

Desire, Consent and Sin: the Earliest Free Will Debates of the Reformation

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One of the distinctly Lutheran doctrines of the Reformation states that the Christian is “righteous and sinner at the same time”. Both Lutherans and Catholics generally believe that this view has been confessionally dividing. A standard Catholic view teaches that the baptized Christian is no longer a sinner, although the harmful desire of concupiscence remains active within him or her. Only when the person consents to the harmful desire is a sin committed and the person becomes a sinner in the proper sense of the term. Lutherans, however, regard Christians to be sinners even when no particular act of consent pertains to the harmful desire.¹

In their ecumenical agreement, *Joint Declaration on the Doctrine of Justification* (text completed 1997), Catholics and Lutherans declare that this issue should no longer be regarded as church-dividing. The churches hold together that Christians are “not exempt from a life-long struggle against the contradiction to God within the selfish desires of the old Adam”. At the same time the churches believe that “in baptism the Holy Spirit unites one with Christ, justifies and truly renews the person.”² In spite of this convergence, some problems remain: in the official answer of the Vatican to the *Joint Declaration*, published on 25 June 1998, the Lutheran claim that the justified person remains a sinner is regarded to be the biggest obstacle on the path to final agreement.³

In an additional round of negotiations which was completed with the signing of the agreement on 31 October 1999, this issue was again debated. After some exchange of new proposals, the work of a small group called together by two former bishops of Munich, Joseph Ratzinger (Cath.) and Johannes Hanselmann (Luth.), led to a compromise text. The first proposal of this group formulated in a fairly Lutheran fashion that the baptized person “must always struggle with sin” (*immer mit der Sünde zu kämpfen hat*). The final formulation is somewhat milder, claiming that “the justified are continuously exposed to the power of sin”. Paradoxically, in this additional round the Lutherans were responsible for replacing the first proposal with the milder variant.⁴

Augustine

This debate repeats an earlier controversy which occurred in Wittenberg and Leipzig in the first years of the Reformation, around 1516-1519. The roots of the debate are found in Augustine's theology, in particular in his diverse statements concerning the relationship between the harmful desires and the state of sinfulness. One can distinguish between three different phases in Augustine, depending on how he understands Paul's conflict in Romans 7.⁵

¹ For the history and theology of this doctrine, see Schneider & Wenz 2001.

² Joint Declaration 2000, §28.

³ Antwort 1998, §1.

⁴ The compromise text is Official Common Statement 2000. Its emergence is documented in Rytönen & Saarinen 2007.

⁵ For the following, I have used Timo Nisula's forthcoming diss. “Augustine's view of concupiscence”. Elements of this periodization are also found, e.g., in Marksches 2001 and Burnell 1999.

The first phase of “young Augustine” lasts until the beginning of the Pelagian struggle (around 411). Until this time, the young Augustine regards Romans 7 as pertaining to Paul “under the law”, that is, as a person who has not yet received grace but who can distinguish between good and evil. Augustine's *Confessions* typically represents this first period. A person under the law is weak-willed or akratic in the Aristotelian sense of the term: he recognizes his faults and wants to be better, but he cannot bring about improvement with his own powers, because concupiscence effectively prevents his striving after goodness. The conversion and the reception of grace dramatically changes this situation. The new person “under grace” can accomplish goodness with divine help.

After 411 Augustine revises his understanding of Romans 7. In the second phase he teaches that this conflict depicts the Christian Paul under grace, fighting against the remaining concupiscence. Romans 7 is no longer a picture of an akratic person, but it describes rather the strong-willed or, in Aristotle's terms, an enkratic apostle who can resist and conquer concupiscence. The apostle wants to be perfect, but because of the continuing repugnancy caused by concupiscence he remains less than perfectly virtuous. He does not, however, consent to sin. Paul is thus a paragon of the good Christian for whom concupiscence is a sparring partner or a domesticated enemy. In this second phase of the “mature Augustine”, concupiscence provides opportunities to sin, but it cannot compel the person. Paul's example shows that although Christians cannot extinguish the harmful desire, they always have the possibility of resisting the temptation and remaining enkratic. An enkratic person may complain that he is not as free from the harmful desires as he wants to be, but he need not be a sinner. The mere presence of suggestion and harmful desire is not sin.

