act freely. That is why we see love, justice, repentance, and other virtues flowing from the wounds of Christ."[282] In contemplating Christ, the object becomes the subject; Christ creates in us the self-knowledge of being sinners. Christ's significance for us (*pro me*) is his effect on us in devotion: penitence. "Thus, we have to suck what is ours from the wounds of Christ, especially penitence."[283] To become one with Christ internally means a transformation of existence. Only those who die with Christ can also rise with him. It is worthy of note that our conformity to Christ's suffering is effected by God alone—*sola gratia*, as also Augustine often refers to 1 Corinthians 4:7. "Tauler's sermons . . . make it clear that it is possible to practice a meditation piety free from any synergism that is not yet faith in the word in the reformational sense."[284]

In the early understanding of *pro me*, history and existence, not word (promise) and faith, face each other. Salvation does not come about through the word but through suffering the sufferings of Christ. The word presents the history and leads readers and hearers to its contemplation. "However, what is effective in the proper sense is not the word but the devotion—that is, a process of understanding in which the oral and binding word plays no constitutive role."[285]

2.2 Luther's early and reformational Christology

What has been presented so far overlaps with Luther's early Christology. A precise summary of this can be found in the comment on Hebrews 2:10 that speaks about Christ on the cross.

> This sign beautifully shows the manner in which we are saved, namely, through Christ as through an archetype or pattern, to whose image all who are saved are conformed. For God, the Father, made Christ to be a sign and archetype, that those who cling to him by faith should be transformed into the same image and thus be drawn away from the images of the world. . . . Thus Christ through the gospel, offered to the whole world a spectacle, captivates everyone with his knowledge and contemplation, and draws them away from those things they cling to in the world. In this very way, they are transformed and become like him. For thus it says that Christ is the cause and captain of our salvation.[286]

Bayer calls this Christology "archetypal"[287] because Christ, precisely in his suffering, acts as an archetype on those who contemplate him, and in turn challenges and inspires them to suffer as he himself suffered. It is an exemplary Christology, in which Christ in his humanity—the suffering one—is at the center.

The *Brief Instruction on What to Expect in the Gospels* (1522) shows the new Christology with a different order of sacrament (here replaced by "gift") and example:

> The chief article and foundation of the gospel is that before you take Christ as an example, you recognize and receive him as a gift, as a present that God has given you and that is your own. This means that when you see or hear of Christ doing or suffering something that you do not doubt that Christ himself, with his deeds and suffering, belongs to you. On this you may depend as surely as if you had done it yourself; indeed, as if you were Christ himself . . . whereby the heart and conscience become happy.[288]

Now, Christ as sacrament and example are clearly distinguished and presented in a particular order: first the sacrament, while the example follows. What Christ has done is bestowed upon the believer as a gift. Christ is not "for me" in that his suffering is reenacted in me, but in that I receive his suffering as a gift through faith. From this, mortification of the flesh will follow, but this belongs not to that which serves for salvation, but to its consequence. "Christ as a gift nourishes your faith and makes you a Christian. But Christ as an example exercises your works of love. However, these do not make you a Christian but proceed from you once you have been made a Christian."[289] In Luther's early theology, the word of God encounters humans as *one* word, and this is a word of judgment, which turns into righteousness in the humans who are penitent by God's grace. In order for Christ to be received as a gift, he must be communicated as gift to humans, and that is precisely what happens in the *promissio*. The *promissio* as the unambiguous word of the gospel that does what it says and gives what it announces makes the distinction between *sacramentum* and *exemplum, between law and gospel* possible. It is "the sermon or gospel through which he [Christ] comes to you."[290] "So you see that the gospel is really not a book

of laws and commandments that requires us to do something, but a book of divine promises in which God pledges, offers, and gives us all his goods and blessings in Christ."[291]

If Christ is bestowed on a Christian through the promise and received in faith in the promise, then Christ is no longer sacrament in the sense that it signifies the sinner's penitence. So humiliation before God and before the world that were intertwined in Luther's attitude of pure negation can now be separated. The mortification of the flesh is distinguished and follows from having Christ or being in Christ; in the same way, love for the neighbor is clearly distinguished from the faith from which it flows. Faith and love, sacrament and example are distinguished and related in a new way. Thus also ethics gains a new foundation.

Bayer vividly illustrates the reformational change in Christology by comparing two interpretations of the fourth petition of the Lord's Prayer ("Give us today our daily bread") of 1517[292] and that of 1519.[293]

In 1517, Luther states that the soul finds its nourishment in the contemplation of the word of God by being presented with the life and suffering of Jesus and so challenged to become conformed to Christ. This is different in 1519. What Luther says is astonishing: God must make Christ into words "so that you can hear and thus know him." And he continues:

> What does it profit you if Christ sits in heaven or is hidden in the form of bread? He must be handed out, prepared, and become words by means of the inner and external word. See, that is truly the Word of God. Christ is the bread, God's Word is the bread, and yet there is but one object, one bread. For he is in the Word, and the Word is in him. To believe in this same Word is the same as eating the Word. Those to whom God imparts this will live eternally.[294]

The Lord's Prayer's plea for bread suggests that preaching should be understood as the distribution of the word, analogous to the Lord's Supper. What is distributed is the audible, external word, while God "is there and teaches inwardly himself what he gives outwardly through the priest. As he says in Isaiah 55[:11] 'my word . . . will not return empty'."[295] It is God who reveals Jesus, and he reveals Jesus as a gift, the answer to the prayer "Give us our daily bread." Christ is

no longer primarily the example to which humans must conform; rather, he is God's gift, and he gives himself in the *promissio* which is to be received in faith.[296] Luther emphasizes the unity of Jesus and God as the prerequisite for God allowing himself to be "grasped" in Jesus. Therefore Jesus's promise has authority. The union of the divine and human nature in Jesus Christ is no longer understood as "the cypher and archetype of the change from suffering to salvation,"[297] from humiliation and elevation, rather, it is the basis for the promise that allows for the "happy exchange." "For Luther, the doctrine of the two natures is identical with the teaching of Christ's office as mediator."[298] Thus, Bayer calls the reformational Christology a "trinitarian mediator Christology."[299] The personal union of God and humanity in Christ aims at distributing Christ through the *promissio* to humans. Bayer states that Luther "discovered his reformational Christology and his reformational understanding of the Lord's Supper *at the same time*."[300]

2.3 The reformational pro me

Bayer calls the early Luther's meditation on scripture "sacramental."[301] He takes this from the Christmas sermon of 1519 which programmatically begins with the distinction between an interpretation in a sacramental and in an exemplary way.[302] Bayer comments on this: "Only with [the promise] can he [Luther] say that the 'words work in us through faith the very thing that they declare.'"[303] But in what follows in the sermon, Luther understands the efficacy of the word in the way of the early type of meditation as the efficacy of an archetype (Christ). The *promissio* approach and the archetype approach are put side by side without mediation.[304] Bayer therefore classifies this sermon as an early form of meditation, and because the word "sacramental" occurs in it, he calls the early meditation "sacramental." This is unfortunate, because in that sermon "sacramental" is understood in line with baptism and absolution, that means, with *promissio*, and the sacraments are always connected with the *promissio* in the rest of Bayer's book. Their efficacy is precisely distinguished from the efficacy of the early meditation. Therefore, the term "sacramental" should not be used for the early type of meditation on scripture, even though it has an effect.

In order to explain Luther's understanding of the reformational *pro me*, we look at his Christmas sermon of 1522. Here, differently from the Christmas sermon in 1519, Luther does not start with the mere fact, "the birth of Christ," the significance of which would then have to be offered to the believers as their rebirth.[305] Rather, he begins with the message of the angels "Today the Savior is born to you."[306] The crucial point here is that the event of the birth is linked to the "for you." Luther admonishes: "do not just enjoy the stories of the gospel without yourself." "[T]he word that comprehends the event in itself and 'gives' it to you, makes it yours, is the pivotal point of the whole story."[307]

The angels of Christmas are exemplary heralds of the *promissio*. They are the first to interpret the event, which would not be recognizable as God's action without their word (the newborn child is the savior of the world) *and* they "distribute" it: for you! Luther uses the vocabulary of the Lord's Supper, namely, to distribute. Thus the *pro me* is included in the *promissio*. Instead of appropriating the life and suffering of Jesus, it is bestowed. The *for me* as *pro te/vobis* (for you) is now defined by bestowal instead of appropriation. The former starts with God communicating himself to humans; the latter starts with humans who attempt to appropriate a foreign history for their existence as something coming from God. What needs to be appropriated can only be appropriated brokenly, in the *tropos* (not "This is for you," but "This has this meaning for you"). This is what the existential interpretation of Jesus' life does; this interpretation as well as the connected hermeneutics of signification are given up by Luther in favor of the promise for you.

3. Overcoming the Augustinian hermeneutics of signification

In his Christmas sermon of 1514 on John 1, Luther gave the inner word clear precedence over the external word: the inner word is the word in the most proper and perfect sense.[308] He emphasizes this with two German proverbs in the Latin sermon text: "My heart tells me so,"[309] and: "It does not move my heart."[310] He takes this up by saying: "For you cannot move anyone's heart through a word spoken by the mouth, as much as your own heart is moved inwardly by your word."[311] Successful communication happens through the

inner word; the external word has its limitations, and communication with the external word is more likely to fail than succeed. These sayings reflect an Augustinian understanding:

> Christ himself works through the Holy Spirit in the human heart faith, hope, and love. This strong emphasis on the sovereign authorship of God means that Augustine makes a very sharp distinction between the spiritual realm of the direct relationship between God and the soul and the outward visible and audible realm of the *ecclesia catholica* with its proclamation of the word and its sacramental acts.[312]

The *promissio* breaks down this Augustinian distinction between the external and the internal, and as external word it serves as a means of salvation for the Holy Spirit. Now, other proverbs and sayings are used in sermons to illustrate the word. In the Christmas Sermon of 1522, Luther says:

> The human heart is known from the human word. As people commonly say, "I know her heart" or "I know her mind," even though actually they only hear her word, since the mind of the heart follows the word, and is known through the word, as if it were in the word. Experience has taught the heathen, too, so that they can say, "A human being speaks what he or she is.[313]

Luther adds more proverbs as evidence for his understanding and then draws a remarkable parallel between a natural phenomenon and God: "The bird is known by its song, for it sings according to the shape of its beak, as if its heart were essentially in its words. The same is true of God. God's word is so much like God that the deity is wholly in it, and whoever has God's word has the whole deity."[314] The change is profound, even dramatic, especially because Bayer has shown how much the early Luther followed the Augustinian understanding of the inner and outer word.[315] With the discovery of the significance of the external word, the beginnings of which could be seen in Explanation 7, Luther overcame Augustine's hermeneutics of signification and, also in this respect, left his early theology behind him. Again from Phillip Cary:

