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COMMENT: ANOTHER QUINCENTENNIAL

The Babylonian Captivity (1520)

by ERIK HERRMANN

“**B**y the waters of Babylon we sit down and weep, when we remember thee, O Zion. On the willows there we hang up our lyres” (Ps. 137:1). Overcome with grief, Israel could not sing for their captors. They were at a loss for words. Apparently this was not a problem for Luther. Luther would sing—he would sing high and loud and the captors would know that there still was a God in Israel. “I know another little song about Rome and the Romanists. If their ears are itching to hear it, I will sing that one to them, too—and pitch it in the highest key!”

Babylon was a powerful trope. The Apocalypse made it a symbol of all the decadence and prolificacy of the kingdoms of the earth, that wicked harlot of the world. In the *City of God*, Augustine had identified it with the worldliness of the city of man which was also epitomized by pagan Rome. Petrarch, disgusted by the worldliness of the papacy in Avignon and the consequent influence of the French crown on the Roman church, called to mind the ancient Chaldean captivity so that Avignon was the new “Babylon of the west,” holding the rest of the church hostage to its excesses. When Martin Luther invoked the phrase in 1520, it was filled with such reminiscences and more. Luther’s title of his most important Latin treatise was the most tragic of ironies. The people of God were not merely enslaved by a foreign, pagan power. The hierarchy of the church, the very head of the church, had itself become this pagan tyrant. Such was Luther’s charge and its effect was simultaneously divisive and galvanizing. Georg Spalatin was worried that Luther’s tone would

only exacerbate the conflict. Erasmus believed the breach was now irreparable. Bugenhagen hated the text on his first read and loved it on his second. Even King Henry VIII famously got into the fray.

Although the treatise may be Luther's proverbial "mic drop," his argument and criticisms emerge from themes and precedents in late medieval theology and life. First, there is the sacramental theology and practice shaped by the rise of scholastic theology since the twelfth century. Not only were sacraments given a distinct definition and enumeration, but the main questions on the sacraments as vehicles of grace were increasingly answered through the use of philosophical concepts, especially those of Aristotle. Luther's extended critique of this scholastic development is a central feature of his argument in this treatise.¹

Here, however, we will touch on two other areas of the treatise's medieval context: the growing discontent over the feudal relationships that shaped papal claims to temporal as well as spiritual authority, and Luther's appeal to elements of medieval pastoral care in sacramentology. In both cases, the evolution of the *causa Lutheri* is the context in which the "irreparable breach" emerges.

The Context of Medieval Feudalism

The expansion of the church's property and wealth as it assimilated into the structure of feudal society began gradually but was punctuated by several key moments. Crucial were the Gregorian reforms.² The theocratic claims of nobility and monarchy along with the exercise of proprietary rights over church affairs increasingly threatened even the church's spiritual authority. Yet over against these secular abuses, Pope Gregory VII's (c. 1015–1085) claim to the papacy's universal authority was decidedly enacted by the pursuance of additional feudal relationships. Consequently, prelates and great abbots became significant land owners and as such could exercise significant temporal authority and amass wealth through its benefices by rents (or *Zinsen* in German) and tithes. The Avignon papacy was able to bring greater consolidation to this web of feudal relationships, and because there was no greater prelate than the bishop

of Rome, there was to be no greater ecclesiastical fiefdom than that of the papacy. While this also made the church susceptible to the power and pressure of noble laymen, papal privileges were such that the “spiritual citadel” handled and distributed its divine treasures in much the same way that secular lords maintained and administered their temporal holdings. The consequence was a perceived exchange of Christian liberty for ecclesiastical liberties.³

In the context of feudal society the word “liberty” (Lat. *libertas*) gained a new meaning and usage in the church. Whereas the concept of liberty in the early Christian communities were expressed in the negative—freedom *from* the bondage of sin and death—“liberty” in the feudal system was oriented toward one’s subjective rights and the exercise of them over (usually) property without external coercion or limits. “Thus, granting a liberty was to grant a legal privilege. Clergy already began receiving such liberties in the age of Constantine, but as the church participated in the emerging feudal system as a landowner, the notion of ‘ecclesiastical liberty’ had more to do with political and economic jurisdiction than liberty in a spiritual or theological sense.”⁴

Luther was clearly attuned to this irony and employs the notion of liberty repeatedly throughout the treatise. The church’s captivity is the result of the pope acting like a temporal lord, indeed a tyrant, more concerned about his “ecclesiastical liberties” than true Christian freedom:

