

Luther on Authority

Not the least interesting thing about Luther's treatise, "On the Councils and the Church" (*LW*, 41:3-178), is the pattern of his reasoning. He argues—following Augustine and, especially, an image of Bernard's—that because "the fathers were occasionally very human, and had not overcome what is written in the seventh chapter of Romans," he wants to have "Scripture as master and judge," and that "he would rather drink from the spring than the brook" (26; cf. 20). At the same time—as the image of the spring and the brook suggests—he discriminates between councils and fathers, assigning the greatest authority to the earliest and a greater authority to the earlier—just as the brook is imaged as purer the nearer it is to the spring (20).

"[I]t is obvious that the councils are not only unequal, but also contradictory. The same is true of the fathers" (20). "[B]ecause it cannot be otherwise with the fathers (I am speaking of the holy and good ones)—when they build without Scripture, that is, without gold, silver, and precious stones, then they will build with wood, straw, or hay—we must, according to St. Paul's verdict, know how to differentiate between gold and wood, between silver and straw, between precious stones and hay; and we must not be compelled by those obnoxious [council-]screamers to believe that wood and [gold] are the same, that silver and straw are the same, and that emeralds and hay are the same" (50).

Thus Luther distinguishes not only between the fathers, as is indicated by the phrase in the passage just quoted, "the holy and good ones," but also between "the great, or (as they are called) universal or principal, councils" and "the other councils and the ordinances of all bishops" (22). Nor is this the end of his discriminations: he also speaks of the Council of Nicaea as "the best and the first principal council after that of the apostles" (33), and, as is clear from this very formulation, speaks of "the very first council of the apostles" (Acts 15:1-29) as "the supreme council," and of the apostles themselves as "the supreme fathers." "If we wish to be conciliar, we will have to keep this council above all others. If not, we need not keep any of the other councils either, and thus we are rid of all the councils" (29).

If we ask why Luther thus asserts the supremacy of the apostolic council, the answer is that "in this council there were no ordinary bishops and fathers (as in the others), but the apostles themselves, assured of the Holy Spirit and the most exalted of the fathers" (29). "If we had nothing with which to defend this article [*sc.* that Christ is God] except this council [*sc.* of Nicaea] we would be in a bad way. Then I myself would not believe the council either, but say, 'They were human beings.' But St. John, St. Paul, St. Peter, and the other apostles are reliable and offer us a firm foundation and defense; for it was revealed to them and through the Holy Spirit given to them openly from heaven." "[T]he Council of Nicaea . . . did not invent this doctrine or establish it as something new, namely, that Christ is God; rather it was done by the Holy Spirit, who came openly from heaven to the apostles on the day of Pentecost, and through Scripture glorified Christ as true God, as he had promised the apostles" (58 f.). "The churches prior to this council [*sc.* of Nicaea] derived it from them and this council has it from them too. For before the council, when Arius first began, as well as in the council and after the council, they defended themselves vigorously with Scripture, especially with St. John's gospel, and disputed sharply, as the books of Athanasius and Hilary testify. The *Historia Tripartita* also says in Book V, chapter 29, 'At Nicaea the faith was grounded on the writings of the apostles.' Otherwise, if there were no Holy Scripture of the prophets and apostles, the mere words of the council would be meaningless, and its decisions would accomplish nothing" (58 f.).

In short, the apostolic council is "the supreme council" and the apostles themselves, "the supreme fathers," because, unlike all other councils and fathers, the apostles received their teaching immediately from the Holy Spirit, not mediately through the teaching of other human beings. At the same time, Luther unhesitatingly speaks of the apostolic council as a council and of the apostles as fathers, because they remain authorities even in their supremacy among authorities and, therefore, are in turn authorized by a primal source of authority beyond themselves—the Holy Spirit.

In Luther's view, then, councils "do not introduce anything new either in matters of faith or of good works; but they defend, as the highest judges

and greatest bishops under Christ, the ancient faith and the ancient good works in conformity with Scripture. To be sure, they may also deal with temporal, transient, and changeable things in order to meet the need of their particular time; this, however, must also be done outside the councils in every parish and school. But if they establish anything new with regard to faith or good works, you may rest assured that the Holy Spirit had no hand in it, but only the unholy spirit with his angels. . . . The Holy Spirit has not been given to teach or instill in us anything except Christ, but he is to teach and remind us of all that is in Christ 'in whom are hid all the treasures of wisdom and knowledge' [Col 2:3]"(121 f.). "I hold that one should now be able to understand what a council is, its rights, power, office, and task; also, which councils are genuine and which false: namely, that they should confess and defend the ancient faith and not institute new articles of faith against the ancient faith, nor institute new good works against the old good works, but defend the old good works against the new good works—because he who defends the old faith against the new faith also defends the old good works against the new good works. For as the faith is, so are also the fruits or good works." Consequently, "if you have all the councils you are still no Christian because of them; they give you too little. If you also have all the fathers, they too give you too little. You must still go to Holy Scripture, where you find everything in abundance, or to the catechism, where it is summarized, and where far more is found than in all the councils and fathers" (135 f.).

