

**Mary and the Saints
as an Issue
in the Lutheran Confessions**

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This essay divides into two parts. First, we recall what in The Lutheran Confessions distinguishes Mary from other saints, namely, that her virginal conception of Jesus insures his being so truly human as to be one person bodily with the Son of God. On that score there was no disagreement with the Roman critics, though there was implicit conflict, at least in its christological ramifications, with the so-called Sacramentarians. In the second part, we note how the invocation of saints (including Mary) began as a disagreement and then worsened into confessional dissent, but only partly for reasons of doctrinal substance.

I. Respecting Mary’s Uniqueness

- 1) The general title of these dialogues, “Mary and the Saints,” does well to imply a distinction between Mary and all other saints and, for that matter, all other human beings. That Mary is unique is a conviction which sixteenth century Lutheran confessors still fondly shared with the rest of Catholicism. That point of agreement, moreover, they found doctrinally noteworthy.
- 2) True, for the Confessors there is only one thing which distinguishes Mary from other saints, her extraordinary relation to Christ as his mother, and that occurred strictly within her lifetime. Her prenatal or postmortem status, any antecedent or subsequent privileges like her immaculate conception or bodily assumption hold no doctrinal interest. While the Apology concedes that she still lives and acts as the church’s intercessor, that is more of a concession than a teaching, and that much is conceded to all the saints.
- 3) Even within her lifetime Mary’s faith and good works, while a model for the rest of us, are not what distinguish her from other saints. Nor is it enough to say, though it would be true, that without her Jesus the Christ would not be historically who he is. That bare assertion might be made of Joseph as well, or of Pontius Pilate.

- 4) However, that last suggestion does bring us closer to the Confessors' mariological center. For them the singularity of Mary was indeed the role she played in Jesus' history. Yet not only in his but thereby in the history of our salvation and in the very history of God. Any role she plays beyond that is no longer unique, but that role is. Decisively so.
- 5) "God the Son," says the Augsburg Confession, "became man [by being] born of the virgin Mary."ⁱ Prior to his being conceived in her there was no Jesus, only the eternal Son of God. Only since his conception in her and by means of that has that Son of God become man as well, which he is to this day.
- 6) Furthermore, Christ's being "born of the virgin Mary," as The Apostles' Creed puts it, is instrumental not only to his incarnation but to his lordship. To this end—"in order to become my Lord," Luther explains—Mary is named in the same breath with the third person of the Trinity: Jesus was "conceived and born without sin, of the Holy Spirit and the Virgin, that he might become Lord over sin."ⁱⁱ
- 7) Still, does not this explanation from The Large Catechism accord the same instrumentality to other human agents named in the Creed, for instance, "suffered under Pontius Pilate, was crucified, dead and buried?" Of these agencies, too, does not Luther say, "All this in order to become my Lord?"ⁱⁱⁱ
- 8) Then what distinguishes the part which Mary played in Christ's lordship from that which other key actors played? The answer is necessarily twofold. On the one hand, what Christ received from Mary, birth into the human race, needed to be exempt from human fallenness, thus markedly different from those other, sin-conditioned events he incurred: suffering, crucifixion, death, burial.
- 9) That is, to be "Lord *over* sin" he was "born *without* sin." Else all his efforts would have had to be in his own behalf, not ours. And to be "born without sin" (*ohn alle Sunde*) meant "without male cooperation" (*ohn männlich Zutun*), "born of the pure, holy virgin Mary."^{iv}
- 10) On the other hand, and for the Confessors this converse truth was at least as essential, the fact that Christ was born sinless in no way diminishes his humanness. On the contrary, that was exactly why he was "born of the virgin Mary" and sinless, namely, to insure his being "true man." (The Nicene Creed had stated merely that Christ became *Mensch*, though *wahrhaftiger Gott*, so Luther added for good measure, *wahrhaftiger Mensch*.)^v
- 11) Christ was born sinless not in spite of but as a means to his being human. His sinlessness, hence his virginal conception, was but a function of his genuine humanity. What was at issue for the Lutherans, and then versus the Zwinglians rather than the Romans, was not Christ's virginal conception as such or even his sinlessness but how, by means of these, he was *human* enough to qualify for deity.
- 12) "Mary, the most blessed virgin, did not conceive a mere, ordinary human being, but a human being who is truly the Son of the most high God."^{vi}