Neither pope nor bishop nor any other person has the right to impose a single syllable of law upon Christians without their consent; if anyone does, it is done in the spirit of tyranny. Therefore the prayers, fasts, donations, and whatever else the pope ordains and demands in all of his decrees, as numerous as they are iniquitous, he demands and ordains without any right whatever; and he sins against the liberty of the church whenever he attempts any such thing. Hence it has come to pass that the churchmen of our day are such vigorous guardians of “ecclesiastical liberty”—that is, of wood and stone, of lands and rents (for to such an extent has “ecclesiastical” today come to mean the same as “spiritual”!). Yet with such verbal fictions they not only take captive the true liberty of the church; they utterly destroy it, even worse than the Turk, and in opposition to the word of the Apostle: “Do not become slaves of men” [1 Cor. 7:23]. For to be subjected to their statutes and tyrannical laws is indeed to become slaves of men.⁵

The accusation that bishops and the pope have wrongly crossed over into temporal affairs would not have been a new observation, but Luther exploits it. In the *Address to the Christian Nobility*, more than once he wondered aloud if one should actually regard the pope as a temporal lord and thus simply treat him as a hostile military power or thief:

If we wish to fight the Turk, let us begin here, where they are worst of all. If we are right in hanging thieves and beheading robbers, why do we let Roman avarice go free? He is the worst thief and robber that has ever been or could ever come into the world, and all in the holy name of Christ and St. Peter! . . . For this reason, the Christian nobility should set itself against the pope as against a common enemy and destroyer of Christendom for the salvation of the poor souls who perish because of this tyranny.⁶

The most presumptuous (and absurd) assertion of papal temporal authority was ensconced in the infamous *Donation of Constantine*. Originating sometime in the eighth century, the document based its claims on the fifth century *Legenda Sancti Sylvestri* which recounts supposed interactions between the emperor Constantine and Pope Sylvester I. Grateful for being healed of leprosy, Constantine is said to have conferred the entire western empire to the jurisdiction of the pope in perpetuity. By the eleventh century, beginning with Leo IX and his dispute with the patriarch of Constantinople, the document was regularly cited by the pope to substantiate his claims of temporal authority over against real or perceived encroachments of secular rulers and lords. In the fifteenth century, Lorenzo Valla proved that the document was a forgery, for it used Latin that was not yet in existence in the fourth century, including the telling anachronism, “fief.”⁷

Avarice was not a new critique of Rome—as evinced by the ingenious twelfth century acrostic, ROMA = *Radix Omnium Malorum Avaricia* (avarice is the root of all evil). Yet every satirical, half-hearted pejorative of the earlier centuries became white-hot condemnations during the years of the Papal Schism (1378–1417). Luther’s own order of Augustinian Hermits was deeply invested in the conflict with allegiance to the Roman pope playing a major role in what Eric Leland Saak has called the “Augustinian platform” for church

reform.⁸ In the face of the Schism, Augustinians began lecturing on Revelation at the beginning of the fifteenth century, interpreting the times as the time of the Antichrist and the end of the world. The Augustinian Antonius Rampegolus published a preaching manual, the *Figure Bibliorum*, which cast the times as an eschatological battle against the devil who assaults the church through schism, avarice, and cupidity. The prelates of the church had succumbed to avarice and the lust for power. This was the fourth beast of Daniel in the midst of Babylon, this was the beginning of the Antichrist's reign.⁹

A century later, it was Johann von Staupitz who, in his early sermons, could also look at the corruption of the church, and speak of the exile in Babylon and the captivity of the devil. In his final letter to Luther, Staupitz tries to assure Luther that though he has left the Augustinian order and necessarily submitted to the pope's authority, he "in the same way even today, still hates the Babylonian Captivity."¹⁰

The Context of the Fides Sacramenti and the Causa Lutheri

By the summer of 1520, Luther's formal case had come to a boiling point. Rumors of a papal bull threatening Luther with excommunication had spread, and by June 15, Pope Leo X had officially issued *Exsurge Domine*, although it would not arrive in Wittenberg until October. The treatises written by Luther (and there were at least five to six major treatises published in 1520)¹¹ all reflected the desperate situation. By this time, the issue had moved well beyond the question of indulgences as such and on to the nature and extent of papal authority. Nevertheless, one theological point of the *Ninety-Five Theses* continued to be controverted. In thesis 7, Luther wrote the rather unremarkable statement: "God remits guilt to no one whom He does not, at the same time, humble in all things and bring into subjection to His vicar, the priest." But as he expands on this later in his *Explanations* (1518), the issue became much more focused on the centrality of faith:

