

I

WITTENBERG 1517

On 31 October 1517, Halloween, the eve or vigil of the Feast of All Saints, as everyone knows, a young German friar purposefully made his way to the Castle Church in the Saxon university town of Wittenberg and nailed to the door one of the most famous protests of all time—the “Ninety-Five Theses.” Within weeks, Martin Luther and his bold challenge to the authority of the Catholic Church were the talk of Germany; before long, the talk of Europe. The *Ninety-Five Theses* themselves, ninety-five pointed and often witty barbs poked into the religious practice of the “indulgence,” were originally composed in Latin as the basis of a formal public disputation or debate in the university, but they were soon translated into German and put into print, the medium that enabled them to spread like wildfire.

Bizarrely, there is almost no reliable evidence for this well-known story—though there were ninety-five theses. There is no credible evidence that Luther actually went and nailed them to the church door that day, and every reason to believe that he did not. Not that nailing theses or other papers to a church door was in any sense a bold or unconventional act. Church doors often served as noticeboards, especially in university towns. For example, a few years later, the excommunication of Martin Luther was nailed to the door of Great Saint Mary’s, the university church in Cambridge (and someone promptly scrawled some graffiti on it, though that is another story).¹ But, as was first pointed out long ago by Erwin Iserloh, there is no evidence that any disputation on the theses took place in

Wittenberg that day, nor that any was planned in the immediate future.² There would therefore have been no point in nailing them up on the noticeboard. Luther himself never refers to such an episode, and there is simply no mention of this story anywhere until after his death. It has all the hallmarks of myth.

Not that this would matter very much if it were not for the fact people are so loyally attached to the legend. When Iserloh first challenged this hallowed centerpiece of Luther hagiography, howls of protest echoed round Germany. All sorts of reasons were put forward for accepting the traditional theory. A blizzard of special pleading broke out, in a classic exemplification of Kolakowski's "law of infinite cornucopia," which states that for any position one is already minded to uphold, "there is never a shortage of arguments."³ Yet for all the reasons, arguments, and circumstantial evidence adduced, there is still no sign of the story in the historical record until after Luther's death.

The allure of the legend lies, at least for our time, in its image of the romantic rebel, of the individual asserting himself against the system. But this is to misread the man. Luther was indeed a rebel, or became one: a quiet conformist could never have achieved what he did. Yet he was a reluctant rebel, who was drawn from cover only gradually, as circumstances brought him to acknowledge the initially unthinkable idea that the teachings he was deriving from the scriptures were utterly incompatible with the teachings and practices of the church structure of which he had imagined himself to be an obedient servant. He showed unusual courage over the ensuing half a dozen years, during which he emerged as the charismatic leader of a mass movement in Germany and shattered, forever as it turned out, the medieval Christian unity of Europe. His temperamental doubts and anxieties were allayed or repressed by the cast-iron certainties forged in his volcanic intellect: the certainty of faith and the certainty of scripture. But these certainties were not in place in 1517. It was his emerging teachings that gave him

the gathering confidence and courage to stand firm against the imposing authority of church and empire. Nevertheless, the legend, like many legends, has an element of truth at its core. Luther was, in the end, an individual, and did assert himself—against almost anything. Yet he was never aware of his own individualism, of what turned into a monstrous egotism. He remained to the end utterly convinced that he was a mere instrument in the hands of God and that his own identity was entirely subordinated to the Word of God.

Luther's own recollections of the events surrounding the *Ninety-Five Theses* suggest a rather different story. When he was in his pomp, in the 1530s and 1540s, holding court in the former house of the Wittenberg Austin Friars, which his sovereign prince, the Elector Duke Frederick of Saxony, had given to him as his family residence once the brethren had all abandoned the communal life, a devoted circle of students and friends gathered daily at his table to catch his words of wisdom. Their gleanings survive in the collections of *Tischreden* or table talk, Twitter-like *obiter dicta* that furnish so many glimpses into Luther's life and character. He discussed the start of the indulgences controversy on numerous occasions, but invariably in terms of writing—never of “disputing”—and without any reference to the crucial details of popular legend. Years later, he remembered it as being “after All Saints” in 1517 that he “first decided to write against indulgences.” His recollections of these events show consistency in referring to writing (rather than to a disputation), though not about the precise chronology. On another occasion, setting the matter in a broader context, he said: “In 1517, on All Saints’ Day, I first began to write against the pope and indulgences. In 1518 I was excommunicated. In 1519 I disputed with Eck at Leipzig.”⁴ The formulation is particularly significant: he “disputed” with Eck at Leipzig, but he “began to write” on the Feast of All Saints in 1517. And there is nothing about church doors or hammers and nails.

