

Kathryn A. Rickert. THE LUTHERAN THEORY OF POLITICAL RESISTANCE IN THE GERMAN TERRITORIES: FROM LUTHER TO THE BOOK OF CONCORD. (Under the direction of Bodo Nischan) Department of History, April 1998.

The purpose of this thesis is to examine the teachings of Martin Luther on political resistance and the modifications made to his teachings on this subject by contemporaries and the succeeding generation of Lutheran reformers and princes during the confessionalization period, from approximately 1530 to 1580.

Some historians recently have focused solely on Luther's teachings on submission, leaving an unbalanced picture of his views on political resistance. Others have pointed to Philip Melanchthon's teachings on resistance and the subsequent controversies and conflicts among Lutherans, virtually ignoring the role of the Peace of Augsburg in 1555 that enabled the ruler to dictate doctrine and practice on political resistance in his churches. This thesis reviews the teachings of Luther, Melanchthon, and the formulators of the Book of Concord, as well as the increasing power and influence of the German territorial princes in establishing the acceptable limits of political resistance in their churches.

THE LUTHERAN THEORY OF POLITICAL RESISTANCE
IN THE GERMAN TERRITORIES:
FROM LUTHER TO THE BOOK OF CONCORD

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Kathryn Ann Rickert

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by
Kathryn Ann Rickert

APPROVED BY:

DIRECTOR OF THESIS

Ruthman

COMMITTEE MEMBER

McKay Sundwell

COMMITTEE MEMBER

William H. Cobb

COMMITTEE MEMBER

[Signature]

CHAIR OF THE DEPARTMENT OF HISTORY

Roger Biles

DEAN OF THE GRADUATE SCHOOL

Thomas H. Bush

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LIST OF ABBREVIATIONS

- AC AUGSBURG CONFESSION, Theodore G. Tappert, ed. The Book of Concord. Philadelphia: Fortress Press, 1959.
- CR *CORPUS REFORMATORUM*, Opera quae supersunt omnia, Corpus Reformatorum, quoted in Luther Peterson, "The Philippist Theologians and the Interims of 1548: Soteriological, Ecclesiastical, and Liturgical Compromises and Controversies Within German Lutheranism," Diss. (University of Wisconsin, 1974), Madison: University Press, 1974.
- CTCR COMMISSION OF THEOLOGY AND CHURCH RELATIONS, Report of the Commission on Theology and Church Relations of the LC-MS Series, St. Louis, 1995.
- FC FORMULA OF CONCORD, Theodore G. Tappert, ed. The Book of Concord. Philadelphia: Fortress Press, 1959.
- LW LUTHER'S WORKS, American Edition. 55 vols. Jarolsav Pelikan and Helmut T. Lehmann, eds. St. Louis: Concordia Publishing House and Philadelphia: Augsburg/Fortress Press, 1958-1986.
- OER OXFORD ENCYCLOPEDIA OF THE REFORMATION, Hans Hillerbrand, ed. Oxford: University Press, 1996.

[illegible]

Figure 1. Map of Germany 1547. Reprinted, by permission, from R. Po-chia Hsia, ed., *The German People and the Reformation* (Ithaca: Cornell University Press, 1988), xii.

INTRODUCTION

Martin Luther has been blamed for many things over the years. One accusation in particular is that Luther is ultimately responsible for Adolf Hitler's success in World War II¹ because the reformer taught blind obedience to authority.² This accusation is based on Luther's teachings, or so one is led to believe. It is true that Luther taught submission to civil authority. He held that the church had no business dictating policy to secular society about civil affairs. Conversely, he believed that civil authority was duty-bound to direct the church under certain conditions. When taken out of context or used without counterbalancing information, it is easy to see how some scholars have erroneously concluded that Luther advocated a theory of non-resistance or total submission to civil government.³ To

¹ J. S. Klan, "Luther's Resistance Teaching and the German Church Struggle Under Hitler," The Journal of Religious History, 14:4 (1987), 432,443.

² William Shirer said that Luther was "a ferocious believer in absolute obedience to political authority. He wanted Germany rid of the Jews . . . advice that was literally followed four centuries later by Hitler, Goering and Himmler." William Shirer, The Rise and Fall of the Third Reich (New York: Charles Scribner's Sons, 1959), cited in Eric Gritsch, "Martin Luther and Violence: A Reappraisal of a Neuralgic Theme," 39.

³ Ernst Zeeden said, "detach Luther from his doctrine, and it is easy to turn him into a forerunner of intellectual freedom or nationalistic ideas." See Ernst Zeeden, The Legacy of Luther (London: Hollis & Carter, 1954), xiii.

understand Luther's ideas on obedience and resistance, or the teachings of fellow reformers, one needs to examine his writings.⁴

Luther addresses these issues in many of his writings; scholars refer to them as his "Theology of the Two Kingdoms." This Two Kingdoms theology is seen most clearly in his theology of the Cross, a theology of Christian suffering. It is this teaching that has caused much discussion and misunderstanding on obedience and resistance. Many believe that Luther was contradictory, uncertain, or unclear. Therefore, he is still responsible for a total submission theology. Luther's views, while developing and maturing over time, were anything but vague. Because he was primarily a theologian and pastor, his main concern was how Christians must live in this world. He did not intend to confuse his flock with dichotomies on the nature of man, God, the church, the Christian life, etc. He wanted to show the delicate and difficult nature of living in a sin-filled world. His teachings were simultaneously a source of strength and a stern warning. Luther feared that after his death the church would splinter. He feared that the princes

⁴ Karl-Heinz zur Muhlen, "Luther zwischen Tradition und Revolution," Luther, 47 (1976), 61-76.

would dominate the churches. Both of these situations came about, but not because of Luther's teachings on resistance or submission to authority.