> The formulation of the doctrine of the sacraments in the Middle Ages was a great achievement, I think, because in the Augustinian tradition within which it arose what matters most is inward and universal, whereas sacramental

> doctrine taught people to cling to things that are external and particular: not eternal realities or inner experience but flesh and blood, water and word. Precisely in its externality, sacramental doctrine is a great triumph of Christ over the philosophy of soul, inner presence, and spiritual experience. . . . According to Luther, God gives himself to us through his external word, but not according to Augustine . . . in this regard Luther is more Catholic than Augustine—certainly more of a medieval Catholic—while Augustine, if not exactly more Protestant than Luther, is closer to Calvin than Luther is on the issue of sacraments.[316]

VI. Conclusion

1. Luther's early theology

Defining the difference between the early and the reformational theology of Luther by means of a single term, that of *promissio*, is an extremely useful approach. The difference between the scholastic understanding of *promissio* as God's pact—God's free self-determination as a *general* rule for the connection between a created reality and a divine reaction—and the reformational understanding of *promissio* as God's *concrete, external* promise to a human being helps to determine the difference of basic structures in Luther's theology. To be sure, the old pact structure has been deeply changed in Luther's early theology because on the part of humans there is only the confession of total inability to contribute anything to salvation; but it is precisely this confession, like the yearning and prayer for salvation, that functions as human conditions in a conditional structure that has not been completely overcome. The word of God strikes humans as a word of judgment, the gospel encounters them as an adversary. In the confession of sins, faith agrees with the gospel, hoping that the enemy will become a friend. God deals with humans under the opposite: he condemns in order to save. The crucified Christ is the archetype of God's interaction with human beings; accepting their own sufferings and their own condemnation, humans become conformed with the suffering Christ, hoping to be saved. God does not encounter humans in his goodness, wisdom, and power, because as sinners who seek their own in everything they abuse everything that is good, even God; therefore God appears under the opposite, in the negation of his qualities: God on the cross. Even though

transformation by God's grace and also progress happen, nevertheless, because sin remains until death, justification is a lifelong movement, always away from sin in self-judgment and in hope towards righteousness. Justification lies in this movement; it must not come to an end, therefore there can be no certainty of salvation.

Central for Luther's early theology is the idea of the humans' love for God, even and especially in his emphasis on their total inability for this love. The struggle against sin and for transformation in the movement of justification is oriented on this love. This leads into a dilemma from which there is no escape, except from a different starting point. In his reformational turn Luther no longer starts from humans, their love or inability to love, but from God, who approaches humans and gives himself to them—in the *promissio*. Only as faith in the word of God as *promissio* does faith become the central concept of his theology, and only through the unequivocal word of the gospel is the last remnant of the conditional structure of the old *pactum/promissio* overcome.

2. Luther's reformational theology

Bayer shows how Luther, in Explanations 7 and 38 and then in *Pro veritate*, as challenged and supported by Matthew 16:19, comes to understand the *promissio* as the word that works what it says. With the understanding of *promissio* gained in his reflections on the sacrament of penance, Luther conceives *promissio* as the constitutive element of the other two sacraments as well, baptism and the Lord's Supper. In the gifting words of the Lord's Supper it becomes especially clear that the sacraments are events in which Christ gives not just something, but in fact himself to human beings ("for you"). The personal union of God and humanity in Christ becomes important as the source for Christ's authority; in his name the *promissio* is said. *Promissio* as giving through the word also shapes the understanding of preaching. The external, bodily word allows the gospel to be distinguished from the law, sacrament from example. Thus, certainty of salvation is possible through a faith that is directed solely towards the *promissio*. The fearful soul has something solid and unequivocally positive to hold on to. That is why the "outside of us" of our justification is no longer determined only by the negation of our

own possibilities. Since the *promissio*, that is, something external, is now believed to be a means of grace, the Augustinian hermeneutics of signification is overcome. Thus it is clear that *promissio* is not a special theological topic among others; rather, it is the foundational element of reformational theology.

The difference between Luther's early and reformational theology cannot be understood quantitatively as a stronger emphasis on the external word; it is a qualitative difference, even if Luther's texts show multiple transitions and combinations between old and new.

Concerning the relation between Luther's early and reformational theology, Bayer says:

> [T]he way of negation that Luther pursued with his early theology forms the prehistory of the reformational exclusive particle. The latter of course does not simply take up that previous history but corrects it at the crucial point, the point of uncertainty, which was said to be principally willed and worked by God . . . His reformational theology is the answer that supersedes the question, and yet, as an answer, it is, (and remains!) related to the question. But it cannot be deduced from the question as such.[317]

3. The method of Bayer's interpretation of Luther texts

In contrast to many studies that only support their presentation of Luther's theological views by quoting him, Bayer offers a wide range of in-depth textual analyses. He meticulously interprets Luther's texts and passages, a method analogous to biblical exegesis, and elaborates their intertextual connections. Bayer systematically relates the individual analyses to basic structures that can be recognized in them and in turn provides detailed evidence for his overall view through the numerous individual analyses. He practices intensive close reading, combining exegetical accuracy with systematic strength. The consistent comparison of Luther's interpretations of the same Bible texts in his early and later theology makes the change in Luther's theology particularly striking. The context-related analysis of key concepts ("faith," "Word," "outside of us," "sacrament and example," "for me"), showing how their meanings have changed, makes a historically differentiated presentation of Luther's theology possible. References to medieval traditions are traced where Luther allows such references to be seen, but medieval complexes of ideas

are not described as such and then compared with Luther's views. Bayer presents the ideas that Luther adopted from others as confirmation and inspiration for his own thinking. Through correspondences, similarities, and analogies with other traditions, Bayer is able to define more precisely the profile of Luther's thought, without asking for "influences." Luther adopts some of the ideas of others, or at least shares them, not because they have "influenced" him, but because they fit into his own way of thinking. Bayer summarizes these findings in pointed remarks. In general, Bayer has set the standards for the interpretation of Luther texts.

4. The limits of Bayer's perspective

Unlike many studies on the theology of the young Luther, Bayer's book does not focus on Luther's growing criticism and rejection of scholastic theology, as expressed most strongly in the *Disputation Against Scholastic Theology* and the *Heidelberg Disputation*, but on the comparison of Luther's earlier and later theology with the question of how "the reformational" can be determined and where it can be first found. The criterion for "reformational" is not deviation from a scholastic or late medieval mainstream, but rather a benchmark found among the texts of Luther himself, specifically, *The Babylonian Captivity of the Church*. Thus, *Promissio* does not intend to give a comprehensive view of Luther's early theology. It is *one* perspective, even if it is aimed at discovering what "reformational" means, but this does not exclude other research questions and it does not require that it encompasses all aspects of theology and piety.

Bayer's view of the theology of the early Luther from the viewpoint of 1520 creates a sharply contoured image of the early theology, which Bayer describes as follows: "It is a negative theology that can indeed be described as a metaphysics of existence . . . [Luther's] early theology as a whole is something unique and comparable only, if at all, to Tauler's sermons, from which it is distinguished among other things by its exegetical character."[318] Nevertheless, I would suggest reading Bayer's book together with the great study *Man Yearning for Grace* by Jared Wicks. In it, the Catholic Wicks offers a very appreciative presentation of Luther's early theology. His question is not what is "reformational" in Luther, but what can be learned from the

young Luther for the spirituality of a Christian. In terms of content, much of it coincides with Bayer's presentation, but the perspective is different. Wicks emphasizes what is often forgotten, namely, that for Luther, grace is always also healing grace, not just the non-imputation of sin. The emphasis of the young Luther is precisely on the transformation of the believer, which is why he so vehemently fights against indulgences as "cheap grace"—as "non-imputation" of the penalties for sin.[319] Wicks, agreeing with Bayer's view of the innovation in 1518, has observed: "Luther's 1519 works moved toward integrating this new aspect of faith [in the sacrament] into the spirituality he had developed in works"[320] before his shift.[321]

5. Emphasizing the difference to maintain the profile

If one levels out or marginalizes the qualitative difference between Luther's early and reformational theology, then, for the sake of the common denominator, what constitutes the heart of, for example, *The Babylonian Captivity of the Church*, and what is so precious for Christian life, is lost. One should take Wicks' criticism seriously:

> The English translation of Gerhard Ebeling's short introduction to Luther gave me the opportunity to call attention to Luther's notion of *fides sacramenti* ["faith in the sacrament"], which is all but absent from Ebeling's account but which Luther took as central in justification. God's Word comes to the believer most concretely in the assuring communication "Your sins are forgiven." I claimed that the reader who goes from Ebeling's introduction to reading Luther's major works is poorly prepared to grasp Luther's serious and extensive attention to the sacraments and their role in the believer's life of faith.[322]

This observation shows how important Bayer's insistence on that difference is for an adequate understanding of Luther's whole theology.

6. Promissio *and Lutheran/Catholic divide*

"Luther's face-to-face exchanges with Cajetan in Augsburg constitute one of the great scenes of the Reformation:"[323] a Roman Cardinal meeting with the future reformer before the process of reformation has really gotten underway. Two outstanding theologians encountered each other and, as Bayer suggests, created an archetypal situation in which the insurmountable antagonism of Roman

Catholic and Lutheran doctrine has been modeled for all time. The above analysis[324] has raised serious doubts about this understanding, both with respect to the circumstances of that encounter and also the question whether the content of Cajetan's treatises actually shows that he has understood Luther properly. One could consider counterfactually what might have happened if the Cardinal had not only, sitting at his desk, applied his own basic scholastic distinctions to Luther's writings and written his treatises, but had also taken the opportunity of the encounter to ask Luther with an open mind and with genuine interest how he had come to such strange views. Then it might have become clear that with the *promissio* Luther had discovered the sacraments and the preached word as signs that work what they say, that Luther emphasized the keys of the church and did not diminish them.[325] With the discovery of the external word that creates what it says, with the understanding of the sacramental character of the *promissio* and the promissional character of the sacraments, there was an elementary common ground, which had not been present in Luther's early theology, although it did not cause any offence in the church. The sacraments and the preaching of the word call for a ministry that serves them. As a result of his discovery, Luther overcame his early exemplar-Christology and found a Christology in which the uncreated Word is wholly present in the incarnate Word and communicates himself in the bodily word of the *promissio*. Emphasizing the personal union of the two natures in Christ, Luther has regained the Christological and Trinitarian dogma of the early church in his own way–a common ecumenical foundation. His discovery of the *promissio* is not the reason for the eternal separation of Catholics and Lutherans, as Bayer assumes, but on the contrary, the basis for a fruitful Catholic-Lutheran ecumenism.[326]