For you will have peace only as long as you believe in the word of that one who promised, "Whatever you loose, etc." [Mt. 16:18]. Christ is our peace, but

only through faith. But if anyone does not believe this word, even though he be pardoned a million times by the pope himself, even though he confess before the whole world, he shall never know inner peace. . . . So as a general rule we are not sure of the remission of guilt, except through the judgment of the priest, and not even through him unless you believe in Christ who has promised, "Whatever you shall loose, etc." Moreover, as long as we are uncertain, there is no remission, since there is not yet remission for us. . . . For the remission of sin and the gift of grace are not enough; one must also believe that one's sin has been remitted. . . . It is not the sacrament, but faith in the sacrament, that justifies.¹²

This emphasis on the role of faith in the sacrament found some support in the writings of Augustine and Bernard, but Luther would especially appeal to the medieval axiom, *Non sacramentum, sed fides sacramenti iustificat*.¹³ It was this *fides sacramenti* that became a major point of contention when Luther met with the papal legate, Cardinal Cajetan, in the fall of 1518. Cajetan argued that an absolute certainty that one possessed grace could not be maintained, especially if the source of this certainty was something so facile and subjective as one's faith. Such a view undermined the entire sacerdotal-sacramental system, and he said (presciently) that "this is to build another church!" (*Hoc enim est novum Ecclesiam construere*). If faith justified, then the sacrament was superfluous. Indeed, the axiom *non sacramentum, sed fides sacramenti iustificat* seemed to be based on the advice of Pope Innocent III who was addressing an extreme case of pastoral care, namely, that if a penitent, because of extenuating circumstances, is unable to receive the sacrament, his desire for and faith in the sacrament is enough to receive the sacrament's benefits.¹⁴ The danger of starting with an extreme circumstance is a neglect of the sacraments altogether. But Luther desires the opposite, not to neglect the sacrament but to give a new orientation to it.

Cajetan did not fully understand Luther's concern (partly because what he read of Luther was not yet clear). Luther's privileging of faith was not a celebration of the subjective; rather Luther was arguing that the source of certainty lay in the word of Christ. Faith either believes Christ, or one calls him a liar. In this manner are such great things attributed to faith in the scriptures—not the strength of faith as a virtue, but the strength and certainty of the promise to

which it clings. Thus when Cajetan required Luther to renounce his view of the *fides sacramenti*, Luther saw this as denouncing Christ and his word. But in this “lay the whole summary of salvation!” The cardinal was asking him with one word—“*revoco*”—to deny that which made him a Christian.¹⁵

Furthermore, Luther repeatedly cited Matthew 16 as the reference point throughout his writings in 1518. The priest’s absolution was to be believed because Christ had instituted the office of the keys. Faith was required for certainty because Christ had given Peter, the apostles, and their successors the authority to loose consciences that are bound by sin. Indeed, at this time Luther still believed that the Roman church, embodied in the papacy, was normative on matters of faith because Christ miraculously kept Rome in the truth.¹⁶ But his meeting with Cajetan—the papal legate—began a process of disillusionment with the papacy that came to a conclusion in the early spring of 1520.

Shortly after his time before Cajetan, he began to wonder privately about the state of the papacy. If he was required to denounce the gospel—that which freed his conscience and made him a Christian—in order to remain a faithful son of the church, what could this mean? In a letter to Wenceslas Link, Luther asked—for the first time and with dread seriousness—whether the pope could be *the Antichrist*?¹⁷ Still, in January of 1519, Luther professed his belief in the pope’s authority. Writing to Leo, he said:

Now most blessed Father, before God and with all his creation as my witness, I did not, nor do I want today, in any way to assault or pull down with any type of deceit, the sovereignty of the Roman Church or that of your holiness. Wherefore I confess as thoroughly as possible that the sovereignty of this Church is above every other authority, and that nothing whatsoever in heaven or on earth is to be placed before it, aside from Jesus Christ, the one Lord of all . . . for there is one thing alone that I seek: that our Mother, the Roman Church, might not be polluted with the filth of a foreign avarice.¹⁸