Luther was concerned chiefly for the spiritual well-being of his German people. He tried to show them how Christians were to live in the world, prince and peasant alike. He did not advocate total submission to authority in all circumstances, nor did he advocate anarchy. He did not support a state church nor abdicate a ruler's responsibility to the church. Fellow Lutheran reformers interpreted his teachings on authority in ways that clearly contradicted Luther's.⁵ His contemporaries differed from Luther on the Christian's right or responsibility to resist civil government. It is important to understand the nature of these differences. As a result of these variant teachings, after Luther's death the second generation of Lutherans would use, abuse, overemphasize, and disregard many of the reformer's teachings on the precarious and uncomfortable balance between submission and resistance. The Schmalkaldic War shortly after Luther's death shows just how decidedly

⁵ There are instances where the Two Kingdoms theory has been successful. Norway and Strassborg, Germany come readily to mind. See James Kittelson, "Strassborg, the *Landesherrlichekirchenregiment*, and the Relative Autonomy of Lutheran Churches in Sixteenth-Century Germany," *Locus* 2:2 Spring (1990), 131-143.

contrasted the feelings and beliefs of his followers were regarding political resistance.

Divisions among the Protestant princes in the Schmalkald War, efforts by theologians and rulers to impose or resist the pro-Catholic Augsburg and Leipzig Interims, and the subsequent fracturing of Lutheran theologians and their followers shortly after Luther's death demonstrate the lack of consensus on resistance that existed while the reformer was still alive. Years of turmoil and factionalism ensued, aggravated by controversies with the Reformed and a rejuvenated Catholic Church. This period of confessional controversy laid the foundation for divergent Lutheran teachings and practices, including ideas on political resistance and obedience. The reuniting of most Evangelicals with the Formula of Concord restored a uniformity of doctrine to Lutheranism but certainly not of Lutheran church practice.

The role of Philip Melanchthon is key to understanding the changes the Evangelicals underwent, especially after Luther's death. The question of whether Christians had a right to resist was always answered the same way: Yes! How that resistance should manifest itself changed beginning in the 1530's. The question always at issue was temporal: Is this a time to resist? Luther answered that if the truth of

the gospel message was in jeopardy then a confession is required; thus, he made his famous "here I stand" defense at Worms in 1521. The Augsburg Confession in 1530 was another instance wherein Luther decided it was time for a clear confession. After Luther's death Melanchthon answered the question of a right to resist the same way: Yes! With the defeat of the Schmalkaldic League in 1548 however, Melanchthon introduced a new element into the resistance equation: Can the church survive if it resists? Many of Luther's followers did not recognize this question as legitimate. From this time forward, until the signing of the Formula of Concord in 1577, Lutheranism was a camp divided.

The Peace of Augsburg in 1555 further complicated the nature of political resistance, for this religious treaty completely intertwined church and state. From 1555 onward, it became possible, indeed normative, for secular authority to determine the proper method and impetus for resistance to earthly and ecclesiastical authority. Most scholars overlook the role of this settlement in weakening the teachings of Luther on political resistance. The *cuius regio, eius religio*⁶ principle gave secular rulers official

⁶ Meaning whoever ruled dictated the religion in the territory.

control of the churches in their principalities.⁷

It is true that Luther gave little guidance to church polity and structure. He accepted existing patterns of government, purged of abuses, not as mandated by Scripture but acceptable under its broad canopy. Those who took the reins after his death felt much differently. In the aftermath of the 1548 Interims, Protestant principalities went their own way in creating confessions, church orders, and ecclesiastical hierarchies. Their interpretations of doctrine and implementation of ecclesiastical polity gave public testimony to the divergence of accepted practice existing within Lutheranism. The marriage of politics and religion with the Peace of Augsburg gave the strength of law and the power of the prince to matters within the church that had been *adiaphora* before that time. *Adiaphora* (indifferent things) are those religious issues, mostly liturgical, on which the Bible is silent, speaking neither for nor against them. Such matters included but were not confined to religious ceremonies and church government. Rather than unifying all Evangelicals under a banner of legal status, the Peace of Augsburg served to deepen the

⁷ Eric Gritsch, "Luther and the State: Post-Reformation Ramifications," in Luther and the Modern State In Germany (Kirkville: Sixteenth Century Journal Publishers, 1986), 53.

wedge between the camps. The Catholic and Reformed enemy without and the factional fighting within Lutheranism threatened to destroy the fledgling faith.

The reunification of the Lutherans came in 1580 with the publication of the Book of Concord.⁸ The review of and subscription to the Formula of Concord in 1577 by over eight thousand princes, theologians, pastors, and teachers was remarkable in many respects. The collection of documents contained in the Book of Concord codified much of Lutheran doctrine, including principles of resistance. After 1580, Lutherans and non-Lutherans alike looked to this book to determine the boundaries of resistance to civil authority.

This thesis will look at the Lutheran theory of political resistance from Martin Luther's original teachings to the publication of the Book of Concord in 1580. In this thesis I will concentrate primarily on the major contributors to the documents contained in the Book of Concord, including Martin Luther, Philip Melancthon, and Martin Chemnitz. I will then provide case studies from Ernestine and Albertine Saxony and surrounding territories.

⁸ Many churches did not subscribe to this book immediately, however, almost immediately it became the most universally accepted collection of Lutheran confessions. It has been used ever since to define Lutheranism.

These studies will show the wide variety of local practice established before, and which became acceptable under, the umbrella of the newly reunited Lutheran body. There was never any question whether Christians had a right to resist. Even the reason to do so remained constant throughout the growth and development of Lutheranism. The questions of when it was proper to resist authority and how this should take place changed, especially after Luther's death. The role of secular and ecclesiastical governments in deciding the answers to these questions changed dramatically after 1555. The adoption of the Book of Concord in 1580 ended the doctrinal debate over resistance versus compromise. It did not end the tension created by Luther over active or passive resistance. Nor did subscription to the Book of Concord establish a normative practice for all Lutheran principalities. The case studies will demonstrate the changing nature of secular and ecclesiastical leaders and how that affected confessions and church ordinances. They also will show the divergence of accepted practice among Lutherans as the relationship between the civil and divine realms changed in favor of territorial confessionalization under the powerful hand of the prince.