The third phase is that of the “late anti-Julian Augustine”. During the theological debate with Julian of Eclanum Augustine underlines the sinfulness of the remaining concupiscence more strongly than before. Especially in his last work, *Contra Iulianum opus imperfectum* (429/430), Augustine calls concupiscence a sin and teaches that concupiscence can become operative even in Christians in a compulsory manner (e.g. *C. Iul. imp.* 5, 50). Already in earlier works, in particular *Contra Iulianum* (421/422), Augustine begins to display the same tendency. Drawing a clear line between the second and the third phase is difficult, because the mature Augustine may call concupiscence *peccatum mortuum* or *peccatum regnatum* while stressing that this concupiscence is not an actual sin and can be resisted.

For Martin Luther, as well as later for John Calvin,⁶ the distinction between the second and the third period is of crucial importance. In his *Lecture on Romans* (1515/16) Luther comes to the conclusion that the old Augustine who writes against Julian is the definitive doctrinal authority. With respect to the interpretation of Romans 7 and the issue of Christian sinfulness this means that even exemplary Christians like Paul are to be called sinners, since concupiscence contaminates all their actions. The act of consent is, therefore, not an adequate criterion of a person's sinfulness: the mere presence of concupiscence is sufficient to qualify the person as a sinner.⁷

Usingen

In order to understand Luther's position, it is first necessary to look at the views of his Erfurt teachers, in particular Bartholomaeus Arnoldi de Usingen (1464-1532).⁸ He advocates

⁶ See Calvin, *Institutio* (1559), III, 3, 10-13

⁷ Luther, WA 56, 339-347. See below in more detail.

⁸ On Usingen, see Lalla 2002.

a consent theory of moral culpability. In his *Parvulus philosophiae naturalis* (1499) Usingen lays out the Catholic understanding of the freedom of the will as follows:

[the will] has two kinds of acts. Of the first kind are the acts of complacence and displicence with regard to which the will is not free. These acts are formed with natural necessity so that when a pleasant object is presented to the will, it wills, nills and chooses it with the act of complacence. Similarly, when a painful, ugly or loathsome object is presented to the will, it chooses the act of displicence. In these acts the will does not act sinfully because it is not free with regard to them. According to both moral philosophy and the Catholic way of speaking, the sinful act proceeds from free decision insofar as the agent can consider other alternatives. And according to Augustine, sin is thus free; and if it does not occur freely, it cannot be sin.⁹

Usingen here follows John Buridan's action theory as it is laid out in Buridan's commentary on Ethics.¹⁰ Buridan's view exemplifies the medieval understanding of the interplay of desire and consent. The initial desires remain inevitable passions which do not necessarily lead to action and for which the human person cannot be held responsible. Usingen states that this is the correct Augustinian and even Catholic interpretation of the will. In terms of our classification, this view is compatible with the second phase of Augustine's thought, but not with the third one.

With regard to the second act of the will Usingen likewise follows Buridan:

Of the second kind are those acts of the will which follow from the first ones. These are of two kinds, namely contrary and contradictory. The acts of willing and nilling, accepting and refuting are contrary acts.

In these acts, the will is not free towards both of them with regard to the same object, as it cannot both will and nill, or both accept and refute. For the will cannot nill or refute an object which is recognized to be good. Nor can it accept or will a bad object: the will does not accept or will anything except under the aspect of goodness, because goodness or apparent goodness is the object of volition and acceptance. Nor can the will refute something unless it appears to be bad.