13) The sinlessness initiated by the Spirit through Mary is a mark not of Christ's deity—the preexistent Son of God was already sinless—but of that Son's lately acquired, newly original bodily humanity.

14) That is what Mary transmitted into the very Godhead, not sinlessness per se but, for the first time ever, a bodily humanness of which sinlessness was but the presupposition. The child's sinlessness was not Mary's to give, being herself a sinner, but neither was it impaired by the humanity she did give to him, and thereby to God—bodily, “the mother of God.”^{vii}

15) His humanity from Mary, Christ still has and employs. By contrast, his suffering and death, though they remain milestones toward his victory, were eventually superseded by that victory. Not so his humanity from Mary. That he has never outlived.

16) The Formula of Concord quotes Luther as saying “According to our calendar Jesus the son of Mary is 1543 years old this year.”^{viii} Christ “has laid aside completely and entirely the form of a servant without however laying aside his human nature, which he retains throughout eternity,” and which he first acquired “in his mother's womb.”^{ix}

17) Then might the Lutheran Confessions conceive of Mary as somehow a link between us and God? Somehow, perhaps. Certainly not in any soteriological or even mediatorial way that would rival the unique redemption by her Son. That in fact was the Marian danger the Confessors most feared.

18) Then all the more remarkable, in face of that scandal, is the Marian link which the Confessors do persist in extolling: through her and our sinful humanity to the sinless humanity of her and God's Son. By that historic link hangs our salvation. And the link is unique, defying imitation by anyone.

19) Yet Mary's maternity, for all its distinctiveness, held the value it did for the Confessors only because of its implications for everyone else. For instance, Christ's sinless conception in the woman Mary confirms that for us or even for God to be human is by itself no shame. “...Even after the Fall human nature and original sin are not identical.”^x

20) Otherwise, “it would have to follow that Christ either did not assume our nature inasmuch as he did not assume sin, or that Christ assumed sin inasmuch as he assumed our nature.”^{xi}

21) There is another implication which Mary's unique maternity has for us all. To deny that the exalted Son of God is still the Son of Mary, fully human, is to “rob Christians of their own highest comfort,” which is to “rejoice constantly that our flesh and blood have in Christ been made to sit so high at the right hand of the majesty and almighty power of God.”^{xii}

22) It was in some such grand christological-soteriological context that the Confessors still conceived their mariology, though the nub of it could take more abbreviated and modest form, as in The Smalcald Articles. There it was included among those “sublime

articles of divine majesty” which, at the forthcoming council, would not be “matters of dispute and contention. For both parties confess them.”^{xiii}

II. Respecting the Saints’ Limitations

23) What both parties did not confess was that the saints, Mary included, are to “be invoked and called on for aid.” The reservations which the Augsburg Confession had rather mildly expressed about the “cult of saints” evoked from the Pontifical Confutation a sharp response, “This article of the Confession...must be utterly rejected...and condemned.”^{xiv}

24) While it may seem a fine distinction, the literal truth is that in the Augustana Melancthon was not so much forbidding the cult of saints out of hand for the rest of Christendom as he was criticizing its dangers and reporting the reforms under way in the Confessors’ own churches.