Luther taught a difficult combination of Christian suffering and active resistance. Both doctrines were

appropriate and applicable to the German princes in certain circumstances. He never advocated blind obedience to authority in all circumstances. Therefore, as noted, Luther cannot be held responsible for the Church's actions in any century, not even his own. After Luther's death, his followers tended to distort or ignore his teachings, which led to factionalism and wars. The establishment of the Peace of Augsburg forever changed the nature of church-state relations. Ramifications of this settlement exist to this day. The case studies of German principalities illustrate the diversity of practice in the Lutheran church, especially after 1555. Though doctrine became solidified by 1580, church polity became consolidated in the prince. Consequently, teachings on resistance and obedience returned to a matter of personal, passive response.

CHAPTER ONE
MARTIN LUTHER AND HIS CONTEMPORARIES:
PASSIVE VERSUS ACTIVE RESISTANCE

Martin Luther created a second major rip in the mantle of the Catholic Church in 1521 when he refused to recant his teachings. Luther became the new model for resistance to authority. His famous "Here I Stand" speech entitled him to excommunication. By 1530, it was obvious that the ecclesiastical seam would not quickly be mended. Notwithstanding, Emperor Charles V and Pope Clement VII determined to repair the damage, permanently. The Confession, submitted by the Lutherans (Evangelicals) at the Diet of Augsburg in 1530, attempted to show Emperor Charles V the true, catholic nature of the faith of the Wittenberg Protestants.¹ Just prior to this meeting, the emperor withdrew all concession he had made earlier to the Evangelicals at the Diet of Speyer in 1529.² The Protestant

¹ The origin of the term "Protestant" began with the rejection of the reinstitution of the Edict of Worms in territories where the Reformation had been introduced. At the Diet of Speyer 1529, several German princes protested Emperor Ferdinand's attempt to dictate matters of faith and conscience by demanding a return to Catholic teaching and practice. The term "Protestant" therefore had both a legal and confessional character to it. The modern understanding of "Protestant" did not come about until the eighteenth century. See Eike Wolgast, "Speyer, Protestation of" in The Oxford Encyclopedia of the Reformation (OER), 4:103-104. See also Siegfried Bräuer, and "Protestantism: History of the Term," OER, 3:357-358.

² Cynthia Shoenberger, "The Development of the Lutheran Theory of Resistance: 1523-1530," Sixteenth Century Journal, VIII:1 (1977), 61-76.

Christians had no legal status under the law, and would not until 1555. The Reformation was in danger of being stamped out by the pope and the emperor. Such was the situation for Luther and his followers. Luther believed it was time to make public confession, resisting the imperial and papal designs to subvert the Gospel message. Before his death, Luther allowed for the possibility of armed resistance to the emperor for the sake of the faith. His followers allowed much more.

Luther on the Two Kingdoms and Resistance

If one attempts to find a clearly defined political theory in Luther's writings, one will not find it. Ideas on the limits of obedience and resistance began appearing in Luther's writings as early as 1517. Luther addressed the topics of obedience and resistance when they arose in Scripture texts, when queried in a letter or at the dinner table, or when rumors circulated that perverted his true meaning or clear Biblical teaching.³ His interest in the subject was neither that of a philosopher, nor a lawyer, nor a politician; his concerns rather were pastoral and

³ The actual term "Two Kingdoms" is a late 19th century tag. See Render Unto Caesar...And Unto God: A Lutheran View of Church and State, A Report of the Commission on Theology and Church Relations of the Lutheran Church, Missouri Synod (CTCR) (St. Louis: LC-MS, 1995), 34.

practical.⁴ Luther believed that the pope and his minions were guilty of corrupting the entire workings of God in this world. The church had long made it clear that secular rulers were subject the pope. He was the head of both kingdoms here on earth, in Christ's place. To Luther it was clear that the papacy had overstepped its bounds not only in perverting and denying the gospel, but also in dictating and enforcing law in the civil realm. As Luther did with the gospel, so he set about doing with God's order in creation: he reestablished the distinction between the realms of authority of church and state which God had originally intended. It is in this area especially that the reformer's theory of the two realms or kingdoms differed from those of his predecessors and contemporaries.

Gelaius I, Aethelard of Canterbury and Augustine, to name but a few, all had written about the concept of dual kingdoms. Augustine called them "cities", Aethelard and Gelaius called them "authorities".⁵ Accordingly, God established civil government to rule the unruly with laws. These temporal measures make up the kingdom of the world, of

⁴ *Ibid.*

⁵ Gelaius I, Letters from your Grace's Servant to Emperor Anastasius, 494; Aethelard of Canterbury, Letter, 802; Augustine, City of God, XIX:21-26, cited in Karl Hertz, ed., Two Kingdoms and One World (Minneapolis: Augsburg, 1976), 41-46.

Satan, the "left hand" of God. The church was to bring eternal life and righteousness to men by preaching faith in Jesus Christ. These endeavors constituted the spiritual kingdom, the kingdom of God, his "right hand."⁶ For Luther, the pope wielding the civil sword and mandating faith was clearly outside the purview of God's plan. Though the two kingdoms overlapped, they did not coincide.

Luther acknowledged a constant tension between resistance and non-resistance for the Christian. The response, while always motivated by love, would differ depending on whether the situation was civil or spiritual: "In this way, then, things are well-balanced, and you satisfy at the same time God's kingdom inwardly and the kingdom of the world outwardly, at the same time suffer evil and injustice and yet punish evil and injustice; at the same time do not resist evil and yet resist it. For in the case you consider yourself and what is yours, in the other you consider your neighbor and what is his."⁷ Luther understood that his words were difficult but his concern was with

⁶ Temporal Authority: To What Extent It Should Be Obeyed, 1523. Martin Luther, Works, American Edition (St. Louis: Concordia Publishing House and Philadelphia: Augsburg/Fortress Press, 1958-1986) (LW), 45:75-129.

⁷ Martin Luther, Works of Martin Luther (Philadelphia: A J Holman Co., 1915-1932), 3:241-242, cited in Render Unto Caesar, 35.

Scriptural accuracy, not ease of accomplishment.⁸ There were so many situations that could and did arise that Luther was obliged to write on the subject of Christian obedience throughout his life.