Nor is there any indication that Luther sent out his theses in a search for instant publicity and notoriety. His letters were quietly dispatched to the episcopal chanceries, where, like so many unexpected and unaccustomed communications that reach busy offices, they sat for a while, as people fitfully wondered what, if anything, should be done about them. According to an account Luther wrote to the Elector Frederick about a year later, some people were saying that he had “started this whole dispute at the elector’s instigation, when in fact no one knew of it, not even among my closest friends, except the Most Reverend Lord Archbishop of Magdeburg and Hieronymus, Lord Bishop of Brandenburg.” He had “humbly and respectfully notified them before initiating the disputation.”⁵

Nor, finally, did Luther actually see himself at the time as challenging papal authority: that came later. The challenge to indulgences set him on a collision course with Rome, but that was not immediately evident. In a more detailed account of these events, in the preface he wrote for the first volume of his Latin *Complete Works* published in 1545, Luther went out of his way to emphasize that his original motives were entirely loyal, in that he felt that abuses of indulgences were detrimental to the honor of the papacy. He even imagined that he would have the pope’s support.⁶ He was trying to start a debate, not to bring down a system.

What is known for certain about 31 October 1517 is that Luther posted—that is, mailed—his *Ninety-Five Theses* that day, sending copies to nearby bishops in order to call their attention to what he saw as misleading and questionable devotional and pastoral practices relating to indulgences. His cover letter made his intention clear, as Iserloh pointed out. He wanted to secure public correction of what he felt were the misleading claims being made for papal indulgences issued to raise funds for the rebuilding of Saint Peter’s in Rome. Beyond that, he probably had some general intention of holding

a disputation on his theses, quite possibly in a better known university than the very new institution at Wittenberg, which had been opened barely 15 years before. While it is going too far to suggest that university disputations were like modern sporting contests, the disputation was still the premier academic forum in what was still, for all the growing importance of print, a largely oral culture. The scholar who would emerge as Luther's most effective and best-known opponent, Dr. Johannes Eck, had made his name just a year or two before with well-publicized performances at disputations in the universities of Vienna and Bologna, where, among other things, he had justified the charging of modest rates of interest on loans as a legitimate business practice that did not merit the label "usury"—a position which was then rather radical. When Luther drew up his theses, he may have had no intention of debating them in a backwater like Wittenberg. Ironically, he may even have been indirectly inspired by the example of the man who was to become one of his bitterest foes.⁷

The earliest appearance of the popular legend is found in the preface contributed by Philip Melanchthon to the second volume of Luther's *Complete Works*, published in 1546. The second volume appeared after Luther's death, and Melanchthon, his long-serving right-hand man and close friend, wrote a brief life of his mentor to form the preface. It is in this little biography that we first find the story:

Luther, burning with pious zeal, issued the propositions on indulgences (which appear in the first volume of his works). And on the eve of the Feast of All Saints 1517 he publicly posted them up on the church that is next door to the castle in Wittenberg.⁸

Of course it is possible to argue that Melanchthon knew Luther well, and could be telling the story on the basis of some

personal recollection shared between them over the previous thirty years. But this argument falls down precisely because of the absence of any corroboration in the ample records of Luther's anecdotes. If the nailing of the *Ninety-Five Theses* had been one of Luther's stock tales of his youth, then it would certainly have found its way into these collections. If Melancthon had heard it from Luther, then others would have heard it too, and even if it had not been written down at the time, once Melancthon had made the story canonical in his little biography, memories would have been jogged.