25) Even Luther’s later, more acerbic Smalcald Articles refer to the current invocation of saints, to be sure as the doing of “Antichrist,” still only as an “abuse” (*Misbrauch*), and he allows that it might be “a precious practice” theoretically, though not actually.^{xv}

26) After the Augustana’s relatively restrained criticisms of the current practice were condemned, the Apology responds by explaining why: “...because *we* do not *require* the invocation of saints.” That is why “they absolutely condemn Article XXI.”^{xvi}

27) At the point of that third round, in the Apology’s reply to the reply, what the Confessors now object to is no longer just the unevangelical abuses but the official silencing of the Confessors’ objections and the abuses themselves as now something legitimated, “taught in public on the highest authority”^{xvii} and coercively enforced—“as though [our opponents] intended by forcing our acceptance of their Confutation to compel us to approve of the most notorious abuses.”^{xviii}

28) After all, the Apology complains, “our Confession affirms only this much, that Scripture does not teach us to invoke the saints or to ask their help. Neither a command nor a promise nor an example can be shown from Scripture.... Therefore our opponents should not coerce us to adopt something uncertain....”^{xix}

29) For the Confessors evidently it was only when this otherwise objectionable practice escalated to the status of public policy, now ecclesiastically enforced on pain of persecution, that the invocation of saints then, and not until then, appeared intolerable as the church’s knowing violation of its own Gospel and a martyrological moment demanding “confession”.

30) Significantly the Apology’s Article XXI on the invocation of saints climaxes with a sudden shift to the issue of church authority. Melancthon concludes by appealing beyond ecclesiastical authority to that of “gracious Emperor Charles”, laymen though they both were. “We implore you not to agree to the violent counsels of our opponents but to find other honorable ways of establishing harmony—ways that will not burden

faithful consciences nor persecute innocent people...nor crush sound doctrine in the church.”^{xx}

31) If in the Reformation the invoking of saints was exacerbated into a confessional issue not only by abuses in the practice itself but also by abuse of church authority which imposed the practice, nowadays by contrast that issue faces more peaceable prospects. Today’s interconfessional dialogues about the veneration of saints may, as Melancthon hoped, “find other honorable ways of establishing harmony.”

32) But back in the earlier controversy, on the eve of the council for which Luther drew up The Smalcald Articles, the Confessors’ protest against invocation of saints had become for them non-negotiable: doctrinally so, because such invocation “undermines knowledge of Christ”; church-politically so, because it had become an integral part of the Mass and “the papists are well aware that if the Mass falls the papacy will fall with it. Before they would permit this to happen, they would put us all to death.”^{xxi}

33) But in a confessional issue the doctrinal and the juridical are not that separable. Disagreement becomes division. “Accordingly,” Luther laments, “we are and remain eternally divided and opposed the one to the other.”^{xxii}

34) The escalation which we traced chronologically from the Augsburg Confession through the Confutation to the Apology reappears within the Apology’s argument as a logical progression, roughly distinguishable into three steps.

35) The first problem with the invocation of saints, so the Apology seems to say, is that that practice lacks biblical warrant. But that is not the objection, really. That much, that a particular practice is not enjoined by Scripture, need not condemn it. It might still qualify for what the Apology elsewhere calls an *adiaphoron*—a practice which, though it occasions honest differences, might still in good conscience be borne with for “the greatest possible public harmony.”^{xxiii}

36) No, the Apology’s objection rather is that the invocation of saints, though nowhere required by Scripture, is nevertheless “required” (*requirunt*) by the church’s authorities. To put it more pointedly, what the authorities require for the saints the Scriptures do indeed require, yet not for the saints but for Christ and for him alone. That is the real grievance in Melancthon’s first, biblical objection: not merely that ecclesiastical requirement has spoken where the Scriptures were silent but that it has done so in such a way as to silence what the Scriptures emphatically do say. “...This obscures the work of Christ.”^{xxiv}

37) What is the christological rule which church authority has been arrogating to the saints though Scripture reserves that to Christ? Not only the role of intercessor, though even that work of the saints has been exaggerated to the peril of Christians’ prayers. Worse than that, the saints are made to preempt Christ’s scriptural prerogative as propitiator.