The church, as Luther saw it, had no civil authority at all. It could not dictate laws. It was not to attempt forced obedience to the gospel because that meant forcing outward faith, eliciting a mere show of Christianity. True faith was solely the work of God and must be genuine, not something legislated or commanded. "The two authorities, the spiritual and the temporal, are not to be mingled or confused," stated the Augsburg Confession, "for the spiritual power has its commission to preach the Gospel and administer the sacraments." The spiritual authorities must not attempt to decide who should rule, what laws should exist, or "prescribe to the temporal power laws concerning worldly matters."⁹ The church was not to try to transform civil order into a Christian commonwealth. This Luther saw as an impossibility.

While the reformer believed a Christian commonwealth

⁸ CTCR, 53.

⁹ Theodore Tappert, The Book of Concord (Philadelphia: Fortress Press, 1959), Augsburg Confession (AC) XXVIII, 82-83.

was not feasible, he did acknowledge the beneficial nature of Christian civil authorities. This indeed was the best possible arrangement. The role of the Christian leader toward the church was to aid and protect it as it set about proclaiming salvation to mankind. But he must not overstep the bounds God had set and attempt to establish doctrine or otherwise control the outreach of the church. The role of the Christian prince was to protect his subjects from harm and not engage in persecutions or tyranny. If he did, God would punish him through another prince just like himself.¹⁰ Writing to Elector Johann Friedrich in 1528, Luther advised his prince to be like Constantine, the Roman emperor, who believed the best way to rule the state was to bring the leaders to the Church. Reform and peace would result, thus avoiding dissension over doctrine.¹¹

Luther perceived things in light of his theological distinction between Law and Gospel, a principle incorporated in his teachings about resistance and obedience. Luther did not separate church and state, certainly not in the sense in which it is understood today in the United States. He merely distinguished their boundaries within a whole system

¹⁰ Whether Soldiers Too, Can Be Saved, 1526. LW 46:87-137.

¹¹ Luther to Elector John, 3 Sept 1528. LW 49:210-211.

created by God. The ecclesiastical and civil governments were to work together and train people to maintain equity in the existing order. Luther regarded rulers as "gardeners and caretakers" and their subjects as "fathers and aids."¹² He did not favor control by the State, only its aid, a distinction that some scholars find untenable.¹³ In a letter to the bishop of Dresden in Saxony, he called the governmental control of the church there "Satanic."¹⁴

Luther made a distinction between the public office and the private individual. Both spheres had responsibilities distinct from one another. Luther consistently rejected the validity of an uprising by the people to overthrow the government. Even if the ruler was a horrible tyrant, the private individual had no authority to overturn what God had established. Luther felt such an uprising was unnecessary in the eternal scheme of things. "There is no need for you to demand an armed insurrection," Luther stated. Christ was carrying out his work of redeeming the world without men's

¹² Luther to Elector John, 20 May 1530. LW 49:307.

¹³ Derek Baker, "Luther and the Right of Resistance to the Emperor," in C W Dugmore, ed., Studies in the Reformation Luther to Hooker (London: Athlone Press, 1980), 31.

¹⁴ Luther to Superintendent of Dresden, Daniel Geiser, 22 Oct 1543, cited in Luther and the Modern State In Germany (Kirksville: Sixteenth Century Journal Publishers, 1986), 53.

aid or advice, and "the gates of hell shall not stop it."¹⁵ The reformer realized that his views were unpopular and seen as foolishness. But he also knew that the gospel was unpopular and ridiculous. His view of suffering and martyrdom for the faith was a witness to God's power manifested in impotence and foolishness.¹⁶

Luther also knew that the Christian was both sinner and saint while on earth and the war between the two would complicate life. Therefore he placed full confidence in God but regarded man with healthy skepticism. He believed that political leaders especially would require repeated reminders of God's authority, and the distinction between divine and human power.¹⁷ He feared that the Old Adam, the unconverted part of man, would get the upper hand when provided too much Christian freedom. Princes tended to convince themselves of the rightness of their actions no matter how far they exceeded the bounds God had set for their office. In his sermons on the Gospel of John in 1537-

¹⁵ LW 45:108, 114.

¹⁶ Robert Kolb, "God's Gift of Martyrdom: The Early Reformation Understanding of Dying for the Faith," Church History, 64:3 (1995), 399-411.

¹⁷ Eric Gritsch, "The Use and Abuse of Luther's Political Advice," Lutherjahrbuch, Responsibility for the World, Oslo, August 1988 (Gottingen: Vandenhoeck & Ruprecht, 1990), 207-219.

1538, Luther expressed his fears. He stated that when princes confuse their office as secular ruler with the church's office as bishop, "the Christian religion must fall in ruins." The same results when bishops become princes, as Luther believed was exactly what happened to the Roman church. Luther feared that princes would dictate doctrine and preachers would soften the Law and pervert the gospel so as not to offend their lords. "We, however, may beseech God that both sides refrain from misusing their office in that way."¹⁸ Christians were required to serve God even though Satan would do his best to destroy God's church. God called Christians to operate in the devil's realm, "unless we are delivered by the power of God."¹⁹

Luther and the Legal Question of Resistance

Some scholars believe that Luther caved in to pressure by Philip of Hesse's lawyers and eventually changed his stance on the right of the princes to resist the emperor.²⁰ Earlier, before he became convinced that Germanic law allowed princes to resist the emperor, Luther's council was consistent: Obey the law. Once convinced of the legality

¹⁸ LW 22:228.

¹⁹ Bondage of the Will. LW 33:3-295.

²⁰ Baker, "Luther and the Right of Resistance," in Dugmore, Studies, 41.

of resistance to the emperor in 1530, he counseled that obedience to the law was indeed always legitimate, but that war should be only a poor last resort.²¹ It is true that Philip of Hesse and others tried their best to influence Luther to see things their way. Letters were sent back and forth. Meetings were held. Luther did not moderate his negative voice until convinced that it was "legal" to resist.