Jared Wicks is a good witness for the view presented here.[327] He reports how he met Paul Hacker when he was a doctoral student in Münster and was impressed by Hacker's negative assessment of Luther's development since 1518.[328] Reading Cajetan's Augsburg treatises convinced him of Cajetan's judgment that Luther's certainty "means building a new church." But further reading of texts from 1518 raised doubts about this view; in particular, contact with Protestant Luther researchers such as Kurt-Victor Selge, Matthias

Kroeger, and, above all, Oswald Bayer inspired and encouraged him to revise his negative assessment of Luther after 1518. He writes:

> An insight of O. Bayer that entered my central understanding of Luther was that Luther's central conviction underlying his conception of faith and sacramental reception rested on Christ's conferral upon Peter and his disciples of the keys for binding and loosing. Luther's Reformation shift had a central basis in the firm *promise* of Christ, 'Whatever you loose on earth will be loosed in heaven' (Matt 16:19). Also, O. Bayer drew my attention to the importance of the theses that Luther composed for disputation in the Wittenberg theology faculty in spring 1518 [*Pro veritate*], which set forth with all desirable clarity the contours of his new theological and spiritual focus on *fides sacramenti*. After encountering O. Bayer I began reading Luther's works of 1518 and later in fresh ways, gradually moving away from the judgments on faith bent back on the self or the ego that I had earlier taken over from Paul Hacker in Münster.[329]

So Wicks joined Bayer in the positive view of the 1518 innovation, but in contrast to Bayer, he does not see in it a reason for the separation from Rome, but rather a common ground in the importance that the sacraments and the word as a sacrament had now gained for Luther.

It is clear that Cajetan's understanding of the sacraments differs significantly from that of Luther. But the question is whether these understandings simply contradict each other or whether they are different perspectives on the same thing, between which one must choose, but which do not mutually exclude each other as "constructing a new church." The latter option is possible if one agrees that the theological matter does not need to be exclusively understood in one's own terms, distinctions, and thought forms (as Cajetan thought), but also allows for others. A contradiction can only be said to exist if something is affirmed and denied of the same thing *in the same respect*.[330] But if the terms on both sides have different meanings and the basic distinctions are different, it is not so easy to compare two doctrines "in the same respect" and to judge that they are not only different but actually contradict each other. This judgment process is in any case contingent. If one wanted to speak of a "system-crashing" due to Luther's views, then one would turn the contingency of the circumstances, the acting persons and how they define what the respective "system" is, into a necessity, but this

would not be correct. This reflection shows that one should not take the rejection by Catholics or of Catholic doctrines as a defining element of what is "reformational." Rather, one should be pleased to find the same or similar beliefs in other churches and their teachings as in one's own church. Phillip Cary offers a stimulating ecumenical perspective that takes up Luther's concern for church reform:

> What Luther wants us to learn, therefore, is to cling to the gospel as an external word that gives us Christ and, in Christ, all good things. It is a proposal to the whole church that is inconceivable without Augustine in the background but also requires the departure from Augustine that took shape in medieval Catholic theology. For at the heart of Luther's Protestant concept of gospel is a Catholic concept of sacramental efficacy.[331]

Bayer has impressively shown the importance that the sacraments and the preaching of the word of God have gained as the context of justification through the *promissio*. Therefore, one would have expected that this strong emphasis on the sacramental dimension of Christian faith would be followed by developing an equally strong ecclesiology. Ecclesiological topics are, however, treated rather marginally in Bayer's further work. But the external, bodily word needs the church, otherwise it loses its power along with its place. It is also regrettable that Bayer apparently believes that the last word on the relationship between Lutheran churches and the Roman Catholic church, their doctrine and theologies, was spoken in the encounter between Cajetan and Luther and then at the Council of Trent. The separation seemed to be sealed for all time, which is why Bayer has not devoted much theological attention to this controversy in his theological work after *Promissio*. If Bayer had developed an ecclesiology, then it would have been inevitable, for the sake of the unity of the one church of Jesus Christ, to engage constantly with the Roman Catholic church, to provoke Catholic theology and doctrine and to allow oneself to be provoked by them since after all, Luther's claim to reform the church was aimed at the church as a whole.

7. Promissio *and the gift discourse*

A promise is the promise of a gift, possibly even of the giver himself, and conversely, giving occurs through the promise. By recognizing

the meaning and significance that *promissio* gained for Luther in 1518, Bayer also discovered the significance of gift and giving for the Reformer's theology. Subsequently, Bayer became "one of the first theologians in the German-speaking world to have dealt extensively with the gift, and he has certainly contributed to the fact that theology has become aware of the topic."[332] Bayer calls "gift" "a primal word (*Urwort*) of theology."[333] He has only partially participated in the extensive and intensive philosophical, sociological, and theological discussion of the gift.

Strangely enough, as far as I can see, the topic of giving by speaking (*promissio*) has hardly been taken up in these discussions. Risto Saarinen has presented a very precise linguistic analysis of the word "give" and its uses,[334] but, to my best knowledge, the linguistics of *giving itself by speaking* and the specific nature of giving by speaking have not yet been the subject. But the fact that in theology giving is realized precisely by speaking would be a subject for investigation that could open up new perspectives. Taking up Bayer's discovery of *promissio* would be particularly helpful for the intra-Protestant discussion on the "mere passive" (only passive) of the reception of God's gift,[335] "Pure Gift without Reciprocation,"[336] and the question of the reciprocity of giving.[337]

From "the perspective of the economy of the 'gift,'" an insightful confirmation of Bayer's view is provided by Bo Holm's study *Gabe und Geben bei Luther.* Without mentioning Bayer, Holm describes the change that Bayer has in mind for 1518 as

> a complete abandonment of the structural model of renunciation, for example, in the lectures on the Epistle to the Romans, where both the Christian and Christ surrender themselves, and where the Christian must desire to be sent to hell without the expectation of a "reciprocal gift." Christ's self-sacrifice also happens *pro nobis* there, but at the same time it is the type for the Christian's own self-sacrifice. The union that takes place in the mutual self-abandonment contains a latent ambivalence. This can be seen in the synergetic tone that appears—unintentionally—in various formulations. The reason for this is to be found in the fact that it is the total self-abandonment and its renunciation of any "reciprocal gift" which leads to a "reciprocal gift," expressed as the turn from the realization of sin into justification. What denies the idea of reciprocity in an *internal* perspective in fact confirms it from the *external* perspective.

> This circumstance is expressed by Luther himself when, in connection with the necessity of self-sacrifice, he points out that it is impossible for someone who completely surrenders to God's will to remain outside of God.[338]

Holm calls this view a "deficit model." "Christians must recognize themselves as sinners and thereby receive grace." He calls Luther's new model a "surplus model," "which argues from the premise of a gift from God to humans. . . . The Christian no longer acts out of bankruptcy," but "out of divine abundance."[339]

Risto Saarinen agrees with Holm's understanding:

> While Luther's early theology of ascesis and renunciation involved a model of deficit, the Reformer in his mature years began to understand creation and God in terms of giving and the gift. In this new model of divine excess and abundance the proper attitude of the Christian is not one of renunciation but of gratitude.[340]

It is worth adding that this profound change from a "model of deficit" to a "model of divine excess" came about exactly through Luther's discovery of *promissio*, as Bayer has shown.

Oswald Bayer has offered a complex, detailed, and highly sophisticated presentation of Luther's early and reformational theology with a clear thesis that poses an ongoing and necessary challenge for Luther research. As well known, two days before his death Luther wrote a short text on a piece of paper, the last line of which has since become famous: "We are beggars. This is true."[341] Perhaps one can summarize Bayer's view of the two theologies, with a certain amount of exaggeration, in the following image. Let us imagine two different beggars. One of them is constantly confessing that he is poor and has nothing of his own; he stretches out his hands, is addressed from outside, but he has what he desires only in longing, hoping, and begging; his hands themselves remain empty. The other beggar also admits that she has nothing of her own, but, addressed also from outside, she stretches out her hands, receives what she is longing for, and gives thanks with wonder and joy that her hands are filled and will be filled again and again.

NOTES

1. Oswald Bayer, *PROMISSIO: Geschichte der reformatorischen Wende in Luthers Theologie* (1st ed. Göttingen: Vandenhoeck & Ruprecht, 1971; 2nd ed. Darmstadt: Wissenschaftliche Buchgesellschaft, 1989). Now translated by Jeffrey G. Silcock: Promissio: *The Reformational Turn in Luther's Theology* (Minneapolis: Fortress Press, 2025). In what follows, *Promissio* always refers to the English translation. Translations from German or Latin are mine or were adopted from *Promissio* or *Luther's Works*. *Promissio* offers a large number of improvements of the translations in *Luther's Works*.

2. See for example Leif Grane, *Modus loquendi theologicus: Luthers Kampf um die Erneuerung der Theologie (1515–1518)* (Leiden: E.J. Brill, 1975), 148, who thinks that the question of *promissio* is only about the "technique of grace," and thus a secondary question.

3. Heinrich Denifle, *Luther und Luthertum in der ersten Entwickelung: Quellenmäßig dargestellt (Schlußabteilung)*, vol. 1, A. M. Weiß, 2nd ed. (Mainz: von Kirchheim & Co., 1906), 426.

4. See Wilhelm Link, *Das Ringen Luthers um die Freiheit der Theologie von der Philosophie* (Munich: Chr. Kaiser, 1940), 1–77.

5. The texts are collected and edited by Otto Scheel, *Dokumente zu Luthers Entwicklung (bis 1519)*, 2nd ed. (Tübingen: Mohr Siebeck, 1929).

6. *Luthers Werke*, Kritische Gesamtausgabe, 73 vols., eds. J. F. K. Knaake et al. (Weimar: H. Böhlau, 1883–2009), 54:185.12–186.24 (hereafter cited as WA); *Luther's Works,* American Edition, 80 vols., eds. Jaroslav Pelikan, Helmut T. Lehmann, and Christopher Boyd Brown (St. Louis and Philadelphia: Concordia and Fortress Press, 1955ff.), 34:336–38 (hereafter cited as LW). As examples of the early debate see the articles by Heinrich Denifle, Hartmut Grisar, Emmanuel Hirsch, and Ernst Stracke in Bernhard Lohse, ed., *Der Durchbruch der reformatorischen Erkenntnis bei Luther* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1968), 1–114. The other prominent self-testimony is contained in Luther's letter to Staupitz that accompanied the *Explanations* (WA 1:525.1–526.14); in it, Luther praises Staupitz as "a voice from heaven" (WA 1:525.10–11) for helping him to achieve a new understanding of penance.