But the will is free towards one of them, as it can will and accept the object which appears to be good. For it can also refrain from accepting it, suspending its own act. And with regard to bad objects, the will is free to nill and to refute in the same manner, as the philosophers commonly teach. These are contradictory: will, not to will; refute, not to refute; accept, not to accept. With regard to these alternatives, the will is free concerning its relevant object. With regard to a recognized goodness the will is thus free to will or to refrain from willing. For it can suspend its own act to investigate the goodness of the case at hand more closely or to exercise its own freedom.¹¹

⁹ Usingen, *Parvulus*, 63v: "Habet autem duplices actus. Primi sunt complacencia et displicencia, in quibus voluntas non est libera, sed per modum naturalis necessitatis format tales, ut presentato voluntati obiecto delectabili cognito tali velit, nolit, elicit actum complacencie. Similiter presentato tristi et difformi ac despecto elicit displicenciam. Quare in illis actibus non peccat, cum non sit libera in eis, sed actus peccaminosus sive moraliter, sive catholice loquendo procedit a libero arbitrio in quantum tali, ut habet videri alibi. Et secundum augustinum peccatum adeo liberum est, quod, si non libere fieret, peccatum non esset."

¹⁰ See Buridan, *Quaestiones*; Book III, q1-5. Saarinen 1994, 161-187.

¹¹ Usingen, *Parvulus*, 63v: "Secundi sunt, qui sequuntur primos, et tales sunt duplices, scilicet contrarii et contradictorii. Contrarii stet ut velle, nolle; acceptare, refurare. Et in illis ambobus

This analysis of freedom occurs in the third book of Buridan's commentary. Already the Parisian articles of 1277 grant the will the freedom of *non velle*.¹² The freedom of consenting to one alternative basically means either willing it or lacking this will. In addition, the consent needs a reason, a feature which is given in the scholastic requirement of an object appearing “under the aspect of goodness” (*sub ratione boni*).¹³ The inevitable first acts of the will can produce such reasons; the freedom of the will in its second act pertains to the acceptance or non-acceptance of these reasons. The free will can thus choose from among contradictory alternatives, but it cannot effectively will two contrary alternatives simultaneously.

Luther

Luther's *Lecture on Romans* (1515-1516) contains a passage which shows his familiarity with the problems discussed by Usingen:

... the idea of the metaphysical theologians is silly and ridiculous, when they argue whether contrary appetites can exist in the same subject, and when they invent the fiction that the spirit, namely, our reason, is something all by itself and absolute and in its own kind and integral and perfectly whole, and similarly that our sensuality, or our flesh, on the contrary end likewise constitutes a complete and absolute whole. Because of these stupid fantasies they are driven to forget that the flesh is itself an infirmity or a wound of the whole man who by grace is beginning to be healed in both mind and spirit. For who imagines that in a sick man there are these two opposing entities?¹⁴

Luther here criticizes a dualistic anthropology which allows two contrary powers to be simultaneously operative within the same subject. While the metaphysical theologians consider reason and sensitive appetite to be two autonomous powers within the human mind, Luther wants to affirm the unity of the human being.

Luther's criticism of contrary appetitive powers is embedded into his larger discussion on the interpretation of Romans 7:7-15.¹⁵ Luther aims at showing that the speaker of Romans 7 is *Paulus Christianus*, that is, the apostle Paul in his Christian struggle. It would be wrong to consider the speaker as a *vetus homo*, a “carnal person” or a person “under the law”, that is, a

voluntas non est libera circa idem obiectum, cum non possit idem velle et nolle, acceptare et refutare. Non enim potest bonum cognitum tale nolle vel refutare. Nec malum, ut sic acceptare et velle, quia nihil acceptat et vult, nisi sub ratione boni, quia bonum vel apprens tale est obiectum volitionis et acceptationis. Et nihil refutat, nisi appareat malum. Sed est libera in altero, tamen ut circa apprens bonum in velle et acceptare. Posset enim non acceptare, sed suspendere actum suum. Et circa apprens malum libera est in nolle et refutare simili modo, secundum quod communiter loquuntur philosophi. Sed contradictorii sunt: velle, non velle; refutare, non refutare; acceptare, non acceptare. Et in illis actibus ambobus est libera circa obiectum proportionatum, ut circa bonum cognitum tale est libera in velle et non velle, quia potest suspendere actum suum propter melius deliberare et inquirere de bonitate, vel propter experiri suam libertatem.”