In October 1530, while meeting with the prince's lawyers in Torgau, Luther finally allowed for at least the possibility of justifiable resistance to the emperor. That was all the protesting princes needed. The Torgau Declaration was drafted to which Luther, Justus Jonas, Philip Melanchthon, Georg Spalatin, along with several other theologians, signed their names. The point at issue was, "In what cases it is lawful to resist the governing authority?" The legal experts, Luther and his colleagues stated, have decided that "one may resist the governing authority." The Evangelical position had always been "that as long as the gospel does not go contrary to secular law one is to let secular law be effective, valid, and

²¹ LW 46:21.

competent."²²

Luther and the other theologians stated that previously they had not advocated resistance to the emperor because they were unaware that the law provided such a right.²³ Landgrave Philip of Hesse wanted more from Luther. He wanted him to publish a book on the Diet at Augsburg and the reformer's views on resistance. Luther was already planning such a booklet. Philip of Hesse only fanned the flame to get Luther's ideas in print. "I shall admonish everyone's conscience," Luther wrote to Philip, "that no subject is bound to offer obedience" to the emperor's plans. Rather he intended to discourage obedience, "so that no one gets involved in such blasphemous, murderous, and devilish plots." Luther would take great pains to word his resistance booklet carefully.²⁴

Luther wanted more from Philip of Hesse, too. He set conditions on the Torgau Declaration, requiring no resistance to the Augsburg Recess so that bloodshed could be avoided. He wrote these opinions on resistance to his

²² Luther to the Electoral Saxon Government, about 27 Oct 1530. LW 49:431-433. See also Baker, "Luther and the Right of Resistance," in Dugmore, Studies, 28.

²³ *Ibid.*

²⁴ Luther to Landgrave Philip of Hesse, 28 Oct 1530. LW 49:433-437.

Elector, realizing that none of this went without Philip of Hesse's notice. Luther knew also that many princes did not share his opinion, stating "I clearly see and recognize that there will be a general deliberation on this [issue]."²⁵

The Hessian jurists found Luther's admonition "unhelpful."²⁶ In a letter to Lazarus Spengler of Nuremberg, Luther clarified his position. He reiterated his stance that the legal matters concerning resistance to secular rulers should be left to the jurists. What he was sure of was that the emperor was to be obeyed. The jurists may have found something within the law allowing obedience to the law while disobeying the emperor but Luther clearly felt the finer points of the law were beyond his skill. Therefore, he was unwilling to persuade one course of action over another.²⁷

Theology concerned the reformer, not legal theory. However, that did not keep Luther from giving his opinion on the theological fine points of resistance. The councils of Brandenburg-Ansbach and Nuremberg were drafting a new Church Ordinance in 1532. The councils promoted resistance to any

²⁵ *Ibid.*

²⁶ James Estes, Christian Magistrate and State Church: The Reforming Career of Johannes Brenz (Toronto: University of Toronto Press, 1982), 112-113.

²⁷ Luther to Spengler 15 Feb 1531. LW 50:9-12.

ruler who "conducts himself in the exercise of secular authority and its power in such a way that one has to be afraid of him, even if one is doing what is right" because he "is in God's eyes no governmental authority." Luther and his colleagues felt it would be better if this paragraph were omitted. They reasoned that even a tyrant is still in a position of authority established by God. If this were not so, no subject would be required to render obedience to any laws while an evil ruler was in power.²⁸ The final version of the ordinance omitted the section objected to by the theologians.

By 1539, Luther was willing to state that if the emperor acted in the name of the pope, who claimed to act in the name of Christ, he could be resisted. If the emperor acted in his own name, he could not.²⁹ A preventive war was never acceptable to Luther. War might be permissible if attacked, but it was never allowable to prevent the possibility of such. Luther feared the church was losing its focus. The business of the church was proclaiming the gospel, not exerting rights to resist civil authority. In a

²⁸ Luther, Johan, Bugenhagen and Melanchthon to the Regents and Councilors of the Margraviate of Brandenburg-Ansbach and to the Council of the City of Nuremberg, 1 Aug 1532. LW 50:61-67.

²⁹ Luther to Elector John Frederick, 8 July 1539. LW 50:185-187.

sermon in Leipzig, he admonished that "if a prince wants to rule, his voice must be heard in his country and his house. And if this happens in this miserable life, so much the more must we let God's Word resound in the church and in eternal life. All subjects and governments must be obedient to the Word of their Lord."³⁰ Even in his final sermon, Luther preached the delicate and difficult balance between obedience and resistance. The world's acceptance of the gospel of Jesus Christ was his concern. He clearly accepted the necessity to obey the emperor, king, prince, and even the pope, but only in so far as they dictated to their proper realm of secular government. When they overstepped the God-imposed limits on their authority, Luther said, "this I will not accept." The only one who should be obeyed in spiritual matters is Jesus Christ. The response of princes, cardinals, the emperor and the pope will be "hostile and wrathful toward us because of all this," he knew. They would excommunicate "and would gladly burn and murder us all." This treatment must be suffered, even to the point of death.³¹

The effect of resistance and conflict on the cause of

³⁰ Sermon in Castle Pleissenburg, Leipzig, 1539. LW 51:305.

³¹ The Last Sermon, Eisleben, 1546. LW 51:338-392.

the gospel concerned Luther from the beginning of his writings to the end. He feared that the Reformation would be blamed for the war and God's name would be blasphemed because of the careless actions of Christians.³² A war over the gospel was the last thing Luther wanted and that which he feared. In 1528 he wrote to the duke of Saxony, advising him that if the princes disobeyed the emperor's directives and warred against him, they would force the emigration of the preachers of the Evangelical faith. The princes would be guilty of "preferring war to peace and bloodshed to good government."³³

Conflicting Views on Resistance

Throughout Luther's life he found himself in conflict with other Evangelical theologians on the subject of the Two Kingdoms. James Kittelson has stated that Luther's followers virtually ignored his Two Kingdoms.³⁴ The theory was not necessarily ignored but certainly the way in which Luther understood it was altered, sometimes drastically.

³² H. Richard Klann, "Luther on War and Revolution," Concordia Theological Monthly, (1954), 356.

³³ Luther and Melanchthon to Elector John, 1 or 2 May 1528. LW 49:189-195.

³⁴ James Kittelson, "The Confessional Age: The Late Reformation in Germany," in Steven Ozment, ed., Reformation Europe (St. Louis: Center For Reformation Research, 1982), 361-381.