7. WA 54:185.23–4; LW 34:336.

8. WA 54:186.3–9; LW 34:337; for "abstract" and "concrete" see *Luthers Werke*, Kritische Gesamtausgabe, *Tischreden*, 6 vols. (Weimar: H. Böhlau, 1930–1985), 5:210.9–12 (n.5518) (Hereafter cited as WA TR); LW 54:442.

9. WA 54:186.16–20; LW 34:337.

10. Heinrich Bornkamm, "Iustitia dei in der Scholastik und bei Luther," in Heinrich Bornkamm, *Luther—Gestalt und Wirkungen* (Gütersloh: Gütersloher Verlagshaus Gerd Mohn, 1975), 95–129, 115–16.

11. Rolf Schäfer, "Zur Datierung von Luthers reformatorischer Erkenntnis," in *Der Durchbruch der reformatorischen Erkenntnis bei Luther—Neuere Untersuchungen*, Bernhard Lohse, ed. (Stuttgart: Franz Steiner, 1988), 134–153, 146.

12. WA TR 3:228.24–32 (n. 3232c); LW 54:193–94.

13. WA 3:461.19–467,4; LW 10:403–8. See for a better arrangement of Luther's text: Lohse, ed. *Der Durchbruch*, 506–512. See also Bernhard Lohse, "Luthers Auslegung von Psalm 71 (72), 1 und 2 in der ersten Psalmenvorlesung," in Lohse, ed., *Der Durchbruch—Neuere Untersuchungen*, 1–13.

14. WA 56:10,4–11,1; LW 25:8–9; WA 56:169,27–173,18; LW 25:149–153. See for example Ole Modalsli, "Luthers Turmerlebnis 1515," in Lohse, ed., *Der Durchbruch—Neuere Untersuchungen*, 57–97.

15. Karl Holl, "Die Rechtfertigungslehre in Luthers Vorlesung über den Römerbrief mit besonderer Rücksicht auf die Frage der Heilsgewissheit," in Karl Holl, *Gesammelte Aufsätze zur Kirchengeschichte I: Luther*, 2nd, 3rd ed. (Tübingen: Mohr Siebeck, 1923), 111–154, 111.

16. Ulrich Köpf states: "The discussion inspired by Holl, however, has long since ceased to revolve around the *doctrine* of justification, which was in fact only formulated by Luther in the course of his theological development. Nor am I talking about such a doctrine, but about Luther's new understanding of the term *iustitia Dei*, which I do indeed consider to be the starting point of his development into a reformer and thus the nucleus of his reformation." "Epochales Ereignis oder allmähliche Transformation? Zur historischen Einordnung der Reformation," *Luther* 95 (2024), 184–188, 186. See also Ulrich Köpf, "Martin Luthers Vorlesung über den Römerbrief von 1515/16," in Ulrich Köpf, *Frömmigkeitsgeschichte und Theologiegeschichte: Gesammelte Aufsätze* (Tübingen: Mohr Siebeck, 2022), 556–573. Like other early-daters, Köpf refrains from engaging with the text-based arguments of Bizer and Bayer and is content to present his view (562, n.37).

17. Heinrich Denifle, *Quellenbelege: Die abendländischen Schriftausleger bis Luther über Justitia Dei (Rom 1,17) und Justificatio* (Mainz: von Kirchheim & Co., 1905).

18. See Karl Holl, "Die iustitia dei in der vorlutherischen Bibelauslegung des Abendlandes," in Karl Holl, *Gesammelte Aufsätze zur Kirchengeschichte III: Der Westen* (Tübingen: Mohr Siebeck, 1928), 171–188.

19. WA TR 5:210.6–22 (n.5518); LW 54:442–3. See WA 2:146.8–28; LW 3:298–99 (*Sermo de duplici iustitia*, 1519).

20. Ernst Bizer, *Fides ex auditu: Eine Untersuchung über die Entdeckung der Gerechtigkeit Gottes durch Martin Luther* (1st ed. Neukirchen-Vluyn: Neukirchener, 1958; 3rd extended ed. 1966 [quotations from this edition]).

21. Bizer, *Fides ex auditu*, 14. See for an overview of the debate the two articles by Otto Hermann Pesch," Zur Frage nach Luthers reformatorischer Wende: Ergebnisse und Probleme der Diskussion um Ernst Bizer, *Fides ex auditu*," in Lohse, ed., *Der Durchbruch*, 445–505, and "Neuere Beiträge zur Frage nach Luthers 'reformatorischer Wende'," in Lohse, ed., *Der Durchbruch—Neuere Untersuchungen*, 245–341.

22. Bizer, *Fides ex auditu*, 14.

23. Bizer, *Fides ex auditu*, 181.

24. Bizer, *Fides ex auditu*, 180–182. Joachim Mehlhausen's report may be enlightening: Bizer "recounted an experience of his war captivity. One day, some French corporal he didn't know came up to him, put his hand on the shoulder of prisoner of war Ernst Bizer and spoke the three words: 'Vous êtes libre.'" That is *promissio*! "In memoriam Ernst Bizer (29.4.1904—1.2.1975)," *Evangelische Theologie* 37 (1977), 306–325, 323.

25. Thomas Kaufmann, "Die Frage nach dem reformatorischen Durchbruch. Ernst Bizers Lutherbuch und seine Bedeutung," in *Lutherforschung im 20. Jahrhundert. Rückblick—Bilanz—Ausblick*, Rainer Vinke, ed. (Mainz: Philipp von Zabern, 2004), 71–97, 71.

26. Oswald Bayer, "Die reformatorische Wende in Luthers Theologie," *Zeitschrift für Theologie und Kirche* 66 (1969), 115–150, 118–122.

27. WA 44:719.18–23; LW 8:192 (trans. *Promissio*).

28. WA 44:720.30–36; LW 8:193–94 (trans. *Promissio*). Bayer and Volker Leppin agree in reducing the significance of Luther's 1545 self-testimony for understanding the development of Luther's theology, albeit with regard to different texts. See Volker Leppin, *Martin Luther* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2006), 107–117.

29. Bayer, "Die reformatorische Wende," 116.

30. Bayer, "Die reformatorische Wende," 116–17.

31. WA 1:630–33; "For the Sake of Investigating the Truth and Comforting Terrified Consciences," trans. by Sarah Hinlicky Wilson, *Lutheran Forum* 44 (2010), 34–35. In what follows, I use this translation. In *Promissio*, the title of the theses is translated differently: "On Seeking out the Truth and Comforting Terrified Consciences."

32. See Kurt Aland, *Der Weg zur Reformation* (Munich: Chr. Kaiser, 1965), 108.

33. Bayer, "Die reformatorische Wende," 121.

34. *Promissio*, 181–406.

35. *Promissio*, 3–173.

36. Aland, *Der Weg zur Reformation*, 101.

37. Volker Leppin, *Martin Luther*, 107–117; *Transformationen: Studien zu den Wandlungsprozessen in Theologie und Frömmigkeit zwischen Spätmittelalter und Reformation* (Tübingen: Mohr Siebeck, 2015), 1–68; *Die fremde Reformation: Luthers mystische Wurzeln* (Munich: C.H. Beck, 2016), 27–33.

38. Berndt Hamm, *The Early Luther: Stages in a Reformation Reorientation*, trans. Martin J. Lohrmann (Minneapolis: Fortress Press, 2017), 27.

39. Hamm, *The Early Luther*, 57.

40. Hamm, *The Early Luther*, 31.

41. Hamm, *The Early Luther*, 44.

42. Hamm, *The Early Luther*, 101–2.

43. See Hamm, *The Early Luther*, 102–4.

44. Hamm, *The Early Luther*, 102–3.

45. A good example of what this disintegration could look like can be found in Luther's interpretation of Ps. 51:8 (1532): "We teach that this is the doctrine of justification, that justification is given only to those who believe the word. When you hear the absolution, you must distinguish between your contrition, which is without solid ground and so very feeble, and the word of absolution, which by comparison is like heaven, or God himself. You can be certain that your contrition counts for nothing, but do not doubt the absolution. What that church servant said, consider as said by God." (WA 40/2:412.5–9; trans. *Promissio,* alt.).

46. Jared Wicks' detailed analysis confirms this judgment: *Man Yearning for Grace: Luther's Early Spiritual Teaching* (Wiesbaden: Franz Steiner, 1969), 165–177. Bayer devotes an entire chapter to the Penitential Psalms (*Promissio*, 155–73).

47. Bayer, *Promissio*, 155. Wicks cites and agrees with the qualification "authentic compendium" by Bayer. Jared Wicks, "*Fides sacramenti—fides specialis:* Luther's Development in 1518," in Jared Wicks, *Luther's Reform: Studies on Conversion and the Church* (Mainz: Philipp von Zabern, 1992, reprint Eugene, Ore.: Wipf and Stock, 2019), 117–147, 119, n.8.

48. See for the following *Promissio*, 185–203.

49. WA 1:233.10–17; LW 31:25–26.

50. WA 1:233.18–19; LW 31:26.

51. WA 1:233.20–22; LW 31:26.

52. WA 1:233.23–24; LW 31:26.

53. WA 1:233.25–234.2; LW 31:26.

54. Berndt Hamm, *The Early Luther*, 87, n.7.

55. Petrus Lombardus, *Sent.* IV, d.17 c.1 (*Sententiae in IV libris distinctae*), vol. 2, (Grottaferrata: Editiones Collegii S. Bonaventurae ad Aquas Claras, 1981), 342–346; d.18 (ibid., 355–365).

56. Gabriel Biel, Sent. IV d.17 q.1 a.3 dub 2 (S 14–16) (*Collectorium circa quattuor libros Sententiarum*), vol. 4/2, Wilfried Werbeck and Udo Hofmann, eds. (Tübingen: Mohr Siebeck, 1977), 492: "This absolution takes place from God at the moment of repentance, through which the repentant sinner is also absolved before confessing to a priest, be it a lower or higher one."

57. WA 1:539.14–15; LW 31, 97.

58. Petrus Lombardus, Sent. IV, d.17, c.1.4 (*Sententiae in IV libris distinctae*, 343).

59. WA 1:539.20–23; LW 31, 98 (trans. alt.).

60. WA 1:539.15–17; LW 31:97–98.

61. WA 1:540.5–7; LW 31:99 (trans. alt.).

62. WA 1:540.8–32; LW 31:99–100 (trans. alt.).

63. WA 1:540.34–37; LW 31:100 (trans. alt.).

64. See WA 1:540.38–541.4; LW 31:100 (trans. alt.).

65. WA 1:541.7-8; LW 31:100 (trans. alt.).

66. WA 1:541.16–20; LW 31:101 (trans. alt.).

67. WA 1:539.36; LW 31:98 (trans. alt.).

68. *Instructio summaria*, n.35: "The third principal grace is participation in all the benefits of the universal Church," in *Der Ablassstreit, vol. I/1: Vorgeschichte des Ablassstreits 1095–1517*, Theodor Dieter and Wolfgang Thönissen, eds. (Leipzig and Freiburg: Evangelische Verlagsanstalt and Herder, 2021), 512.