Indeed, it is likely that it was precisely because Melancthon had the *Ninety-Five Theses* without all the related letters and papers which enable us to set that document in context, that he leapt to the erroneous but entirely understandable conclusion that the theses were intended for a university disputation and were therefore posted, as would have been usual, on the church door. It is the letter Luther wrote to the bishops which shows that, at the start, he had a rather different plan in mind. It is moreover quite possible that Melancthon was conflating an earlier event, a disputation concerning various principles of scholastic theology that had actually taken place in September 1517, with the *Ninety-Five Theses*. For he only came to Wittenberg in August 1518, nearly a year later, by which time the *Ninety-Five Theses* had already made Luther a national and controversial figure.⁹ Looking back over a gap of thirty years to a vague recollection of events known to him only by report, Melancthon seems accidentally to have forged one of history's most enduring myths.

For it is to Melancthon that we can trace the story back, but no further. This is best seen in a brief analysis of the "new evidence" that was brought forward after Iserloh's challenge in favor of the traditional story. It seemed unimpeachable: a precise description of the event found in manuscript in a printed

copy of the New Testament that had been massively annotated by Luther himself:

In the year of our Lord 1517, on the eve of All Saints, the propositions about indulgences were [] posted on the doors of the temples of Wittenberg by Doctor Martin Luther.

There are two features of this text that immediately give rise to doubts. The first is that it refers to “Doctor Martin Luther.” Luther was by no means averse to the first-person pronoun, and rarely if ever adopted the Caesarian third person when talking about himself—a subject on which he was always happy to dilate. The second and subtler point is that the words seem partly to echo and partly to embroider the words with which Melancthon reported the posting of the theses in his brief life of Luther. This is best seen by comparing the two.

Melancthon: . . . Lutherus, studio pietatis ardens, edidit Propositiones de Indulgentiis, quae in primo Tomo monumentorum ipsius extant, Et has publice Templo, quod Arci Witebergensi contiguum est, affixit pridie festo omnium Sanctorum anno 1517.¹⁰

Manuscript: Anno domini 1517 in profesto omnium Sanctorum pr[] Witembergae in valvis templorum propositae sunt propositiones de Indulgentiis a Doctore Martino Luthero.¹¹

The use of the terms “propositions” and “temples” points towards some dependence of the manuscript note on the printed text.¹² In any case, the decisive information is that while the New Testament in which this note is found was heavily

annotated by Luther himself, this particular note is not in Luther's hand but in that of his secretary, Georg Röser. Moreover, it is found on the last page of the index, a relatively prominent place, and was clearly added by Röser himself, who almost certainly chose the book as a keepsake of his master when Luther was on his deathbed. (It was common at that time for scholars nearing death to let their friends choose books from their collections as mementos.) Röser perhaps added the note about the posting of the theses when he read about it later in Melancthon's little biography. And already we see the accretions of legend forming around the core of truth. In Röser's version, it is doors, and not just the church, and several churches, not just one. It still gives us no reason to believe that there is any evidence for this best-known "event" in Luther's life prior to the biographical sketch that Melancthon composed after Luther's death.

Popular and scholarly attachment to this mythic event is astonishing, doubly so in that the event itself, had it indeed taken place, would have been as such entirely routine—the posting of a notice on the noticeboard in advance of a disputation. There is a powerful and deeply ironic will to believe the story (ironic because the story is very much the sort of thing Luther would later denounce as "human tradition"). Andrew Pettegree's recent account of Luther goes to considerable trouble to vindicate the tradition, claiming to offer new evidence in its favor. However, the case made is flawed by the same problem that has bedeviled the discussion ever since Iserloh first challenged the consensus: a confusion between evidence and arguments. Thus it is clear that theses were printed in advance for a disputation that Luther conducted against scholastic theology, in September 1517. But no one has ever disputed the historicity of that disputation, which is manifest from the date of the disputation as given on subsequent reprintings of its theses. As Iserloh ob-