38) “Two qualifications must be present if one is to be a propitiator. In the first place, there must be a Word of God to assure us that God is willing to have mercy and to

answer those who call upon him through this propitiator. For Christ there is such a promise.... But for the saints there is no such promise.”^{xxv}

39) The second qualification in a propitiator is that his own worth accrues to those for whom he intervenes. “If one pays a debt for one’s friend, the debtor is freed by the merit of another as though it were his own.”^{xxvi} “Our opponents...even apply the merits of the saints to others and make the saints propitiators as well as intercessors,” thus transferring “to the saints honor belonging to Christ alone.”^{xxvii}

40) By attributing to the saints the sort of meritorious intervention for which they have no divine sanction and only Christ does, the “opponents” subvert Christian prayer at its base, which is confidence, faith. “Prayer without faith is not prayer.”^{xxviii}

41) Moreover, to try supplying the biblical vacuum by some reference to church tradition is equally vain. “The theory of invocation, together with the theories now held about the application of merits, surely has no support among the ancient Fathers.”^{xxix} It is “a novel custom in the church.”^{xxx}

42) The practice of invoking the saints, because of its biblical baselessness, compromises not only faith and thus prayer. Also it compromises Christ. “Men suppose that Christ is more severe and the saints more approachable; so they trust more in the mercy of the saints than in the mercy of Christ and they flee from Christ and turn to the saints. Thus they actually make [the saints] mediators of redemption.”^{xxxi}

43) That is the heart of the Confessors’ first, scriptural line of criticism: to invoke the saints is to accord them not only what Scripture does not accord them but what Scripture does accord Christ exclusively.

44) Such a serious charge, however, presupposes something more than a grasp of Scripture and the dogmatic tradition. The church’s critics, which is clearly what the Confessors were, must be able also to adduce the *facts* from current church practice, or malpractice. It is one thing, as a judge might say, to prove what “the law” holds, it is quite another thing to prove that that law is being violated “in fact.” So the Apology in its second line of attack anticipates the question: supposing that the Confessors are right about a scriptural doctrine of invocation, is it demonstrably the case that that doctrine is here and now being denied?

45) This second phase of the argument is methodologically significant. In any theology but especially in any theology for confessing, there is no substitute for being informed, that is, informed about the prevailing *de facto* situation about which confessional judgments are being made. By the same token, even if those judgments are supported by the facts, they are of course historically contingent and need not hold for all future places and times. Conceivably, today’s “opponents” could become tomorrow’s “confessors,” and *vice versa*.

46) At any rate in the Apology Melanchthon advances next to a consideration of the current state of affairs “as it really is” (*idque res ostendit*, “...wie wir leider die Erfahrung haben.”)^{xxxii}

47) The Apology admits that the Confutators had distinguished between “mediators of intercession and mediators of redemption.” The burden of proof is for the Confessors to demonstrate that their opponents, despite the latter’s formal distinction, still “make the saints mediators of redemption...in fact” (*re ipsa*), “actually” (*vere*), “obviously” (*plane*).^{xxxiii}

48) Melanchthon is not unaware of the gravity of his accusation. “We are not making false charges here.”^{xxxiv} But neither does he think the Confessors are alone in their criticisms. “Good men everywhere have been hoping that the bishops would exert their authority and the preachers do their duty in correcting these abuses.” “Long before [Luther] there were many outstanding men who deplored...the mercenary worship of saints.”^{xxxv}

49) Also Melanchthon anticipates the counter-charge that the abuses he is reporting reflect merely the superstitions of ordinary folk. So he dare not confine himself to that. True, that “in popular estimation the blessed Virgin has completely replaced Christ” is “the fact of the matter” (*res loquitur ipsa*).^{xxxvi} Yet “we shall not list the abuses among the common people [*abusus vulgi*] but discuss only the views of the theologians. As to the rest even the uninitiated can pass judgment.”^{xxxvii}