69. WA 1:235. 9–11; LW 31:29 (trans alt.).

70. WA 1:593.7–8; LW 31:189–90 (trans. alt.).

71. WA 1:593.14–5; LW 31:190 (trans. alt.).

72. WA 1:593.25–28; LW 31:190.

73. WA 1:593.32–4; LW 31:191 (trans. alt.).

74. WA 1:593.40-41; LW 31:191 (trans. alt.).

75. WA 1:593.35; LW 31:191.

76. WA 1:539.35–8; LW 31:191. Luther cautiously advances towards a solution, openly declaring that he is looking for a solution and is unsure: "I maintain this thesis [7] . . . Yet I still work in understanding it." (WA 1:593.35–6; LW 31:98; trans. alt.) "I think it must be understood in this manner. Whoever has some better explication to offer should say so." (WA 1:594.4–5; LW 31:192; transl. alt.) "Therefore, I will think about the participation in the benefits as I did about the forgiveness of guilt above, until I have been taught something better." (WA 1:594.14–5; LW 31:192; transl. alt.) "If I err at this point and talk nonsense, put me straight again whoever understands it." (WA 1:595.42; LW 31:195, trans. alt.).

77. WA 1:539.14–31; LW 31:97-8.

78. WA 1:594.7–13; LW 31:191–2 (trans. alt.).

79. WA 1; 594.26–7.29–30; LW 31:192.

80. WA 1; 594.31–2; LW 31:192 (trans. alt.).

81. WA 1:594.33–37; LW 31:192–3 (trans. alt.).

82. WA 1:595.5; LW 31,193 (trans. alt.).

83. WA 1; 595.15–21; LW 31:194 (trans. alt.)

84. WA 1:596.38–9; LW 31:196 (trans. alt.)

85. Hamm, *The Early Luther*, 90.

86. Hamm, *The Early Luther*, 105. See for Hamm's understanding of this reorientation above I.2.

87. LW 31:25.

88. Hamm, *The Early Luther*, 102. Wicks, who in *Man Yearning for Grace* has carefully studied Luther's theological development up to 1517, states: "In this humble self-accusation, according to Luther's early account, sin is forgiven, that is, it is not imputed . . . The dominant concern becomes the rooting out of inherent sinfulness—a complex of self-regarding and self-seeking tendencies—under the influence of God's healing and transforming grace. The believer then constantly yearns and seeks for God's grace to purify otherwise unruly and concupiscent affections. These themes recur in Luther's earliest lectures and they were set forth engagingly in Spring 1517 in Luther's first published work, a vernacular exposition of the seven penitential Psalms. This early [!], a-sacramental teaching on humility and penitential prayer was then the principal basis for Luther's criticism of indulgence preaching in 1517." "*Fides sacramenti—fides specialis*: Luther's Development in 1518," 117–147, 119.

89. WA 1:233.18–9; LW 31:26.

90. WA 1:534.31–6; LW 31:90 (trans. alt.).

91. WA 1:236.22–3; LW 31:31.

92. WA 1:236.24; LW 31:31.

93. WA 1:617.7–13; LW 31:232 (trans. alt.).

94. WA 1:630–633. For the following see Bayer, *Promissio*, 203–27 and Jared Wicks, "*Fides sacramenti—fides specialis*," 117–147.

95. In *Pro veritate*, theses 1 to 7 (WA 1:630.5–631.2), Luther argues that the forgiveness of guilt (*culpa*) is incomparably more important than the remission of punishments (*poena*). That is why Luther does not pursue the latter question further with the exception of thesis 29 (WA 1:632.7–8). Bayer writes: "The theses 1–7 sharply formulate the recognition of the difference between the 'remission of penalty' and the 'remission of guilt,' which briefly summarizes the result of the arduous theological work that went into the *Explanations of the Theses on Indulgences.* This distinction, the discovery of which marks Luther's turn from criticizing the system of indulgences to constructing a new theology, aims at a proper understanding of the 'remission of guilt.'" *Promissio*, 206–07. But the distinction between "remission of guilt" and "remission of punishment" is quite traditional. See for example the headline of article 4 of Thomas Aquinas, *Summa Theologiae* III, q.86: "Whether the debt of punishment remains after the guilt has been forgiven through penance?" John Paltz (1445–1511), an Augustinian hermit in Erfurt like Luther but a strong promoter of indulgences whom Luther probably never met in person, wrote in his *Coelifodina* ("Heavenly Mine"): ". . . that there are two aspects of sin: first, the guilt that refers to the violation of God, and the penalty that refers to the divine justice. And as the sacrament of penance directly refers to the guilt, so the blessing of indulgences refers to the penalty. This is clear because through this sacrament we are reconciled with God while through the blessing of indulgences the penalties are remitted." Johannes von Paltz, *Werke* I: *Coelifodina*, Christoph Burger and Friedhelm Stasch, eds. (Berlin and New York: de Gruyter, 1983), 321.14–19. The quoted text, apart from the last half-sentence, is itself a quotation from Franciscus de Maironis, *De indulgentiis*. Thus, the distinction between "guilt" and "penalty" cannot be regarded as a manifestation of Luther's new insight, as Bayer assumes.

96. WA 1:631.3–6 (trans. alt.).

97. WA 1:631.9–12.

98. WA 1:631.35–36.

99. See theses 13, 17–22 (WA 1:631.13–4. 21–32).

100. WA 1:631.19–20 (trans. alt.).

101. WA 1:631.33–4.

102. See theses 26–27 (WA 1:632.1–4).

103. WA 1:632.5–6 (thesis 28; trans. alt.).

104. WA 1:632.9–12 (theses 30–1).

105. WA 1:632,15–6 (thesis 33). Matthias Kroeger, around the same time as Bayer, states: "The discovery of the word was thus the discovery of the sacrament and the office of confession, because the absolution of the priest constitutes the sacrament of penance . . . Since then, the sacraments have brought consolation: 'The reason for all this is that in the sacraments of grace we have the promise of Christ.'" *Rechtfertigung und Gesetz. Studien zur Entwicklung der Rechtfertigungslehre beim jungen Luther* (Göttingen:Vandenhoeck & Ruprecht, 1968), 174; quotation: WA 57/III:192.8–9; LW 29:193 with reference to Matt 18:18.

106. Martin Greschat, "Der Bundesgedanke in der Theologie des späten Mittelalters," *Zeitschrift für Kirchengeschichte* 81 (1970), 44–63; Berndt Hamm, *Promissio, Pactum, Ordinatio: Freiheit und Selbstbindung Gottes in der scholastischen Gnadenlehre* (Tübingen: Mohr Siebeck, 1977).

107. Gabriel Biel, *Sent.* II, q.un. a.3 dub. 4 (*Collectorium circa quattuor libros Sententiarum*), vol.2, Wilfried Werbeck and Udo Hofmann, eds. (Tübingen: Mohr Siebeck, 1984), 524. For a short overview see Theodor Dieter, *Der junge Luther und Aristoteles: Eine historisch-systematische Untersuchung zum Verhältnis von Theologie und Philosophie* (Berlin and New York: de Gruyter, 2001), 183–193. See also Bayer, *Promissio*, 135–53.

108. Gabriel Biel, *Sent.* III, d.27 q.un. a.3 dub.2 prop.1 (*Collectorium circa quattuor libros Sententiarum*, vol.3, Wilfried Werbeck and Udo Hofmann, eds. (Tübingen: Mohr Siebeck, 1979), 504).

109. See Heiko Augustinus Oberman, *Spätscholastik und Reformation*, vol.1: *Der Herbst der mittelalterlichen Theologie,* trans. Martin Rumscheid and Henning Kampen (Zürich: EVZ-Verlag, 1965), 166–169.

110. WA 1:225.17–26; LW 31:10–11.

111. WA 2:13.23–5; LW 31:271 (trans. alt.).

112. See WA 2:14.13–15,8; LW 31:272–3 (Matt 15:28; 9:28–9; 8:8, John 4:50; Mark 11:24; Matt 17:20; 8:26).

113. Bayer, *Promissio*, 313.

114. WA 6:516.30–32; LW 36:42 (trans. alt.).

115. Hamm, *Promissio, Pactum, Ordinatio*, 377–390.

116. Bayer, *Promissio*, 399–406.

117. Hamm, *Promissio, Pactum, Ordinatio*, 386–7, n.189.

118. Hamm, *Promissio, Pactum, Ordinatio*, 386.

119. Hamm, *Promissio, Pactum, Ordinatio*, 384; Bayer, *Promissio*, 145, n.603–4.

120. Hamm, *Promissio, Pactum, Ordinatio*, 384.

121. Hamm, *Promissio, Pactum, Ordinatio*, 383.

122. He only refers to Reinhard Schwarz, *Vorgeschichte der reformatorischen Bußtheologie* (Berlin: de Gruyter, 1968), 256–57, who also offers no evidence from Luther for the same view. Hamm, *Promissio, Pactum, Ordinatio*, 383, n.180.

123. See for the *semper incipiens*, Dieter, *Der junge Luther und Aristoteles,* 317–325, and below IV.2.

124. Hamm, *Promissio, Pactum, Ordinatio*, 383.

125. See section IV.3 below. See also Hamm, *Promissio, Pactum, Ordinatio*, 385, n.184–86.

126. Ueli Zahnd, *Wirksame Zeichen?: Sakramentenlehre und Semiotik in der Scholastik des ausgehenden Mittelalters* (Tübingen: Mohr Siebeck, 2014), 6.

127. For a brief overview of the two alternatives see Aaron Moldenhauer, "Analyzing the *Verba Christi*: Martin Luther, Ulrich Zwingli, and Gabriel Biel on the Power of Words," in *The Medieval Luther,* Christine Helmer, ed. (Tübingen: Mohr Siebeck, 2020), 47–63, 48–53. See also Hamm, *Promissio, Pactum, Ordinatio*.