Where Luther advocated confession and suffering on behalf of the gospel under tyranny and oppression, Thomas Müntzer (d. 1525), former preacher in Zwickau and Prague, preached rebellion and cleansing. Müntzer called the princes to separate the godly from the godless, by force if necessary. He believed the godless should be destroyed if they in any way impeded the elect in preparing the world for the lordship of Jesus Christ.³⁵ He taught that the Mosaic law should be reinstated so that a world without sin could be created. "Those with the Holy Spirit must destroy the altars of the godless and subdue them," Müntzer stated in a sermon in 1524.³⁶ Just as Luther had rejected Karlstadt's attempts to compel the gospel,³⁷ turning grace into law, so he rejected Müntzer's legalism.³⁸

Though many theologians held beliefs similar to Luther's on many points, even his friends and confidants differed from him on resistance. Philip Melanchthon (d.

³⁵ Thomas Müntzer, Schriften und Briefe, cited in Hans Hillerbrand, ed., Radical Tendencies in the Reformation: Divergent Perspectives, Sixteenth Century Essays & Studies Series, vol. IX (Kirkville: Sixteenth Century Journal Publishers, 1988), 55-83.

³⁶ Müntzer, 1524 Sermon, cited in Hillerbrand, 81.

³⁷ Beginning in 1522, Luther railed against Karlstadt's radical tendencies with regard to the church. See Ronald Sider, ed. Karlstadt's Battle with Luther: Documents in a Liberal-Radical Debate (Philadelphia: Fortress Press, 1978).

³⁸ LW 46:238-239.

1560), a fellow professor at Wittenberg, stated the general differences in outlook and methodology at Luther's funeral service: "Bugenhagen is a grammarian and spreads the power of the word, whereas I, Melanchthon, am a logician and show up relationships and provide proofs, Justus Jonas is a rhetorician, finely and richly endowed; but Luther is all in all, a miracle among men; what he says and writes grips the heart and leaves a marvellous deep impression behind."³⁹

Both Melanchthon and Bugenhagen agreed with Luther that individual Christians will suffer persecution,⁴⁰ but they believed that the civil authorities had the duty to protect their subjects from such.⁴¹ Bugenhagen wrote to the Elector Palatine in 1529 warning him not to request Luther's council on the right to resist; he wouldn't get the answer he wanted.⁴² Bugenhagen argued in favor of resistance on the grounds that God had called civil magistrates to their vocation. They were commanded therefore to aid their subjects. He warned those who advocated legal arguments in favor of resistance to the emperor not to trust them.

³⁹ Melanchthon, 1546, cited in Zeeden, 10.

⁴⁰ Melanchthon abandoned Luther's views on Christian suffering during his involvement with the Augsburg and Leipzig Interims of 1548.

⁴¹ Klann, 355.

⁴² Bugenhagen to Elector Palatine, 1529, cited in Dugmore, 20-21.

Charles V had already broken German law that prohibited condemning anyone without a hearing. The emperor had ignored this law by condemning everyone who adhered to the Reformation. Bugenhagen believed that even if Charles conducted hearings, the outcome would be determined in his favor beforehand.⁴³

Melanchthon's writings on resistance were at times contradictory. On the one hand, he argued in favor of resistance to the emperor by invoking natural law. His readings of Aristotle convinced him that the people have an inherent right to resist tyranny. Luther rejected any such notions.⁴⁴ On the other hand, Melanchthon believed that the Christian should be subject to the government like the laws of the seasons.⁴⁵ Against the likes of Karlstadt and Müntzer, Melanchthon wrote, "The Gospel does not prescribe that our civil life should be governed by the civil laws of Moses, nor does the Gospel establish any kind of new physical political arrangement, but it commands us to be obedient to the present laws and rulers, as long as they are

⁴³ Shoenberger, "Development," 66-67.

⁴⁴ Dugmore, 213.

⁴⁵ Philip Melanchthon. trans., ed. Clyde Manschreck, Melanchthon On Christian Doctrine: Loci communes 1555. (Grand Rapids: Baker, 1965), 325.

not in conflict with the laws of nature, and it commands that we be jealous in following our rulers and honoring them."⁴⁶ In his writings on the Fourth Commandment, Melanchthon wrote that it is a sin for the civil authorities to fail to protect their citizens from oppression and tyranny. It was likewise a sin for subjects to show "disobedience against orderly government and tolerable authority."⁴⁷ What "orderly government" and "tolerable authority" meant became increasingly open to interpretation.

In relation to doctrine and the role of the civil magistrate, Melanchthon taught, "Some say that the secular magistrate is not the judge of controversies over doctrine. But the correct and explicated answer is that the church is the judge and must follow the norm of the Gospel in making its judgments." If the rulers were godly members of the church, they were "erring leaders if they concluded that this concern [for pure doctrine] did not pertain to their work."⁴⁸ Many Lutheran theologians adopted Melanchthon's statements to advocate various practices, as were

⁴⁶ Philip Melanchthon, trans. J A O Preus, *Loci Communes 1543* (St. Louis: Concordia Publishing House, 1992), 222.

⁴⁷ Melanchthon, *Loci Communes 1555*, 108-109.

⁴⁸ Melanchthon, *Loci Communes 1543*, 225.

Luther's.⁴⁹

Johann Brenz (d. 1570), a major theologian and reformer of Württemberg, was heavily influenced by Melanchthon's interpretations of the Two Kingdoms. Though he rejected the rights of the Swabian League to resist the emperor in 1528, he upheld the rights of the Schmalkaldic League to take up arms in 1530.⁵⁰ Seizing on Luther's idea of "emergency bishops" and applying it to Melanchthon's statements on the ruler's role in deciding church matters, Brenz became a staunch advocate of the state-run church. Luther had made civil authorities "emergency bishops" to allow the church to get on with its business of proclaiming the gospel message.

Brenz believed that princes as bishops were more than a temporary expedient.⁵¹ He believed that this was the

⁴⁹ There were those theologians who felt that the entire issue was completely outside the realm of the church and ignored it. Johann Sleidan was one such theologian. See Johann Sleidan, trans. Vogelstein, Ingeborg, Commentaries (New York: University of Rochester Press, 1986), 72.