¹² On Buridan and this Parisian article, see Saarinen 1994, 168-182 and Dieter 2001, 225-228.

¹³ For this feature, see e.g. Kent 1995, 174-181.

¹⁴ WA 56, 351, 23-352.8.

¹⁵ WA 56, 339, 5-354, 26.

person who is not aided by grace but who knows the moral law. He first refers to Augustine's *Retractationes* in which the church father reports how he himself changed his understanding of this passage.¹⁶ Then Luther gives no less than twelve arguments based on the biblical text which aim at showing that the speaker must be an exemplary Christian.¹⁷ In doing this, Luther frequently quotes Augustine's *Contra Iulianum*, the late work in which the sinfulness of the remaining passions and thus a sort of Christian sinfulness is emphasized.

For Luther, “the first expression which proves that these are the words of a spiritual man is this: 'But I am carnal'. [Rom 7:14].” A truly carnal man would boast of his spirituality, but a truly spiritual person is humble and acknowledges his remaining imperfection. With the help of this argumentative figure Luther can defend his reading of *Paulus Christianus*. For Luther, the carnal person acts wrongly “by plan, purpose and choice” (*de proposito et industria atque electione*).¹⁸ He “consents” (*consentit*) to his wrong action and sins with “one will” (*unius voluntatis*).¹⁹

The spiritual person has a much better will. It would therefore be wrong to read Romans 7 in a seemingly literal sense, as a report of actual sins committed by the *vetus homo*:

We must not think that the apostle wants to be understood as saying that he does evil which he hates, and does not do the good which he wants to do, in a moral or metaphysical sense, as if he did nothing good but only evil; for in common parlance this might seem to be the meaning of his words. But he is trying to say [Rom 7:15-16] that he does not do the good as often and as much and with as much ease as he would like. For he wants to act in a completely pure, free and joyful manner, without being troubled by his rebellious flesh, and this he cannot accomplish.²⁰

Paulus Christianus is, in this manner, distinguished from both truly perfect human beings who are completely pure, and from the carnal humans who would not acknowledge the struggle between spirit and flesh.

Luther connects the false exegesis of Romans 7 with the scholastic theology which considers that sin is abolished in the baptism and the remaining concupiscence is relatively harmless:

Our theologians ... have come to believe that sin is abolished in baptism or repentance and consider as absurd the statement of the apostle 'but the sin which dwells within me' [Rom 7:17]. Thus it was this word which gave them the greatest offense, so that they plunged into this false and injurious opinion, that the apostle was not speaking in his own person but in the person of carnal man, for they chatter the nonsense that the apostle had absolutely no sin, despite his many clear assertions to the contrary,...²¹

The strongly anti-Pelagian theology of *Contra Iulianum* has evidently confirmed to Luther that even the exemplary Christians “have sin” in some sense.

Paul's good actions lack perfection and are contaminated by the flesh. Luther elucidates this view with several illustrations:

It is as with a man who proposes to be chaste; he would wish not to be attacked by temptations and to possess his chastity with complete ease. But his flesh does not

¹⁶ WA 56, 339,8-15.

¹⁷ WA 56, 340,25-347,14.

¹⁸ WA 56, 341,14.

¹⁹ WA 56, 343, 5-7.

²⁰ WA 56, 341, 27-33.

²¹ WA 56, 349, 24-30.

allow him, for with its drives and inclinations it makes chastity a very heavy burden, and it arouses unclean desires, even though his spirit is unwilling.²²

This illustration resembles the behaviour of enkratic persons in the Aristotelian tradition. The flesh acts like the sensitive appetite, causing repugnancy. Luther aims at proving that Paul is neither totally virtuous nor an akratic person who sins in his or her actions. Instead, Paul is an enkratic sinner who does good but not in a pure and free manner.