128. WA 6:531.31–532.2; LW 36, 64–5 (trans. alt.).

129. WA 6:533.24–27; LW 36, 67.

130. WA 59:51.26–27. Biel's text (sent. IV, d.1 q.1 a.3 dub.3) is quoted in WA 59:50.1–51.22. Bayer points to this text, *Promissio*, 300, n.67. In view of Luther's explicit statements on the two scholastic theories of the efficacy of the sacraments, it is astonishing that Aaron Moldenhauer says: "I argue in this paper that Luther appropriates scholastic theories of the efficacy of words" ("Analyzing the *Verba Christi*," 47). Moldenhauer's premise seems to be that only the two theories advocated in Scholasticism (command theory and covenant theory) could be taken into consideration for the understanding of effective speech. In that case, it would be impossible that Luther could have discovered something new. He had no choice but to adopt one or both of the two theories. Therefore, the result ("Luther's theory about effective words fits within accepted Scholastic opinions;" Moldenhauer, 59) corresponds to the premise of the investigation. When Luther speaks of the divine command for effective human speech, then of course this does not imply the scholastic command theory. In the debate with Zwingli, Luther further developed his doctrine of the Lord's Supper with a special focus on the real presence of Christ, and the issue was the understanding of *promissio* in the tangle of different concepts introduced by the discussion partners.

131. Phillip Cary, "Luther and the Legacy of Augustine," in *Remembering the Reformation: Martin Luther and Catholic Theology*, Declan Marmion, Salvador Ryan, and Gesa E. Thiessen, eds. (Minneapolis: Fortress Press, 2017), 37–54, 51.

132. See for example WA 57/III:169.9–171.8; LW 29:171–73 (Heb 5:1).

133. WA 1:631.35–6.

134. WA 1:595.6–7; LW 31:193 (trans. alt.).

135. WA 57/III:170.4–10; LW 29:172.

136. WA 57/III:170.3–4; LW 29:172. The quotation is from Augustine, *Tractatus in Iohannem* 80,3 (CChr.SL XXXVI, 529). It reads: ". . . not because it is said, but because it is believed."

137. Cary, "Luther and the Legacy of Augustine," 51.

138. Karl-Heinz zur Mühlen, "Die Rezeption von Augustins 'Tractatus in Joannem 80,3' im Werk Martin Luthers," in Karl-Heinz zur Mühlen, *Reformatorische Prägungen: Studien zur Theologie Martin Luthers und zur Reformationszeit*, Athina Lexutt and Volkmar Ortmann, eds. (Göttingen: Vandenhoeck & Ruprecht, 2011), 22–33, 27.

139. Zur Mühlen, "Die Rezeption von Augustins 'Tractatus in Joannem 80,3' im Werk Martin Luthers," 28.

140. Cajetan, "Faith in the Sacrament as Certainty of Forgiveness," in *Cajetan Responds: A Reader in Reformation Controversy*, ed. and trans. Jared Wicks (Eugene, Ore.: Wipf and Stock, 1978), 49–55, 52; Charles Morerod, *Cajetan et Luther en 1518: Edition, traduction et commentaire des opuscules d'Augsbourg de Cajetan*, vol.1 (Fribourg, Switzerland: Éditions Universitaires, 1994), 318–39, 328.

141. WA 26:144–174; LW 40:229–262.

142. WA 26:164.39–165.7; LW 40:252 (trans. alt.).

143. WA 26:154.31–155.13; LW 40:240–241. This is something that happens quite often in charismatic and Pentecostal circles today.

144. See Phillip Cary, *The Meaning of Protestant Theology: Luther, Augustine, and The Gospel That Gives Us CHRIST* (Grand Rapids: Baker Academic, 2019), 155–158. See also Otto Hof, "Luthers Unterscheidung zwischen dem Glauben und der Reflexion auf den Glauben," *Kerygma und Dogma* 18 (1972), 294–324.

145. Phillip Cary, "Why Luther is Not Quite Protestant: The Logic of Faith in a Sacramental Promise," *Pro Ecclesia* XIV (2005), 447–86.

146. Cary, "Why Luther is Not Quite Protestant," 458.

147. Wicks, *Cajetan Responds*, 54; Morerod, *Cajetan et Luther en 1518*, 332.

148. Paul Hacker, *Das Ich im Glauben bei Martin Luther* (Graz, Vienna, and Cologne: Styria, 1966). Hacker's book *The Ego in Faith: Martin Luther and the Origin of Anthropocentric Religion* (Chicago: Franciscan Herald Press, 1970) is not a translation of the German book, rather "in the main a condensed recast in English of the author's German book" (XV). Hacker was a German Indologist, originally Lutheran, then converted to the Catholic Church. In a letter to Hacker, Hans Urs von Balthasar reported that Karl Barth "was very moved [. . .] by your book. Now he finally knew why he had been so uncomfortable with Luther all his life." Quoted from Manuel Schlögl, "Das Ich im Glauben und das Wir der Kirche. Paul Hackers Luther-Studie und ihre Rezeption bei Joseph Ratzinger/Papst Benedikt XVI.," in *"Hackers Werk wird eines Tages wieder entdeckt werden!": Zum 100. Geburtstag des Indologen Paul Hacker (1913–1979)*, Ursula Hacker-Klom, Jan Klom, and Reinhard Feldmann, eds. (Münster: Monsenstein und Vannerdat, 2013), 91–104, 94. Joseph Ratzinger writes in his autobiography (as Cardinal): Hacker "remained unsurpassed in the accuracy of his textual analyses to the end." Joseph Kardinal Ratzinger, *Aus meinem Leben. Erinnerungen (1927–1977)* (Stuttgart: Deutsche Verlagsanstalt, 1998), 96. This is a clear sign that Ratzinger had not read Bayer's *Promissio*!

149. Hacker, *Das Ich im Glauben*, 97.

150. Hacker, *Das Ich im Glauben*, 28.

151. Hacker, *Das Ich im Glauben*, 209.

152. Hacker, *The Ego in Faith*, 11.

153. WA 1:595.1–2; LW 31, 193.

154. Hacker, *Das Ich im Glauben*, 12: "In the field of religion and theology, 'Cartesianism' had already appeared 123 years before the publication of Descartes' Meditationes" [1642], namely in Luther's "spiritual turn" from 1518 onwards. See also Cary, *The Meaning of Protestant Theology*, 156, n.26.

155. See also below VI.6.

156. See for the following: Kurt-Victor Selge, "Die Augsburger Begegnung von Luther und Kardinal Cajetan im Oktober 1518: Ein erster Wendepunkt auf dem Weg zur Reformation," *Jahrbuch der hessischen kirchengeschichtlichen Vereinigung* 20 (1969), 37–54; Jared Wicks, "Roman Reactions to Luther: The First Year, 1518," in Wicks, *Luther's Reform*, 149-187, 164–181; Theodor Dieter, "Promissio Christi: Martin Luthers Verständnis der Gewissheit des Glaubens in der Kontroverse mit Kardinal Cajetan," in *Cajetan und Luther: Rekonstruktion einer Begegnung*, Michael Basse and Marcel Nieden, eds. (Tübingen: Mohr Siebeck, 2021), 183–216; Dieter, "Audiatur et altera pars: Kardinal Cajetan und Martin Luther 1518 in Augsburg," in *Cooperatori della verità: Tributes to Pope emeritus Benedict XVI on his 95th birthday*, Pietro L. Azzaro and Federico Lombardi, eds. (Rome: Libreria Editrice Vaticana, 2022), 203–261.

157. Bayer, "Die reformatorische Wende," 122.

158. Wicks, *Cajetan Responds*, 55; Morerod, *Cajetan et Luther en 1518*, 336.

159. Gerhard Hennig, *Cajetan und Luther: Ein historischer Beitrag zur Begegnung von Thomismus und Reformation* (Stuttgart: Calwer Verlag, 1966), 81.

160. Cajetan wrote ten treatises discussing Luther's ideas before he met Luther on October 12, 1518, for the first time. He wrote two treatises in the afternoon of October 14; in the morning he had dismissed Luther with the words that he should not come back unless he wanted to recant; see Martin Brecht, *Martin Luther: Sein Weg zur Reformation 1483–1521* (Stuttgart: Calwer Verlag, 1981), 247; *Martin Luther: His Road to Reformation (1483–1521)*, trans. James L. Schaff (Minneapolis: Fortress, 1985), 257. Three further treatises were written later in October, see Wicks, *Cajetan Responds*, 47–98; Morerod, *Luther et Cajetan en 1518*, 182–423.

161. Traditional: WA 1:319.1–323.22; new: WA 1:323.23–324.24.

162. WA 1:596.39; LW 31:196.

163. Cajetan, "Whether the effect of sacramental absolution is the remission of guilt," in Wicks, *Cajetan Responds*, 64–5; Morerod, *Cajetan et Luther en1518*, 342–7.

164. See WA 1:539.14–31; LW 31, 97–8.

165. "From the viewpoint of Luther's theological development, we note that the materials from early 1518 studied by Cajetan included early and rambling attempts by Luther to formulate a doctrine of word, sacrament, and faith. Cajetan was studying transitional documents, beyond which Luther had in certain respects progressed by the time he arrived in Augsburg . . . What Cajetan judged with his well-grounded severity in Augsburg were not works showing Luther at the top of his form theologically." Wicks, "Roman Reactions to Luther: The First Year, 1518," 174.

166. *Luthers Werke: Kritische Gesamtausgabe: Briefwechsel*, 18 vols. (Weimar: H. Böhlau, 1930–1985) 1:111.27–29 (hereafter cited as WA Br); *The Annotated Luther*, eds. Hans Hillerbrand, Kirsi Stjerna, and Timothy Wengert, 6 vols. (Minneapolis: Fortress, 2015–2017), 1:52.

167. WA 1:631.19–20.

168. Richard Rex, *The Making of Martin Luther* (Princeton and Oxford: Princeton University Press, 2017), 89.

169. WA Br 1:217.60–3.

170. See WA 2:8.16–8; LW 31, 262: "The second objection [of the Cardinal with reference to *Explanation* 7] caused me much grief, for I should scarcely have feared anything less than that this doctrine would ever be called into question."

171. See Wicks, *Cajetan Responds*, 49–55; Morerod, *Cajetan et Luther en 1518*, 318–339.

172. Wicks, *Cajetan Responds*, 51 (trans. alt.); Morerod, *Cajetan et Luther en 1518*, 326.

173. Wicks, *Cajetan Responds*, 51; *Cajetan et Luther en 1518*, 326 (emphasis added).

174. See above III.2.3 and below VI.6.

175. Kurt-Victor Selge, "Review of Gerhard Hennig, *Cajetan und Luther*," *Archiv für Reformationsgeschichte* 60 (1969), 271–4, 273, mentions "the tradition in Spalatin's report (based on information from Luther and other Augsburg witnesses) for the Elector, according to which Cajetan finally said to Wenceslaus Link that Luther only needed to recant on the question of indulgences (contradiction to the decretal 'Unigenitus'); 'for the other article, concerning faith in sacraments, might well suffer interpretation or guidance' (Wittenberg edition of Luther's German writings, part 9, 1560, f. 36a). This could have been politically calculated and not really meant seriously, but it indicates that Cajetan no longer saw himself so clearly and explicitly covered by the Council of Florence that he could have

based a revocation claim on it." This view is supported by Jared Wicks, "*Fides sacramenti—fides specialis*," 134–5.