It is significant, however, that Luther's appeal throughout this treatise to "the ancient Christian faith" and to "the genuine, ancient good works commanded by God" is not, as it might well appear to be from the above, simply an appeal to the faith and good works taught by the apostles and given in the New Testament. However unique Luther may have supposed apostolic teaching to be, and whatever primacy he may have assigned it, Scripture for him is always the "Holy Scripture of the prophets and apostles" (59). Thus "the ancient faith," etc. as he understands it is really as old as the creation, being the teaching of the church from the very beginning. This becomes clear from what he says about Peter's sermon at the apostolic council. "St. Peter, who as an apostle had the authority and the power, together with the other apostles, to reformulate this article [*sc.* of faith in salvation solely by the grace of Jesus Christ]—which is why they are called the cornerstone of the church—

nevertheless falls back on the holy church of God in former times, that church of all the patriarchs and prophets from the beginning, and says in effect, 'This is not a new doctrine; for this is what our ancestors and all the saints taught and believed'" (72).

But, then, this only makes all the clearer that Luther's whole way of reasoning rests on the premise that the earliest is best, or that the only true faith and the only right good works are the ancient faith and the ancient good works, which were before *all* councils and fathers, even, in a way, the apostolic council and the apostles themselves, and which it is the business of any council and any father to defend against the new faith and the new good works. Indeed, the formula Luther employs is not only "*before* the council[s]," but also "*in* the council[s] and *after* the council[s]" (59).

"In summary, put them all together, both fathers and councils, and you still will not be able to cull from them all the teachings of the Christian faith, even if you culled forever. If it ghad not been for Holy Scripture, the church, had it depended on the councils and fathers, would not have lasted long. And in proof of this: where do the fathers and councils get what they teach or deal with? Do you think that they first invented it in their own day, or that the Holy Spirit always inspired them with something new? How was the church preserved prior to these councils and fathers? Or were there no Christians before councils and fathers came up?" (52).

Clearly, the pattern of Luther's reasoning would no longer lead to his own conclusions, given our knowledge today that the New Testament writings as such are precisely not "apostolic," and therefore the written form of an immediate divine revelation—even as the Old Testament writings as such are not "prophetic" in the sense in which Luther could still reasonably take them to be. Accordingly, to those who still appeal to Scripture, or the New Testament, in the way in which Luther could reasonably do, the proper response is indicated by his last two questions: "How was the church preserved prior to the church's creation of the canon of scripture? Or were there no Christians before the creation of the scriptural canon?"

A final point concerning Luther's understanding of authority in this treatise is the authority he assigns to the lower level of the local church and school and to the schoolteacher as well as the pastor or bishop. Since the councils appeal to "the holy Christian church as to the true and supreme judge on earth," they "testify that they cannot judge according to their own discretion, but that the church, which preaches, believes, and confesses Holy Scripture is the judge." Therefore, a council is, "nothing but a consistory, a royal court, a supreme court, or the like, in which the judges, after hearing the parties, pronounce sentence, but with this humility, 'For the sake of the law.' . . . This law is God's word, the empire is God's church; the judge is the official or servant of both" (133). "Not only the council," however, "but every pastor and schoolteacher is also the servant or judge of this law and empire. Moreover, a council cannot administer this judicial office forever without interruption; for the bishops cannot forever remain assembled together, but must gather only in times of certain emergencies and then anathematize, or be judges. . . . [T]he council is the great servant or judge in this empire and law. Yet when the emergency has passed, it has done its duty—just as, in temporal government, the supreme, great judges have to help when the lower, secondary courts prove too weak to cope with an evil, until the case is at last brought before the highest, greatest court, the diet, which cannot meet forever either, but must adjourn after the emergency is over and again leave matters to the lower courts." "That is why pastors and schoolteachers are the lowly, but daily, permanent, eternal judges who anathematize without interruption, that is, fend off the devil and his raging. . . . [I]f indeed we cannot have councils, the parishes and schools, small though they are, are eternal and useful councils"(133 ff.).

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