served, the various printings of the *Ninety-Five Theses* never give a date for any disputation: no date, no notice.¹³ Evidence relating to the disputation against scholastic theology does not constitute evidence for the nailing up of the theses against indulgences. Far more intriguing is Pettegree's claim that Luther had already had the *Ninety-Five Theses* printed before Halloween 1517. Given Pettegree's status as the foremost historian of the early modern printed book in our times, there is good reason to take his conclusion seriously.¹⁴ But evidence that Martin Luther printed the *Ninety-Five Theses* is still not evidence that he nailed them to the church door, nor even that he proceeded immediately to hold a disputation about them. His approach to the bishops was obviously the result of a plan rather than a whim, and given his intention to hold a public disputation with their permission, having the theses printed was a perfectly sensible way of making it easier to inform people about his aims. That a disputation was held or planned for 31 October that year is improbable in the extreme. The appointed day for disputations at Wittenberg was Friday, and Halloween that year fell on a Saturday.

The *Ninety-Five Theses*, then, were mailed to the Archbishop of Mainz, and perhaps also to one or two other bishops, on 31 October 1517, and proceeded to languish in bureaucratic obscurity for a month or so. In December the archbishop sought advice on them from the local university. Yet at this stage knowledge of the theses still seems to have been relatively limited. It was a matter for discussion in episcopal and ducal chanceries. But the theses did not spread quite as soon as is usually thought. The widely repeated story that the *Ninety-Five Theses* swept through Germany in a fortnight and through Europe in a month was put into circulation thanks to a rather later account penned by Friedrich Myconius, a sometime Franciscan friar turned Lutheran reformer of Gotha.

Before fourteen days had elapsed, these propositions had spread through all Germany, and in four weeks through nearly all Europe, as though the angels themselves were the messengers who set it before everyone's eyes.¹⁵

But this account is hazy in its details (interestingly, there is no mention of nailing anything to the doors or walls of the Castle Church), and seems to be trying to make sense of rather scrappy information. It is easy to read it as if he meant that this all took place in November, if one starts from 31 October, but Myconius gives no precise dates. The claim about the fortnight was almost certainly derived from Luther himself, who once boasted that his theses had run through Germany within that time.¹⁶ This may well be true—but not in the fortnight following the Feast of All Saints. It was over a fortnight before the archbishop saw them, and he was the first person to whom they were sent. At some point, Luther even explained to Georg Spalatin that he had not sent copies of his theses to the Elector Frederick or his court because he did not want people thinking that the protest against indulgences was some sort of political attack on the archbishop deriving ultimately from the prince.¹⁷

It was not until January 1518 that people began to find the *Ninety-Five Theses* sufficiently interesting to show them to people other than those directly concerned with the indulgence business. Only at that point did the wildfire ignite. The epicenter seems to have been Nuremberg, where the theses against indulgences were eagerly passed from hand to hand among the city's coterie of fashionable humanist scholars, led by Willibald Pirckheimer. We know a lot about this thanks to a friend of Luther's, Christoph Scheurl, whose correspondence that January is full of references to what was evidently the focus of public attention in the city. Scheurl wrote to Kaspar Guttel on 8 January 1518, telling him that Luther's conclusions on indulgences had aroused considerable interest and approval in

Nuremberg, from Pirckheimer and Wenzel Link among others. Even more interestingly, he added that they had been translated (into German, of course) by Kaspar Nützel, and that he (Scheurl himself) had sent them to Augsburg and Ingolstadt. This would hardly have been necessary if the theses had been known across all Germany by the end of the previous November. In January 1518, then, the theses became known across Germany in weeks. Within months, they were known across much of Europe. Scheurl had posted a copy of the theses to Konrad Peutinger in Augsburg on 5 January, and mentioned them in a letter to Jodocus Trutfetter written that same day.¹⁸ At the abbey of Rebdorf, just a few miles from Eichstätt, a learned monk by name of Kilian Leib, a friend of Gabriel von Eyb, the Bishop of Eichstätt, kept an occasional chronicle of his life and times. Very much a part of the humanist scene despite his life in the cloister, Leib noted the emergence of Luther and the indulgences controversy not under 1517, but under 1518, as the first noteworthy matter that year.¹⁹ January is clearly the key month, not November, in the emergence of Luther onto the public stage. However, it is not enough to know when Luther's *Ninety-Five Theses* became a sensation; it is also necessary to understand why. Theses offered by obscure dons for discussion in new or even old universities did not usually attract such massive attention. To explain why these theses did so requires first understanding what "indulgences" were and then exploring the nature of Luther's critique of them.