176. The Lutheran World Federation and The Roman Catholic Church, *Joint Declaration on the Doctrine of Justification*, §36, in *Growth in Agreement II: Reports and Agreed Statements of Ecumenical Conversations on a World Level, 1982–1998,* Jeffrey Gros, Harding Meyer, and William G. Rusch, eds. (Grand Rapids and Cambridge, UK: William B. Eerdmans, 2000), 572.

177. Bayer's interpretation of Luther has thus become ecumenically fruitful. See below VI.6.

178. Oswald Bayer, *Martin Luther's Theology: A Contemporary Interpretation*, trans. Thomas H. Trapp (Grand Rapids and Cambridge, UK: William B. Eerdmans, 2008), 52.

179. WA TR 4:666.8–9 (no. 5106), quoted from Bayer, *Martin Luther's Theology*, 52.

180. See Oswald Bayer, *Was ist das: Theologie?: Eine Skizze* (Stuttgart: Calwer Verlag, 1973), 24–39: "Performatives Wort als Sache der Theologie," 25–27. Bayer refers explicitly only to Austin's French lecture "Performatif—Constatif," translated into German as "Performative und konstatierende Äußerung," in *Sprache und Analysis: Texte zur englischen Philosophie der Gegenwart,* Rüdiger Bubner, trans. and ed. (Göttingen: Vandenhoeck & Ruprecht, 1968), 140–153.

181. See John L. Austin, *How to Do Things with Words,* J.O. Urmson, ed. (Oxford: Clarendon Press, 1962).

182. Austin, *How to Do Things with Words*, 146. In chapter 12, Austin offers five "classes of utterance, classified according to their illocutionary force" (verdictives, exercitives, commissives, behabitives, expositives) (Austin, 150). Reinhard Hütter, in dialogue with David Yeago, pointed out that Bayer obviously did not see the profound change in Austin's theory. See Reinhard Hütter, *Theologie als kirchliche Praktik: Zur Verhältnisbestimmung von Kirche, Lehre und Theologie* (Gütersloh: Chr. Kaiser, 1997), 115–6.

183. It is regrettable that Bayer in *Martin Luther's Theology* (German 2003, English 2008) does not take up Hütter's criticism (1997), but only repeats what he stated in 1973 in *Was ist das: Theologie?*, 25–27. See *Martin Luther's Theology*, 50–51. In his article "Salvation and Speech Act: Reading Luther with the Aid of Searle's Analysis of Declarations," *Perichoresis* 15 (2017), 101–116, 108, Jacob R. Randolph describes the difference between divine and human promises so: "Divine promises differ from those of humans, for God's promises do not create merely *linguistic facts*, as Searle proposed human promises do. God's promise creates an ontological fact, a change in being."

184. Hütter, *Theologie als kirchliche Praktik*, 116.

185. Hütter, *Theologie als kirchliche Praktik*, 116.

186. Hütter, *Theologie als kirchliche Praktik*, 117.

187. Hütter, *Theologie als kirchliche Praktik*, 118.

188. See below VI.7.

189. Bayer, *Promissio*, 29.

190. Hamm, *The Early Luther*, 42.

191. Mark 12:30–1.

192. WA 56:274.14; LW 25:261.

193. WA 56:275.10–2; LW 25:262 (trans. alt.).

194. Dieter, *Der junge Luther und Aristoteles*, 80–107.

195. WA 1:225.1–2; LW 31:10 (trans. alt.).

196. WA 56:281.9-11; LW 25:268.

197. Bayer, *Promissio*, 43.

198. Phillip Cary, *The Meaning of Protestant Theology*, 110 with reference to Jared Wicks, *Man Yearning for Grace.*

199. See the long list of Luther quotations on the topic of "uncertainty" in *Dokumente zu Luthers Entwicklung (bis 1519)*, 2nd ed., Otto Scheel, ed. (Tübingen: Mohr Siebeck, 1929), 363.

200. For the following, see Dieter, *Der junge Luther und Aristoteles*, 276–377 ("The Aristotelian concept of motion in Luther's theology").

201. WA 1:37.19–43,33 (especially 43,5–12).

202. WA 1:368.10–17; LW 31:61 (trans. alt.).

203. In his marginal notes on Peter Lombard's *Sentences*, Luther criticizes the concept of *habitus* from a different point of view: WA 9:43.2–8. See Theodor Dieter, "'Du mußt den Geist haben!' Anthropologie und Pneumatologie bei Luther," in *Der Heilige Geist: Ökumenische und reformatorische Untersuchungen*, Joachim Heubach, ed. (Erlangen: Martin-Luther-Verlag, 1996), 65–88.

204. Bayer, *Promissio*, 19.

205. Bayer, *Promissio*, 149.

206. Aristotle, *Physics* VI:241a26–241b20. 241a26-7: "There is no infinite motion."

207. For the definition of motion in Aristotle and his medieval interpreters, see Dieter, *Der junge Luther und Aristoteles*, 280–302, and 302–46 for "The theological reception of the 'Aristotelian' concept of motion in Luther."

208. See Dieter, *Der junge Luther und Aristoteles*, 317–325. It is incorrect when Bayer says: "[T]he 'progress' that Luther wants to describe lies in the 'repetition.'" Bayer, *Promissio*, 24.

209. See Dieter, *Der junge Luther und Aristoteles*, 296–98.

210. See Dieter, *Der junge Luther und Aristoteles*, 326–335.

211. Bayer, *Promissio*, 15.

212. Dieter, *Der junge Luther und Aristoteles*, 346–377.

213. WA 1:28.25–6.

214. WA 1:29.15–31.

215. WA 1:29.6–8.

216. WA 1:29.27–8.

217. Bayer, *Promissio*, 26–29.

218. Bayer, *Promissio*, 29–37.

219. Bayer, *Promissio*, 37–43.

220. Bayer, *Promissio*, 44–51.

221. Bayer, *Promissio*, 51–58.

222. Bayer, *Promissio*, 58–75.

223. Bayer, *Promissio*, 47 (italics deleted).

224. See above III.2.1.

225. See above IV.2.

226. Bayer, *Promissio*, 140.

227. Bayer, *Promissio*, 123–30 ("The Fulfillment of the Promise in Judgment") and 135–53 ("Promise and Supplication").

228. WA 3:289.3–5; LW 10:237 (trans. *Promissio*).

229. WA 3:289.9–10; LW 10:237 (trans. *Promissio*).

230. WA 3:291.14–6; LW 10:240 (trans. *Promissio*).

231. Bayer, *Promissio*, 129 (italics deleted).

232. WA 4:262.2–5; LW 11:396 (trans. *Promissio*). See Bayer, *Promissio*, 136–153.

233. WA 56:281.18–9; LW 25:268 (trans. *Promissio*; Bayer's emphasis). For this pact, Bayer goes back to Lecture 59 of Biel's Commentary on the Mass (Bayer, *Promissio*, 135–39).

234. WA 56:268.27–8; LW 25:257 (trans. alt.).

235. Bayer, *Promissio*, 146.

236. See as an example for pastoral care the famous letter to Georg Spenlein as of April 8, 1516, WA Br 1:35–6; LW 48:11-3.

237. Cary, "Luther and the Legacy of Augustine," 38.

238. WA 56:368.28; LW 25:358 (trans. alt.).

239. WA 3:574.10–12; LW 11:57 (trans. *Promissio*).

240. WA 56:329.24–330.12; LW 25:317–8.

241. Bayer, *Promissio*, 28.

242. WA 1:361.31–363.37; LW 31:52–55.

243. WA 1:613.21–614.27; LW 31:225–27.

244. Bayer, *Promissio*, 394.

245. WA 1:362.20–33; LW 31:53 (thesis 21).

246. WA 1:363.25–26; LW 31:55 (thesis 24: "Nevertheless, that wisdom is not of itself evil [!], nor is the law to be fled, but humans without the theology of the cross misuse even the best in the worst possible way." Transl. alt.).

247. Romans 1:21 (knowing God is not followed by honoring God and giving him thanks).

248. See above IV.1.

249. WA 56:392.20–1; LW 25:382.

250. WA 56:392.28–393.3; LW 25:382–3 (trans. alt.; emphasis by Luther).

251. Bayer, *Promissio*, 58.

252. Bayer, *Promissio*, 54, n.171.

253. Bayer, *Promissio*, 75 (italics deleted).

254. WA 56:374.7–17; LW 25:364 (transl. *Promissio*; alt.).

255. WA 40/1:589.25–28; LW 26:387.

256. See below V.2.2.

257. Karl Holl, "Die Rechtfertigungslehre in Luthers Vorlesung über den Römerbrief mit besonderer Rücksicht auf die Frage der Heilsgewißheit," 112. See for the debate at the time of Bayer's book: Matthias Kroeger, *Rechtfertigung und Gesetz*, 118–163.

258. WA 56:86.19–24; LW 25:78 (trans. alt.).

259. WA 56:204.6–29; LW 25:188–89.

260. WA 56:387.6-7; LW 25:377 (trans. *Promissio*).

261. WA 56:387.22–24; LW 25:377–78 (trans. *Promissio*).

262. Cary, *The Meaning of Protestant Theology*, 143.

263. See above II–III.

264. See above IV.3.

265. Bayer, *Promissio*, 123.

266. WA 6: 512.7–526.33; LW 36:35–57; Bayer, *Promissio*, 275–89.

267. See for example Bayer, *Promissio*, 282. From an exegetical point of view, Otfried Hofius regards Bayer's term "gifting word" an appropriate expression. Otfried Hofius, "Herrenmahl und Herrenmahlsparadosis," in Otfried Hofius, *Paulusstudien* (Tübingen: Mohr Siebeck, 1989), 203–240, 205, n.10.