⁵⁰ James Estes, Christian Magistrate and State Church: The Reforming Career of Johannes Brenz (Toronto: University of Toronto Press, 1982), 107, 119.

⁵¹ J S Klan sees the concept of emergency bishops as the major flaw of Lutheran theology because there was no way to remove them from power once in place. Apparently Klan is unaware that this was a practice used by the church since at least the time of Constantine, so any weakness in the system would certainly pre-date Luther. Klan is one of the scholars who blame the state church on Luther, due to this weakness. See J S Klan, "Luther's Resistance Teaching and the German Church Struggle Under Hitler," The Journal of Religious History, 14:4 (1987), 436-437.

highest ideal for the operating of the church.⁵² Brenz accepted Luther's distinction between the public office and the private citizen, upholding the concept of Christian suffering for the gospel's sake. Perhaps it is for this reason that he was willing to embrace state control of the church more readily. In this way Christian subjects would be protected with constancy. Brenz was advocating *cuius regio, eius religio* in 1530, twenty-five years before it became a reality.⁵³ Brenz believed Luther possessed no talent for church organization. Luther himself had stated many times that church order and governance were only peripheral issues. So long as nothing was contrary to God's word any procedure was fine. Brenz disagreed. According to him, the office of the civil magistrate had been instituted by God to foster true preaching in the rural parishes. In this way an "honourable, peaceful, and godly life among the subjects" would result. Even if the people did not appeal to their rulers for this aid, the secular magistrates, "as the enlightened parties," must initiate the teaching of

⁵² Estes, Christian, 18.

⁵³ James Estes, "The Two Kingdoms and the State Church According to Johannes Brenz and An Anonymous Colleague," Archive For Reformation History, 59 (1968), 48.

God's word in the lives of their subjects.⁵⁴ It was the civil government's responsibility to dispense with false preaching because it causes disruptions, like the Peasant's Revolt. The government's best role in serving the church was by ordering it.

For the church in Württemberg, Brenz mandated that the magistrate must be a Christian. Even so, he must not dictate to the church in internal affairs. He was responsible for the external dealings of the church alone. A practical expression of Brenz's distinction between "internals" and "externals" is as follows: It is proper for the magistrate to dictate that preaching shall take place in the morning, because that is when people are more attentive. It is forbidden for the magistrate to dictate that preaching is to be done in the morning because it is a sin to do so in the afternoon.⁵⁵

Brenz found it much more practical in dealing with civil authorities to stress what God demands rather than what God allows. He felt their cooperation was more forthcoming when reminded, "God said thus." It was more

⁵⁴ Estes, "Two Kingdoms," 20, 39, 43-46.

⁵⁵ Estes, "Two Kingdoms," 5-24, 42.

powerful than, "God will permit thus."⁵⁶ Brenz seems to have remembered Luther's remarks on the prince's forgetfulness regarding ultimate authority. Andreas Osiander (d. 1552), the Nuremberg reformer, largely agreed with Brenz on ecclesiastical polity. Osiander especially advocated the Hessian lawyers' idea of the "lesser magistrate," wherein the princes shared power with the emperor. Since the emperor was an elected official, any breach of his obligations negated his claim to dictate to the princes, and they were obliged to resist his advances. The city fathers of Nuremberg disagreed.

Lazarus Spengler (d. 1534), a lay-reformer in Nuremberg, held that the relationship of the imperial cities to the emperor made them all nothing more than private citizens.⁵⁷ Like Luther, he and Osiander did agree that Christians should suffer wrong rather than resort to arms against their superiors.⁵⁸ The Nuremberg theologians carried the day. They supported the Schmalkaldic League, becoming charter members. Further, they refused to submit to papal authority in church matters even after the League

⁵⁶ Estes, Christian, 52.

⁵⁷ Shoenberger, "Development," 69.

⁵⁸ Oliver Olson, "Theology of Revolution: Magdeburg, 1550-1551," Sixteenth Century Journal, III:1 (1972), 56-79.

lost the war.⁵⁹ The city officials rejected these actions.⁶⁰ Though Brenz, Osiander, and the other Nuremberg theologians quoted Luther's "Secular Authority" practically verbatim⁶¹ as justification, their results were far different from the author's intentions.⁶²

Nikolaus von Amsdorf (d. 1565), superintendent of Magdeburg, advocated resistance early in 1523 and became one of the secret planners of the Schmalkaldic League.⁶³ In Magdeburg, the theory of resistance was of primary concern. The confession of faith drawn up in 1550 stated that the Christian had no duty to obey any ungodly authority. They were encouraged to resist and supplant the civil magistrate if he tried to dispense with God's laws.⁶⁴ In organizing the State church, the Magdeburg theologians made no distinction between internal and external affairs of the church as Brenz had done. All church affairs were outside

⁵⁹ Olson, 63-66.

⁶⁰ Shoenberger, "Development," 70.

⁶¹ Cynthia Shoenberger makes a good point, stating that this was written by Luther when there was still hope that the emperor would help reign in the power of the Catholic church. See "Luther and the Justifiability of Resistance to Legitimate Authority," Journal of the History of Ideas, 40:1 (1979), 3-20.

⁶² Estes, Christian, 159.

⁶³ Olson, 67.

⁶⁴ Klan, 435.

the realm of the secular ruler.⁶⁵

There were theologians in Magdeburg who wished to take the application of the Two Kingdoms in a different direction. Matthias Flacius Illyricus (d. 1575), a native Croat, was one such theologian. Flacius believed it was a "grevious sin" not to resist the emperor. Simultaneously, he railed against the princes for overstepping their boundaries in church matters. He referred to them as the "new political Antichrist."⁶⁶ There was no typical pattern for Lutheran church structure. Consequently, many churches were left to their own devices. Only the city of Strasbourg modeled what Luther intended.⁶⁷ They alone grasped what Luther meant when he said that civil authority had no right to interfere with matters of doctrine but were to aid the cause of the gospel. The civil authorities in Strasbourg worked together with the pastors. The pastors were given a free hand in church matters so long as the civil magistrates did not perceive any public danger caused by church politics. The pastors themselves were the driving force behind the union.

⁶⁵ Olson, 74.

⁶⁶ He was eventually accused of inciting popular revolt. Olson, 68-71.