Although Luther is critical of the action theory put forward by Buridan and Usingen, this theory also remains a frame of reference which resembles the Pauline battle between spirit and flesh. Even good Christians like Paul who are guided by the Spirit to choose rightly remain sinners because of the inner repugnancy. Luther defends this reading of Romans 7 several times in his writings between 1516 and 1521. With the help of this view he can defend the axiom “righteous and sinner at the same time” as well as some other paradoxical claims, like “no one does good without sinning” or “the righteous person sins even between his good works”.²³ The latent passion to do otherwise always remains and is enough to qualify the person as sinner. For this reason the late Augustine was right in holding that because of the remaining concupiscence Christians can be called sinners. It is not the act of consent but the presence of harmful desire which is employed as criterion of sinfulness.

Downgrading the act of consent has serious consequences for the broader understanding of free will and free decision. These consequences are spelled out in Luther's debate with Erasmus of Rotterdam.²⁴ During the years from 1515 to 1521 Luther's emphasis is not, however, on the issue of free will and determinism as such. He primarily aims at showing that the liberation from sin cannot proceed from the free decision available in the act of consent. A spiritual person may consent to the guidance of the spirit, but he nevertheless remains a sinner in the peculiar sense described above. The effective justification of the sinner can only be God's work.

Eck and Karlstadt

Luther's scholastic opponents in this early phase are already fully aware of the potentially problematic nature of statements like “righteous and sinner at the same time” or “no one does good without sinning”. The latter statement was extensively debated in the Leipzig Disputation of 1519 with Johann Eck. This debate has remained in the shadow because Luther left the defense of this particular statement to his Wittenberg colleague Andreas Karlstadt and the debate between Karlstadt and Eck is not available in Luther's works. It contains, however, arguments which are interesting for both historians and ecumenical theologians.

Luther drafted a thesis for Leipzig in which it is claimed that human beings sin in their good works.²⁵ Karlstadt repeats Luther's exposition of Romans 7, claiming that the holy persons feel the remaining resistance and thus cannot will and accomplish the good in a perfectly virtuous manner. Therefore they sin in the sense of having and feeling the harmful

²² WA 56, 341,33-342,3.

²³ For these claims, debated at the Heidelberg disputation of 1518 and Leipzig disputation of 1519 (cf. below), see Saarinen 2006, 2007.

²⁴ In my forthcoming study “Weakness of the Will in Renaissance and Reformation Thought” this will be shown in detail.

²⁵ WA 2, 160, 33-35.

desires; in other words, they do not do the perfect good in this life even when their will is good. Christians can only be free from such desires after death and then they can accomplish the good.²⁶

Eck admits that the church fathers have treated this issue in various ways. In spite of this he considers the normal catholic way of speaking to be the Pauline and Augustinian way. Concupiscence is sin before baptism, but after baptism it can only be called an infirmity.²⁷ To this Karlstadt responds with the classical exegetical argument: if Paul was baptized when he wrote Romans, then we have the apostle's testimony that concupiscence can be called sin even after baptism.²⁸

Unlike many other disputations of the early Reformation, the debate between Eck and Karlstadt is fairly irenic. Both sides understand the power of concupiscence after baptism in similar manner; the debate concerns the semantic issue whether this manner should be called sin. Both are also loyal to the later Augustine, who considers *Paulus Christianus* to be the speaker in Romans 7. Eck shows broad historical awareness: he remarks that some church fathers here speak of the habit of sinning (*de consuetudine peccati*) while others claim that Paul is here speaking not as himself but as a weak person (*in persona infirmorum*).²⁹

In his final remarks, Eck admits that one may call concupiscence in a Christian “sin”, provided that the penalty of sin and not its culpability is meant. It is true that the old Augustine speaks of concupiscence as sin, but he means the penalty. Eck adds that even when the holy fathers employ a certain way of speaking, this is not enough to solve the dogmatic issue. In this limited sense Eck admits that the adherents of Luther have found prooftexts

²⁶ Seitz 1903, 237-238: “... Paulus Rom. 7: Video autem aliam legem in membris meis repugnantem legi mentis meae et captivantem in lege peccati, quae est in membris meis. Propter istam legem dicit Paulus, se captivum duci et eo, quo non vult, et paulo superius: Scio enim, quia non habitat in me, i.e. in carne mea, bonum: Nam velle adiacet mihi, perficere autem bonum non invenio: non enim quod volo bonum, facio. Ecce Paulus expresse dicit, quod vult bonum, vult servare mandata dei, vult mori pro Christo, ut August. exponit, sed non invenit perficere, quia renisus est voluntatis, qui refragatur bono velle. Ex quibus patet, quod sancti, dum bene volunt, nihilominus male faciunt: hoc est sentiunt prava desideria in natura, quae desideria non auferentur, donec mortale hoc vestiverit nos; postquam autem mors absorpta fuerit in victoria, tunc erit bonum velle absque pravo desiderio, tunc erit velle et perficere ...”