268. Bayer, *Promissio*, 289. See for a detailed analysis Bayer, *Promissio*, 105–121.

269. Bayer, *Promissio*, 289.
270. WA 6:525.36; LW 36:56 (transl. alt.).
271. Bayer, *Promissio*, 283–84.
272. WA 6:526.34–538.25; LW 36:57–74; Bayer, *Promissio*, 291–315.
273. WA 6:527.14–15; LW 36:58.
274. WA 6:528.10–13; LW 36:59 (transl. *Promissio*).
275. Bayer, *Promissio,* 315 (emphasis deleted).
276. WA 9:103.28–30 (transl. *Promissio*)
277. Bayer, *Promissio*, 76–103.
278. WA 9:18.19–23 (trans. *Promissio*).
279. WA 9:18.29.
280. Johannes Tauler, "On the Exaltation of the Holy Cross," in *Die Predigten Taulers*, Ferdinand Vetter, ed. (Berlin: Weidmann, 1910), 233,26, quoted from Bayer, *Promissio*, 63.
281. Bayer, *Promissio*, 100.
282. WA 9:145.24–7.
283. WA 9:145.31–2.
284. Bayer, *Promissio*, 95.
285. Bayer, *Promissio*, 101.
286. WA 57/3:124.9–125.5; LW 29:131–2 (trans. *Promissio*).
287. The German original of *Promissio* uses the term "wirkungsgeschichtliche Urbildchristologie" (see the German *Promissio*, 298). The translator has omitted the term "wirkungsgeschichtlich" for good reason, because it does not fit. The German word "Wirkungsgeschichte" (history-of-impact) refers to the effect of an idea or a work in the course of history, but not to the effect of an image on the contemplator or of a text on the reader.
288. WA 10/1/1:11.12–22; LW 35:119 (trans. *Promissio*).
289. WA 10/1/1:12.17–20; LW 35:120 (trans. *Promissio*).
290. WA 10/1/1:13.21–22; LW 35:121 (trans. *Promissio*).
291. WA 10/1/1:13.3–6; LW 35:120 (trans. *Promissio*).
292. WA 9:123–59 (especially 141.4–152.24); *Explanation and Interpretation of the Holy Lord's Prayer*).
293. See WA 2:80–130; LW 42:19–81 (especially WA 2:105.28–116.2; LW 42:49–62); *An Exposition of the Lord's Prayer for Simple Laymen*). See *Promissio*, 350–54 and already Bizer, *Fides ex auditu*, 131–47.
294. WA 2:113.38–114.4; LW 42:59 (transl. alt.).
295. WA 2:112.37–40; LW 42:58 (trans. *Promissio*).
296. Florian Schneider emphasizes the difference between Luther's early Christology and the Christology of the *Operationes in Psalmos* and thus supports Bayer's understanding; *Christus praedicatus et creditus: Die reformatorische Christologie Luthers in den »Operationes in psalmos« (1519–1521), dargestellt mit beständigem Bezug zu seiner Frühzeitchristologie* (Neukirchen-Vluyn: Neukirchener, 2004), especially 96–100.
297. Bayer, *Promissio*, 357.
298. Bayer, *Promissio*, 358.
299. Bayer, *Promissio*, 345.
300. Bayer, *Promissio*, 367.
301. Bayer, *Promissio*, 76–103.

302. WA 9:439.19–440.5.

303. Bayer, *Promissio*, 327.

304. WA 9:440.6–442.28. At the end, the sermon says in the archetypical way: "The birth of Christ is the cause of our [rebirth]" (line 28). Phillip Cary offers a translation of this sermon as appendix 2 of his *The Meaning of Protestant Theology* (349–353) and regards it as a reformational sermon (in Bayer's sense). There are good reasons both for Bayer's and Cary's classification.

305. WA 9:439.19–21; 440.6–7.

306. See WA 10/1/1:71.7–13; LW 52:14.

307. Bayer, *Promissio*, 333 (italics deleted).

308. WA 1:23.21–3. See for the following Bayer, *Promissio*, 4–7.

309. WA 1:23.25–26.

310. WA 1:23.30–31.

311. WA 1:23.28–29 (trans. *Promissio*).

312. Berndt Hamm, "Unmittelbarkeit des göttlichen Gnadenwirkens und kirchliche Heilsvermittlung bei Augustin," *Zeitschrift für Theologie und Kirche* 78 (1981): 409–441, 410–11.

313. WA 10/1/1:187.9–14; LW 52:45–46 (trans. *Promissio*). The quote is from Seneca, Epistle 114.

314. WA 10/1/1:188.4–8; LW 52:45–46 (trans. *Promissio*).

315. See for example Bayer, *Promissio*, 4–10 and in many other places throughout the book.

316. Phillip Cary, *Outward Signs: The Powerlessness of External Things in Augustine's Thought* (Oxford and New York: Oxford University Press, 2008), VII–VIII. In a footnote (VIII, n.2), Cary says with respect to Luther's understanding of the *promissio* as sacred sign by which God effects what it signifies: "The crucial scholarly work on this point has been done by Oswald Bayer in *Promissio*."

317. Bayer, *Promissio*, 398.

318. Bayer, *Promissio*, 397–98.

319. What is said here is in tension with Phillip Cary's comment at the end of section IV, but it is precisely this tension that characterizes Luther's early theology!

320. Jared Wicks, "Half a Lifetime with Luther," *Pro Ecclesia* XXII (2013), 307–336, 321.

321. Wicks refers to his book, *Man Yearning for Grace*, in which he presents "Luther's Early Spiritual Teaching" in the lectures, sermons, and marginal notes from 1509 through 1517.

322. Wicks, "Half a Lifetime with Luther," 325.

323. Wicks, "Roman Reactions to Luther: The First Year, 1518," 176.

324. See above III.2.4.

325. Jared Wicks draws attention to an illuminating marginal note by Luther "in the 1520 Wittenberg printing of Silvester Prierias's *Epitoma* of his response to Luther's ninety-five theses. Where Prierias claimed Luther denied that the Christian sacraments are means of grace, Luther had printed beside the text, 'You lie, Silvester! Luther has a better view than you on grace being given through the sacraments.'" "Half a Lifetime with Luther," 320, n.49. The source is: *Dokumente zur Causa Lutheri (1517–1521)*. Part 1, *Das Gutachten des Prierias und weitere Schriften gegen Luthers Ablassthesen (1517–1518)*, P. Fabisch and E. Iserloh, eds., Corpus Catholicorum 41 (Münster: Aschendorff, 1988), 184, note s. It should be noted that Luther is right and wrong at the same time with his comment.

On the page with Luther's marginal note, Prierias quotes verbatim Luther's thesis 6 and criticizes its declarative understanding of absolution; in this respect, Prierias is right, also in the sense of Luther, because in his explanations 7 and 38, Luther had just abandoned this declarative understanding. Cajetan raises the same objection against thesis 6 with reference to Matthew 16:19, as Luther does in Explanation 6; Luther can only agree with this (see above section II.1).

326. See The Lutheran World Federation and the Pontifical Council for Promoting Christian Unity, *From Conflict to Communion: Lutheran-Catholic Common Commemoration of the Reformation in 2017* (Grand Rapids: Eerdmans, 2017), chapter IV. See also The Lutheran World Federation and the Pontifical Council for Promoting Christian Unity, *The Apostolicity of the Church: Study Document of the Lutheran-Roman Catholic Commission on Unity* (Minneapolis, MN.: Lutheran University Press, 2006), part 2.

327. See for the following: Wicks, "Half a Lifetime with Luther," especially 319–324.

328. See above III.2.4.

329. Wicks, "Half a Lifetime with Luther," 322.

330. Aristotle, *Metaphysics* IV,3:1005b19–20.

331. Cary, "Luther and the Legacy of Augustine," 54.

332. Veronika Hoffmann, *Skizzen zu einer Theologie der Gabe: Rechtfertigung—Opfer—Eucharistie—Gottes- und Nächstenliebe* (Freiburg, Basel, and Wien: Herder, 2013), 111. She points out (111, n.294) that the fourth edition of *Religion in Geschichte und Gegenwart* (vol.3 [Tübingen: Mohr Siebeck, 2000], 445–6) contains for the first time an entry "Gabe II. Systematisch-theologisch" in addition to a religious studies article, and that Bayer wrote this article.

333. Oswald Bayer, "Rechtfertigungslehre und Ontologie," in Oswald Bayer, *Zugesagte Gegenwart* (Tübingen: Mohr Siebeck, 2007), 196–205,197. Bayer's term is discussed in a series of articles: *Die Gabe—ein "Urwort" der Theologie?*, Veronika Hoffmann, ed. (Frankfurt/Main: Lembeck, 2009).

334. Risto Saarinen, "The Language of Giving in Theology," in Risto Saarinen, *Luther and the Gift* (Tübingen: Mohr Siebeck, 2017), 242–275. See also Risto Saarinen, "Die Gabe als Sprachphänomen: sich geben, als etwas anerkennen," in *Die Gabe: Zum Stand der interdisziplinären Diskussion,* Veronika Hoffmann, Ulrike Link-Wieczorek, and Christof Mandry, eds. (Freiburg and Munich: Karl Alber, 2016), 30–48. One may wonder whether the title was chosen correctly, "The Gift as a Linguistic Phenomenon," because Saarinen does not examine giving by speaking, but rather sheds light on giving by linguistically analyzing the use of the word "give."

335. *Word—Gift—Being: Justification—Economy—Ontology*, Bo Kristian Holm and Peter Widmann, eds. (Tübingen: Mohr Siebeck, 2009); Ingolf U. Dalferth, *Umsonst: Eine Erinnerung an die kreative Passivität des Menschen* (Tübingen: Mohr Siebeck, 2011); Friederike Nüssel, "Geschenkte Reziprozität: Luthers Kritik am Messopfer im Licht des Gabediskurses," in *Ökumenische Herausforderungen der Lutherforschung,* Jennifer Wasmuth and Frank Zeeb, eds. (Leipzig: Evangelische Verlagsanstalt, 2024), 47–62.

336. Berndt Hamm, "Martin Luther's Revolutionary Theology of Pure Gift without Reciprocation," *Lutheran Quarterly* 29 (2015), 125–161.

337. Bo Holm, *Gabe und Geben bei Luther: Das Verhältnis zwischen Reziprozität und reformatorischer Rechtfertigungslehre* (Berlin and New York: de Gruyter, 2006); Bo Holm, "Reziprozität im Rechtfertigungsgeschehen?," in *Ökumenische Herausforderungen der Lutherforschung,* 31–46.

338. Bo Holm, *Gabe und Geben bei Luther*, 67–8.

339. Bo Holm, *Gabe und Geben bei Luther*, 68–9.

340. Risto Saarinen, "The Language of Giving in Theology," 242.

341. For the text and the complicated tradition of the text, see Oswald Bayer, "Das letzte Wort: die göttliche Aeneis," in Oswald Bayer, *Gott als Autor. Zu einer poietologischen Theologie* (Tübingen: Mohr Siebeck, 1999), 280–301, 280–283. [Editor's note: an English translation of this Bayer essay will appear next year in *Lutheran Quarterly.*]