But the real turning point came in February of 1520. (Here I think Saak’s interpretation of this event is quite correct).¹⁹ Having been repeatedly accused of being a Hussite in his view of the church and its authority, Luther finally read Jan Huss’ treatise *de Ecclesia*. He was

horrified. He *was* a Hussite. So was Staupitz and all the Wittenbergers. So also is Paul and Augustine—“Hussites to the letter!” Luther goes on in a letter to Spalatin from February 14, 1520:

I implore you just to look at the horrific black hole into which we are entering, without a Bohemian leader or teacher. I am too dumbfounded to even know what to think, seeing such a terrifying judgment of God among men that the true Gospel is considered worthy of being damned, having been torched so blatantly in public for over a hundred years, and that no one can admit it. It is the woe of the world!²⁰

What he had suspected with his encounter with Cajetan was true: the gospel had been denounced as a heresy by the Roman church. But the final straw came ten days later. Writing again to Spalatin he says,

I have in my hands from the printing house of Dominicus Schleupner, Lorenzo Valla's refutation of the Donation of Constantine, published by Hutten. *Good God!* You would be amazed how in God's judgment not only such impure, such crass and naked lies of such massive Roman darkness or Roman inquiry have lasted through the ages, but also how they have prevailed and been handed down in Canon Law, one following after the other . . . *I am so overwhelmingly horrified in the very depths of my being* that I can scarcely no longer doubt that the *pope is that very Antichrist* which, as commonly known, the world has expected, since it all fits, how he lives, what he does, what he says, and what he proclaims.²¹

Naming the pope the Antichrist was nothing new. But Luther's view had moved beyond his Augustinian predecessors. It was not the pope who was Antichrist. *It was the papacy itself.* This apocalyptic view of his times was the decisive moment for Luther. At the end of his life, when his collected Latin works were published, he wrote a preface warning the readers that when they read his writings (if they read them at all) they need to read them judiciously, “be mindful of the fact that I was once a monk and most enthusiastic papist when I began that cause. I was so drunk, yes, submerged in the pope's dogmas, that I would have been ready to murder all, if I could have, or to cooperate willingly with the murderers of all who would take but a syllable from obedience to the

pope. . . . [even during the debate with Eck] I conceded human right to the pope, which nevertheless, unless it is founded on divine authority, is a diabolical lie.”²²

Now back to the *Babylonian Captivity*. How does this affect this work? Well, first we see that the gloves have come off entirely. For Luther, the papacy is no longer a Christian institution, it is a tyrant, enslaving the church with its own laws and traditions. Having declared the gospel heresy one hundred years ago, it should come as no surprise that the sacraments have become vehicles of power and subjugation. Here we find the center of Luther’s critique: “the transposition of the divine generosity and promise of the sacrament into a human work, the justification of this practice by human opinion and tradition rather than the Scriptures, and the consequent enlargement of papal power and riches,” these are for Luther, “the fundamental abuses of the church.”²³

Luther’s *Leitmotif*, the correlation of the word of promise and faith in his sacramental theology, had been developing since at least his *Explanations* to the *Ninety-five Theses*. What has changed here is that the promise is no longer located in the priesthood or the successors of Peter. This is quite clear in his treatment of Penance. Luther notes that the promise (and faith) has been completely undermined by the papacy rather than guaranteed:

the promise of penance . . . has been transformed into the most oppressive despotism, being used to establish a sovereignty which is more than merely temporal. Not content with these things, *this Babylon of ours has so completely extinguished faith* that it insolently *denies its necessity in this sacrament*. Indeed, with the wickedness of Antichrist it brands it as heresy for anyone to assert that faith is necessary.²⁴

Luther goes on to disassociate the certainty of the promise from the ordained priesthood. First he speaks about private confession as a practice not with the priest but to “another Christian” from whom we receive “the word of comfort as if spoken by God. And if we accept this in faith, we find peace in the mercy of God speaking to us through our brother.” Shortly afterwards, Luther cites Matthew 18 to emphasize that the promise is given to *all* Christians and not merely the priesthood: “it is not necessary to tell [their confession]

to the church, that is, as these babblers interpret it, to the prelate or priest. On this matter we have further authority from Christ, where he says in the same chapter, ‘Whatever you bind on earth shall be bound in heaven, whatever you loose, etc.’ For this is said to each and every Christian. . . . For Christ has given to every one of his believers the power to absolve even open sins.”

Eventually Cajetan would understand what Luther was trying to argue and he would withdraw his demand for Luther to recant on the *fides sacramenti*, but it was too late. Luther could not believe that the power of the word of Christ could have been debated, much less censured, by the papacy. Sadly, the breach, for Luther, had become irreparable.