50) Then follows, as the logically second phase of the Apology’s critique, a sampling from current hagiology of what is “being taught in public on the highest authority,” what “they claim” about indulgences, what “Gabriel Biel’s interpretation of the canon of the Mass confidently declares,” a “form of absolution” presently in use, what “the foolish monks taught the people,” what “even the theologians hold,” the “monstrous and ungodly tales” which “bishops, theologians and monks applaud.”^{xxxviii}

51) As we have seen, the Confessors’ first criticism of the invocation of saints, namely, that it threatens to displace the mediatorship which Scripture reserves uniquely to Christ, might have been dismissed as academic, true perhaps in theory though not necessarily in actual church practice. That necessitated an additional step, adducing the incriminating facts. Ordinarily the matter need not have gone any farther than that, biblical-theological reflection directed critically at current church practice. That might have sufficed for standard ecclesiastical reform, requiring no such further recourse as *confessio*, in the sense of public dissent from church authority and appeal beyond it.

52) But that, as we know, is not where the matter rested, also not the issue of the invocation of saints. That became for the Lutheran Reformers a confessional issue because of the Confutation’s condemnation of their reform efforts or, more precisely, because of the churchly character which that condemnation was now assuming.

53) Consequently, the Apology’s response to the invocation of saints moves into a third stage, which by itself seems to have little connection with the substantive doctrinal issue. “...In the Confutation our opponents completely ignore even the obvious offenses, as though they intended by forcing our acceptance of the Confutation, to compel us to approve of the most notorious abuses.” “...Because we do not require the invocation of

saints and we condemn abuses in the worship of saints in order to emphasize the honor and the work of Christ,” therefore “they refuse to tolerate us.”^{xxxix}

54) In view of this third, confessional phase in the Apology’s protest—that is, its protest against muting the Gospel by means of church authority—one is tempted to speculate what sort of discussion there might be if that confessional objection were temporarily neutralized or suspended. That perhaps is approximated in today’s inter-confessional dialogues, though even those dialogues are only inter-, not intra-confessional, as the sixteenth century debate still was.

55) The truth is, there is still an isolable surd, even within the strongly polemical Article XXI of the Apology, reflecting a piety toward the saints which is appreciative. “Our Confession approves giving honor to the saints. This honor is threefold. The first is thanksgiving. . . . The second honor is the strengthening of our faith. . . . The third honor is . . . imitation.”^{xl}

56) Indeed, a chief objection to current abuses was that the truly “great things that the saints have done” (“administered public affairs, underwent troubles and dangers, helped kings in times of great danger, taught the Gospel, battled against heretics”)—things which might “serve as examples to men in their public or private life, as a means of confirming their faith and as an incentive to imitate them in public affairs”—“these no one has sought out in the true stories about the saints.”^{xli}

57) In the controversy at hand, of course, honoring the saints was not at issue, invoking them was. Indeed, so skeptical was Luther in The Smalcald Articles about the cultus of invocation that, without that to fuel the traffic, he predicted the saints would “quickly be forgotten” altogether. “When spiritual and physical benefits and help are no longer expected, the saints will cease to be molested in their graves and in heaven, for no one will long remember, esteem or honor them out of love when there is no expectation of return.”^{xlii}

58) Not even the Apology is that negative, although it does share Luther’s biblical agnosticism at another level. Do the saints, whether or not we ask them to, really pray for us? Indeed, being “dead saints,” can they? “In their graves?” “Also in heaven?” Luther leaves the question open: “perhaps” (*vielleicht*).^{xliii} In a similar vein, the Apology faults the Confutation for claiming certainty about “the invocation of *departed* saints,” “the invocation of the *dead*.”^{xliv}

59) “All they manage to prove,” Melancthon says of the Confutators, is “that the *living* saints should pray for others.”^{xlv} Is that “all”? For Luther that is no small thing. That in fact is the positive converse to his negative, thus redeeming the “saints” as intercessors after all. “As a Christian and a *saint on earth*, you can pray for me, not in one particular necessity only, but in every kind of need. However, I should not on this account pray to you, invoke you, keep fasts and festivals and say Masses and offer sacrifices in your honor, or trust in you for my salvation. There are other ways in which I can honor, love and thank you in Christ.”^{xlvi}