"Indulgences" had developed in the Middle Ages as a means of mitigating the rigor and severity of the penitential system that had originated in the early Christian Church to allow for the reintegration into the believing community of serious and notorious, but duly repentant, sinners. As part of this process, penitents in ancient times had to undergo periods of harsh fasting or other ascetic exercises before being admitted once more to communion in the ritual celebration of the Eucharist.

The highly juridical culture of medieval Latin Christianity had elaborated systems of “penitential satisfaction” to a degree that rendered ordinary Christians incapable of performing in a lifetime the accumulated penance for their sins. The doctrine of purgatory, faintly discernible in embryonic form in ancient Christianity, developed in the early second millennium in such a way as to provide for the completion of such penitential satisfaction in the next life. At much the same time, the doctrine of the indulgence developed in such a way as to allow for the amplification or leveraging of penance performed by people in this life. The popes, relying on the juridical interpretation of the “power of the keys” bestowed upon Saint Peter by Jesus (Matt 16:19), and on their consequent power to “bind and loose” in this life and the next, began to allow certain penitential or devotional acts to weigh in at much higher than their intrinsic penitential value. This “indulgence” or “relaxation” of penance was classically associated with the pilgrimage to Jerusalem (from which, of course, many never returned). In time, the range of devotional or charitable acts to which indulgences could be attached extended to charitable donations for purposes of piety (e.g., for the rebuilding or embellishment of a church) or the public good (e.g., the maintenance of bridges and highways), as well as to the recitation of particular prayers or cycles of prayer, such as the rosary.

There was a steady inflationary process visible in the history of indulgences. The scope of the indulgence broadened from the ritual penalties imposed upon repentant sinners under canon law and extended to the broader concept of the “temporal punishment due for sin.” Every sin merited two levels of punishment: as an offence against the infinite goodness of God, it merited eternal punishment—hell; but as an offence against a fellow human being it required also some temporal restitution or retribution, something calculated easily for theft, but less easily for lying, fornication, adultery, or murder. Eternal pun-

ishment was remitted only by divine grace, mainly through the sacrament of penance. Temporal punishment could be paid by prayer, fasting, or almsgiving, but the full measure of temporal punishment, knowable only by God, was by the end of the Middle Ages assumed to be exacted in purgatory, and was conceptualized in terms of “time” spent there (notwithstanding the logical difficulty of conceptualizing “time” for a disembodied soul). Indulgences were therefore issued in terms of days, months, or years, with the denominations rising until they culminated in the “plenary” indulgence. The plenary indulgence could be issued only by the pope, and was deemed to relieve the beneficiaries from the entire debt of temporal punishment for sin built up in their lifetime.

The theological basis of the doctrine and practice of the indulgence needs also to be appreciated. This was the redemptive work, the passion and death, of Jesus Christ. Christ’s sacrifice, as the work of a person who was God as well as man, was of infinite worth. One drop of Christ’s blood, according to medieval theologians, was adequate to the redemption of all human sin. His redemptive work, in medieval terms, constituted a superabundance of merits, stocking what came to be called the “treasury of merits,” upon which indulgences were drawn like checks on a bank account. (The commercialization of indulgences and of the theological language surrounding them runs very deep.)

Luther’s letter of 31 October 1517 explained very clearly what had led him to dash off his theses on indulgences. It was the campaign to raise money for the construction of the new basilica of Saint Peter’s in Rome by a grant of a plenary indulgence in return for contributions—generally, if a little misleadingly, called the “sale of indulgences.”²⁰ The chief agent in this campaign, though Luther courteously refrained from naming him, was Johann Tetzel, a Dominican friar with a successful track record in these enterprises. Campaigns such as this, at

least in theory, were not commercial but charitable. Although even at that time people (Luther among them) spoke of buying and selling indulgences, indulgences were not tradable commodities or securities. Thus, for example, they could not be resold, although a late development in the practice allowed indulgences to be deployed vicariously, on behalf of other souls already in purgatory. As we have seen, indulgences were granted by way of reward for devotional acts, rather than for cash as such. But the practice of granting them in return for financial contributions undoubtedly commercialized the transaction, rendering it open to economic as well as theological analysis.