NOTES

1. See the edition of the Babylonian Captivity in *The Annotated Luther: Church and Sacraments*, vol. 3, ed. Paul W. Robinson (Minneapolis: Fortress Press, 2016), 8–129 [hereafter, *TAL*], where the annotations and notes focus especially on the theology in the scholastic tradition that stands behind both Luther’s critique and also his reshaping of sacramentology.

2. See Gerd Tellenbach, *Church, State and Christian Society at the Time of the Investiture Controversy* (Oxford: Oxford University Press, 1938).

3. See Marc Bloch, *Feudal Society* (London: Folio Society, 2012), “Clergy and Burghesses,” 422–30.

4. *TAL* 3:73, note 167. For more on “liberty” in the Middle Ages and its impact on the church, see Tellenbach, *Church, State and Christian Society*, 1–25.

5. *TAL* 3:73.

6. *TAL* 2:407–408.

7. For a full historical treatment of the document, see Johannes Fried, *Donation of Constantine and Constitutum Constantini: The Misinterpretation of a Fiction And Its Original Meaning* (Berlin: Walter de Gruyter, 2007).

8. Eric Leland Saak, *Highway to Heaven: The Augustinian Platform Between Reform and Reformation, 1292–1524* (Leiden: Brill, 2002).

9. Saak, 529–34; 584–617.

10. *Luthers Werke*, Kritische Gesamtausgabe, *Briefwechsel*, 12 vols., eds. J.F.K. Knaake et al. (Weimar Böhlau, 1883ff.) 3:264.35–36.

11. On the Papacy, On Good Works, Address to Christian Nobility, Treatise on the New Testament, Babylonian Captivity, Freedom of the Christian.

12. *Luther’s Works*, American Edition, 55 vols., eds. Pelikan and Lehmann (St. Louis and Philadelphia: Concordia and Fortress, 1955ff.) 31:100–101, 104, 107.

13. See Augustine, *Tractates in the Gospel of John* 80.3, MPL 35, 1840: “*Accedit verbum ad elementum, et fit sacramentum, non quia fit, sed quia creditur*” (when the word is joined to the element, it becomes a sacrament, not because it becomes a sacrament, but because it is believed). And Bernard, *Sermon on the Annunciation*, I.I, 3, MPL 183, 383–84: “You must

above all believe that you cannot have forgiveness of sins except through the mercy of God. But add to this that you must believe and add this too, that your sins are forgiven by God. This is the testimony which the Holy Spirit brings forth in your heart, saying 'yours sins are forgiven.' For thus the Apostle concludes 'that a man is justified by faith' out of grace. This is what St. Paul says."

14. Aquinas makes a similar distinction, attributing benefits to the desire for the sacrament even when reception of the sacrament is impossible, *STh* III, q. 80, a. 1: ". . . the effect of the sacrament can be secured by every man if he receive it in desire, though not in reality. Consequently, just as some are baptized with the Baptism of desire, through their desire of baptism, before being baptized in the Baptism of water; so likewise some eat this sacrament spiritually ere they receive it sacramentally. Now this happens in two ways. First of all, from desire of receiving the sacrament itself, and thus are said to be baptized, and to eat spiritually, and not sacramentally, they who desire to receive these sacraments since they have been instituted. Secondly, by a figure: thus the Apostle says (1 Corinthians 10:2), that the fathers of old were 'baptized in the cloud and in the sea,' and that 'they did eat . . . spiritual food, and . . . drank . . . spiritual drink.' Nevertheless, sacramental eating is not without avail, because the actual receiving of the sacrament produces more fully the effect of the sacrament than does the desire thereof, as stated above of Baptism."

15. WA Br 1:217.60-63.

16. ". . . ad eam fidem, quod Romana ecclesia profitetur, omnium fides debet conformari . . . Nam et ego gratias ago Christo, quod hanc unam Ecclesiam in terris ita servat ingenti et quod solum posset probari fidem nostram esse veram miraculo, ut njnquam a vera fide ullo suo decreto recesserit."WA 1, 662, 30-34.

17. WA Br 1:270.11-14, no. 121 (18 December 1518).

18. WA Br 1:292.31-293.45-49.

19. Saak, *Highway to Heaven*, 623-30.

20. WA Br 2:42.22-30.

21. WA Br 2:48.20-49.29.

22. LW 34:328.334.

23. *TAL* 3:52, note 117.

24. *TAL* 3:86-87.