60) And what of Mary as a saint? Says the Apology, “Granted that blessed Mary prays for the church....” In context that “granted” is really a rhetorical concession in order to advance some negative questions, negating Mary’s efficacy for the dead: “Does she receive souls in death, does she overcome death, does she give life? What does Christ do if blessed Mary does all this?” No, “she does not want to be put on the same level as Christ....” What does Mary want? “...To have her example considered and followed”—on earth, that is, by the living. That is how “she is worthy of the highest honors.”^{xlvii}

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- ⁱ CA 3:1; BS 54; BC 29.
ⁱⁱ LC 2:31; BS 652; BC 414.
ⁱⁱⁱ Ibid.
^{iv} Ibid. SA 1; BS 414; BC 291-2. Emphasis added.
^v SC 2:4; BS 511; BC 345.
^{vi} FC (SD) 8:24; BS 1024; BC 595.
^{vii} Ibid.
^{viii} FC (SD) 8:85; BS 1045; BC 608.
^{ix} FC (SD) 8:26; BS 1025; BC 596.
^x FC (SD) 1:516; BS 858; BC 516.
^{xi} Ibid.
^{xii} FC (SD) 8:87,96; BS 1046,1049; BC 608,610.
^{xiii} SA 1; BS 414-5; BC 291-2.
^{xiv} Quote in BC 229.
^{xv} SA 2,2:25; BS 424; BC 297.
^{xvi} Ap. 21:1; BS 316; BC 229. Emphasis added.
^{xvii} Ap. 21:35; BS 324; BC 234.
^{xviii} Ap. 21:39; BS 325; BC 235.
^{xix} Ap. 21:10,13; BS 318,319; BC 230.
^{xx} Ap. 21:44; BS 328; BC 235-6.
^{xxi} SA 2,2:25,10; BS 424,419; BC 297,294.
^{xxii} Ibid.
^{xxiii} Ap. 2:45; 15:52; 27:27; BS 156,307,386; BC 106,222,273.
^{xxiv} Ap. 21:15; BS 319; BC 231.
^{xxv} Ap. 21:17; BS 320; BC 231.
^{xxvi} Ap. 21:19; BS 320; BC 231.
^{xxvii} Ap. 21:14; BS 319; BC 230.
^{xxviii} Ap. 21:13; BS 319; BC 230.
^{xxix} Ap. 21:3; BS 317; BC 229.
^{xxx} Ap. 21:13; BS 319; BC 230.
^{xxxi} Ap. 21:15; BS 319; BC 231.
^{xxxii} Ap. 21:34; BS 323; BC 233.
^{xxxiii} Ap. 21:14-16; BS 319; BC 231.
^{xxxiv} Ap. 21:22; BS 321; BC 232.
^{xxxv} Ap. 21:39,41; BS 325,326; BC 235.
^{xxxvi} Ap. 21:28; BS 322; BC 232-3.
^{xxxvii} Ap. 21:16; BS 319; BC 231.
^{xxxviii} Ap. 21:21-38; BS 321-5; BC 232-5.
^{xxxix} Ap. 21:39,38; BS 325; BC 234-5.
^{xl} Ap. 21:4-6; BS 317-8; BC 229-30.
^{xli} Ap. 21:36; BS 324; BC 234.
^{xlii} SA 2,2:28; BS 425; BC 297.
^{xliii} SA 2,2:26,28; BS 425; BC 297.
^{xliv} Ap. 21:1,2; BS 316-7; BC 229. Emphasis added.

^{xlv} Ibid. Emphasis added.

^{xlvi} SA 2,2:27; BS 425; BC 297. Emphasis added.

^{xlvii} Ap. 21:27; BS 322; BC 232.