Perhaps surprisingly, commercialization was not the focus of Luther's critique (though he did allude to it). What most offended him was that indulgences left their recipients with an entirely false sense of spiritual security. Nothing, he emphasized, not even the "infused grace of God" (available via the sacraments), could give people certainty of grace and salvation.²¹ On the contrary, scripture made it clear that salvation was difficult, worked out, as Saint Paul taught, in "fear and trembling" (Phil 2:12). The most remarkable thing about this critique is that it was poles apart from what Luther would be teaching before a year had passed, namely that certainty of grace or salvation was at the heart of faith and the Christian life. In late 1517, Luther was still working within the conceptual confines of Catholic orthodoxy. He was further concerned that indulgences should not be promoted so enthusiastically as to distract Christians from prayer and good works, and that people should not be given the impression that acquiring the indulgence was simply a matter of making the donation, or that it somehow relieved them from the need to repent and confess their sins.

The *Ninety-Five Theses* themselves were a more acerbic document than the relatively emollient letter to the bishops, to

which they were appended almost as an afterthought. It would be rash to infer that, in autumn 1517, Luther was necessarily committed to maintaining all his theses. Academic disputations conducted in Latin before select university audiences traditionally licensed a considerable freedom of speech. Paradoxical and provocative ideas could be mooted without committing speakers to defending them come what may. Luther availed himself fully of that academic latitude in a text that gradually works its way from polite questions and modest proposals to rhetorical heights of indignation and sarcasm. Some of his ideas would have been reckoned unarguably true by all his readers. Thus, for example, his insistence that indulgences could not confer certainty of grace (thesis 32) or take away sin (76), as well as his emphasis on actual repentance (1), confession (thesis 7), contrition (36 and 39), and good works (41–44). Others were highly debatable. Luther raises at several points the suggestion that indulgences only freed people from the canonical penalties laid upon offenders by the canon law of the church. This would have represented a considerable narrowing of the scope of indulgences, back towards their historical origins. He also questioned the notion of the “treasury of merits” upon which indulgences were said to be drawn (58). But in the later theses, Luther’s prodigious talent for turning a phrase started to make itself felt. There is a real bite to this contrast:

65: The treasures of the Gospel are nets with which people once fished for men of riches.

66: The treasures of indulgences are nets with which now they fish for men’s riches.

And his denunciation of the notion that a papal indulgence could even absolve someone of raping the Blessed Virgin Mary (75) combined righteous indignation with the frisson of blasphemy and taboo. No one (as Tetzel himself complained)

had ever suggested such a thing, but once the theses were out there, what can only have originated as someone's tasteless joke became a standing charge against indulgences and their peddlers. The string of rhetorical questions (82–89) asking why, for example, the pope did not simply empty purgatory out of sheer good will (82) or pay for Saint Peter's himself (86) added further spice and amusement to the mix. After all of which, of course, Luther added the cautious disclaimer that he submitted everything he had said to the judgment of God and the Church. The *Ninety-Five Theses* were by turns serious, moral, funny, bitter, sarcastic, and shocking, an almost carnivalesque performance. They might have been nothing more than a nine days' wonder, but their sudden vogue is easy to understand.

Johann Tetzel had been busy on the indulgence job since 1516, and by autumn 1517 he was in the principality of Brandenburg, where he matriculated at the new university of Frankfurt an der Oder that winter. He first became aware of the *Ninety-Five Theses* around the middle of December, after the Archbishop of Mainz had referred them to that university for an opinion. Stung by what he regarded as almost a personal attack (although he was not mentioned by name), he held a disputation on indulgences himself at Frankfurt on 20 January 1518.²² It was probably this event that qualified him for the doctoral degree he was adding to his name later that year. The timing of his response is revealing. It is much easier to believe that he responded to this challenge promptly than that he waited over two full months before taking any action to vindicate his good name.