²⁷ Seitz 1903, 242: “Porro quod de lege membrorum induxit et auxilium apostoli imploravit, dico omnia apostoli adducta me libentissime credere, et propter brevitatem omitto, quam varie istud caput sit expositum per Origenem, Hieron., Augustin., Ambros., Damascenum et s. Paulinum. Tamen in praesentia accipio posteriorem sententiam Augustini, qui aliquando fuit in sententia Paulini, et tunc dico concupiscentiam illam legem membrorum, quamvis fuerit peccatum ante baptismum, tamen post baptismum non est peccatum. ... In summa dico concupiscentiam infirmitatem illam et malam valetudinem, legem membrorum, legem carnis, non esse peccatum nec mortale nec veniale, et post baptismum non originale ...”

²⁸ Seitz 1903, 244: “Postremo rogo D.D., dicat mihi, si Paulus fuerit baptizatus, vel ne, quando ad Rom. epistolam scripsit. Si fuit baptizatus, tunc male appellavit concupiscentiam peccatum post baptismum, cum dicit: Nunc autem iam non ego operor illud, sed quod habitat in me peccatum. Testimonium est apostolicum, quod apostolus post baptismum concupiscentiam in carne sua vocavit peccatum ...”

²⁹ Seitz 1903, 244-245.

from Augustine in support of their argument.³⁰

The debate between Karlstadt and Eck in Leipzig in 1519 can be regarded as the first round of the Lutheran--Roman Catholic dialogue on "righteous and sinner at the same time". The negotiations of 1998-1999 are, at least for the present, the last round of this exchange. The first and last round show obvious similarities: a clear convergence is achieved but some difference remains. Catholics admit that the baptized Christians are "continuously exposed" to sin and struggle with this penalty. Lutherans insist that the Christian remains sinner in the full sense of the term, including culpability. But the Lutheran axiom "righteous and sinner at the same time" also relativizes the issue of culpability to an extent, because it makes the claim for righteousness.

Under this theological surface, a number of philosophical issues remain to be discovered. The origins of the debate are related to the different understandings of Augustine's view of sin, but also to John Buridan's analysis of the Augustinian notions of desire and consent. Because Luther reacts to Buridan's and Usingen's discussion on the contrary opposites, he remains on the dualistic track which considers the interplay of spirit and flesh to be of decisive importance in the emergence of human action. Although Luther aims at affirming a holistic view in which contrary opposites cannot be active simultaneously, his discussion leads to a position in which the exemplary persons remain reluctant in their good actions. Because true virtue cannot be achieved, enkaptic conduct is the best that a Christian can achieve in this life. But, given this, Luther remains close to the dualism he otherwise seeks to avoid.

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³⁰ Seitz 1903, 245: "Tertio dico, quod per peccatum hic intelligatur concupiscentia, tamen peccatum ibi accipitur pro poena peccati. Ut ex Augustino lib. 6 contra Julian c.5 expresse liquet et in superioribus diximus, peccatum aliquando accipi pro poena peccati, ut quando pro mortuis oramus, ut a peccatis solvantur, ... Ergo concupiscentia post baptismum peccatum dicitur, sicut scriptura alicuius dicitur eius esse manus. Quare si concupiscentiam dicitis peccatum ad modum iam declaratum, facile assentio; si autem peccatum pro culpa et reatu assumitis, manibus et pedibus renitar. Tamen addo pro corollario: Non semper licere, ut modum loquendi etiam sanctorum patrum teneamus ..."

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