At some point, Luther may indeed have held his disputation on indulgences at Wittenberg itself, although even this cannot be certain, as there is no definite record of it. There is no reason at all to suppose that he had already done so when he posted his theses to the bishops. There are some later indications that a disputation might have taken place. Konrad Wimpina's edi-

tion of Tetzel's disputation theses (they numbered 108) also reprinted the *Ninety-Five Theses*, with the remark that Luther had debated them at Wittenberg before Tetzel held his disputation at Frankfurt an der Oder.²³ But even this is probably an inference rather than a report, and it appears in a book published a decade later. There is also a letter sent to Leo X in the name of the University of Wittenberg, probably in late summer 1518, which speaks of the notorious theses as "having been disputed" there.²⁴ Luther had compiled his last word on the *Ninety-Five Theses*, his *Resolutions on Indulgences*, by the end of February, although this was not published until late spring.²⁵ On the other hand, in a letter to Hieronymus Schultz, Bishop of Brandenburg, enclosing a draft copy of the *Resolutions on Indulgences*, Luther voiced his disappointment that nobody had responded to his challenge to a disputation, and his subsequent surprise at seeing his theses (*disputationes meas*) circulated more widely than he had intended, and he explained that it was this which had led him to consider offering his arguments in print. And in 1519 Melancthon described Luther as having "put forward the theses for disputation," rather than as having actually debated them.²⁶ So the evidence is somewhat ambiguous. But if a disputation really did take place, then January 1518, when the *Ninety-Five Theses* had become public property and the subject of controversy, is perhaps the likeliest time for it to have been held.

Thanks to the extraordinary diffusion and impact of Luther's *Ninety-Five Theses*, the idea has arisen that indulgences were some sort of widely resented abuse or imposition on the late medieval Christian, and that the "sale of indulgences" was a notorious scandal crying out for reform or more radical treatment. Nothing could be further from the truth. Although concerns about indulgences were being raised by some critics in the years following 1500, indulgences were widely sought and highly valued. Luther himself furnishes us with compelling

evidence for this. By his own account, the main attraction for him when he was sent by his religious order on a mission to Rome in late 1510 was the possibility of securing the generous indulgences that were available in the holy city. And he later recalled that one of the things that spurred him to protest in 1517 was the eagerness of the townsfolk of Wittenberg to make their way to the nearby town of Jüterbog at Easter, in order to acquire there the plenary indulgence for the rebuilding of Saint Peter's in Rome, which their prince, the Elector Duke Frederick, would not allow to be preached within his own domains.²⁷ Indulgences attracted a measure of theological critique not because they were unpopular but because they were too popular. Much of the criticism—even some of Luther's—focused on what would now be called “moral hazard,” the risk that the apparently easy acquisition of forgiveness afforded by the indulgence would distract the faithful from the need for contrition and penance and make them casual and careless about the dangers of sin.²⁸

The easiest way to appreciate the popularity of indulgences is by reflecting on the founder of Luther's university, the man who over the next few years would become his crucial patron and protector, Elector Frederick of Saxony. The elector had indeed forbidden the special indulgence for Saint Peter's to be made available anywhere within his jurisdiction. But this was not because he had any moral or theological reservations about indulgences. It was because he was the proud owner of one of Western Europe's most impressive collections of relics, enshrined in the Castle Church at Wittenberg itself. That church was dedicated to “All Saints,” and Frederick seems to have wanted a piece of all of them. The Saint Peter's indulgence threatened to compete with the ample indulgences available there for visiting and venerating the relics and making appropriate offerings. Frederick was simply protecting his interests. His amazing collection was lovingly itemized in a fully illus-

trated printed catalogue, *The Index of the Most Praiseworthy Relics of the Collegiate Church of All Saints, Wittenberg* (Wittenberg, 1509).²⁹ This book consisted of woodcuts depicting the holy images and precious reliquaries in which the thousands of holy fragments were preserved and displayed. The catalogue itself did not enumerate the indulgences that could be acquired through devotions paid at these shrines, but Georg Spalatin, the elector's secretary, later calculated that they were worth around two million years off one's time in purgatory. The day on which they were visited to best advantage was the patronal day of the church itself, All Saints (1 November, the day after Luther sent his *Ninety-Five Theses* to the bishops). Nor had Luther disdained his patron's piety. As late as December 1516 he had lent a hand in an attempt to secure from Cologne yet more relics for his sovereign's collection.³⁰ The elector's personal investment in this project is summed up by the catalogue's cover: the title page has a twin portrait of him and his brother, Johann; and the back has an ornate woodcut of their heraldic arms. As a young man, Frederick had made the great pilgrimage to Jerusalem and the Holy Land in 1493, travelling on one of the last pilgrimages of its kind before the changing conditions of the rapidly expanding Ottoman Empire and the increasing risks from Muslim piracy in the eastern Mediterranean brought that long tradition for a while to a close. For Latin Christians who made that journey, it was not just the holy places and the relics but also the indulgences attached to visiting them that provided much of the spiritual motivation. An Italian clergyman of modest learning, Pietro Casola, a canon of Milan Cathedral, made the great pilgrimage the year after Duke Frederick, and his account of that voyage enthusiastically reports on the relics and indulgences that were to be found along the way.³¹

Luther's critique of indulgences focused on the notion of easy salvation, forgiveness on the cheap, and to some extent

on the moral hazard that must arise from such an offer. Yet the most interesting feature of his original critique of indulgences is the vast gap it reveals between his theological standpoint in autumn 1517 and his new position in spring 1518. For, within a year, he was offering Christians salvation on the cheapest terms ever. From one point of view, the doctrine of justification by faith alone was simply the proclamation of a universal, plenary indulgence, available at absolutely no cost or effort. This is no mere cheap shot. For a start, Luther himself was perfectly clear about the parallel. He himself announced that the only indulgence of any value to Christians was the one issued by God.³² The critique of moral hazard which he had been willing to deploy against the traditional doctrine of indulgences was therefore, inevitably, deployed still more readily against his new doctrine by his opponents. Luther's superindulgence required absolutely nothing of its beneficiaries, not even a token donation or a perfunctory prayer, let alone the inconvenience and embarrassment of confession to an all too human priest (though Luther left plenty of room for such confession, which he continued to regard as a salutary moral discipline, if conducted in the right way). The very slogan "faith without works" said it all. Luther sought to mitigate the risk by insisting that those people who were genuinely justified by faith necessarily and almost naturally brought forth the fruit of good works in their lovingly Christian lives. But the moral hazard was undeniable, and is evidenced in the extent to which Protestant Reformers throughout the sixteenth century felt the need to counter the intellectual challenge posed by what they described as "antinomianism" or "libertinism."

There is more than this to the parallel, however. It is not merely that there is an ironic coincidence between Luther's doctrine of justification and the scholastic doctrine of the indulgence. It is not even that there is an adventitious historical connection between the doctrine of the indulgence and the

origins of his new doctrine. It is on reflection plain that Luther's doctrine of justification could not have been conceived, could not have been imagined, could not have been developed if the scholastic doctrine of the indulgence had not previously been worked out by the theologians of the Middle Ages. By a much deeper irony, Luther's understanding of justification is conditioned by the scholastic theory of indulgences. It might almost be regarded as the logical consequence of that theory, and can certainly be seen as its most extreme formulation. The conception of the infinite superabundance of Christ's merits which underpinned the theory of indulgences was fundamental to the rhetoric of the "passion and merits" of Christ that ran through sixteenth-century Protestant preaching and devotion. Luther's doctrine of justification was not so much a reaction against the theory of indulgences as its culmination. This may be why Luther did not formulate his own theology of justification until, thanks to the *furor* over indulgences, he had not only started, unknown to himself, to cut his ties with the authority of the Church, but had somehow loosed his imagination from the constraints of medieval understandings of how Christian salvation worked. He had at first thought that the doctrine of indulgences went too far. What he realized later was that it did not go far enough.