⁶⁷ Kittelson, "The Confessional Age," 370.

Martin Bucer (d. 1551), a reformer in southern Germany, had been in Strasbourg but was exiled for his radical ideas about resistance. He embraced Philip of Hesse's "inferior magistrates" idea⁶⁸ but believed that godly law must break human law for the sake of the gospel. He was not particularly concerned with legalities. He sanctioned illegal activity on any scale.⁶⁹ Much like Jean Calvin,⁷⁰ Bucer held that the government was obligated to rule according to divine mandate.⁷¹ Once Bucer was removed, the union seemed to work. So long as no disorder was created by the performance of clerical duties, the magistrates left the

⁶⁸ Shoenberger, "Development," 68.

⁶⁹ Thomas Brady, Jr., "Jacob Sturm and the Seizure of Brunswick-Wolfenbittel by the Schmalkaldic League, 1542-1545," in Politics, Religion & Diplomacy in Early Modern Europe (Kirkville: Sixteenth Century Journal Publishers, 1994), 33-51.

⁷⁰ Jean Calvin wrote, "If there are now any magistrates of the people, appointed to restrain the willfulness of kings (... such power as the three estates exercised in every realm when they hold their chief assemblies), I am so far from forbidding them to withstand, in accordance with their duty, the fierce licentiousness of kings, that, if they wink at kings who violently fall upon and assault the lowly common folk, I declare that their dissimulation involves nefarious perfidy, because they dishonestly betray the freedom of the people, of which they know that they have been appointed protectors by God's ordinance." Jean Calvin, Institutes of the Christian Religion, Henry Beveridge, trans., 2 vols., (Grand Rapids: Eerdmans Publishing Company, 1981), 2:655.

⁷¹ Steven Ozment, The Reformation in the Cities (New Haven: Yale University Press, 1975), 64-65. Thomas Brady stated that "the right to resistance was endorsed with enthusiasm nowhere in Luther's Germany. Perhaps this was not Luther's Germany anymore. Thomas Brady, Jr., "Luther and the State: The Reformer's Teaching in Its Social Setting," in Luther and the Modern State, 40.

pastors to their shepherding.⁷²

When the majority of the Lutheran principalities accepted the Book of Concord in 1580, it incorporated many of Luther's original themes on obedience and resistance to civil magistrates.⁷³ The interpretation of these concepts that developed after the Peace of Augsburg in 1555 forever overshadowed Luther's original meaning and intention, however. After 1555, the Torgau Declaration of 1530 was a dead issue.⁷⁴

Martin Luther and his contemporaries agreed that there were times when resistance to authority was acceptable. Luther believed that this disobedience should be passive in nature whereas many of his fellow Evangelical theologians advocated varying degrees of physical resistance. Luther did not allow the civil and ecclesiastical realms to dictate to the other beyond the bounds set by God. Princes could be "emergency bishops" to aid the church in time of need only. Most of his contemporaries believed that the secular ruler needed to have a permanent, active role in aiding the

⁷² James Kittelson, "Strasbourg, the *Landesherrlichekirchenregiment*, and the Relative Autonomy of Lutheran Churches in Sixteenth-Century Germany," *Locus*, 2:2 (1990), 131-143.

⁷³ David Steinmetz, *Luther In Context* (Bloomington: Indiana University Press, 1986), 114.

⁷⁴ Klann, 353-366.

church. The Interims of 1548 and the Peace of Augsburg in 1555 redefined the Lutheran view of resistance. Those events created the necessity for the Formula of Concord. It is the definition of resistance contained therein to which Lutherans still adhere today.

Laid at the feet of Luther is the state church of Germany--which it had become by the early twentieth century. Ignored are his contemporaries and the influence they exerted on the changing concept of resistance. It was not Luther but the Peace of Augsburg that gave ultimate control of the church to the civil authority. The power given to the princes with the implementation of the *cuius regio, eius religio* principle was something of which Luther would not have approved. Some of his contemporaries clearly did. Luther knew the failings and tendencies of sinful man. Often he admonished princes and magistrates to aid the church but not dictate to it. He feared that the church would become subjugated to the will of the civil authorities if not reminded whom they served. Aided by the Peace of Augsburg in 1555, that which he feared became reality.

But that was a long way off yet. There were many difficulties for the Evangelicals to endure before any measure of peace would be afforded them. The unity of the Evangelicals would first be rent in two. The followers of

Melanchthon and the followers of Amsdorf and Flacius would fuel fires that threatened to consume the Reformation faith before the emperor could.

CHAPTER TWO
PHILIP MELANCHTHON AND THE INTERIMS OF 1548:
COMPROMISE VERSUS RESISTANCE

Luther's death was a watershed in Lutheran history. Resistance theory under the direction of Philip Melanchthon (1497-1560) created more controversy than anyone could have imagined.

Between the introduction of the Augsburg Interim in May and the Leipzig Interim in December 1548, Melanchthon introduced a new element into the already troubled waters of resistance theory. The question of when to resist before 1548 had always been answered with a call to public confession when the gospel message was in jeopardy. After 1548, Melanchthon and the Philippists asked a new question: Can the church survive resistance?

Before the defeat of the Schmalkaldic League in April 1547, Melanchthon was an outspoken opponent of the emperor's pro-Catholic settlement schemes. In the wake of the humiliating defeat of the Protestant princes at Mühlberg, Melanchthon became convinced that the church could not survive the attacks of the emperor. The Evangelical faith was headed for sure destruction. Melanchthon could not knowingly lend aid to the defeat of Christ's church. Instead, he and his followers would salvage what they could

and hope to unify and strengthen God's true church on earth. To many of Luther's followers, this was a wholesale abandoning of the faith. God would protect his church; he called his followers to take a stand. And stand they would. The Gnesio-Lutherans of Jena and Magdeburg became convinced they were Luther's only true followers. They demanded total resistance to the emperor and rejected Melanchthon and the Philippists in Wittenberg and Leipzig. The Evangelicals were fighting on two fronts now--the emperor and each other.

Melanchthon inherited an ill-fitting mantle when Martin Luther died in February, 1546.¹ Luther's death marked the beginning of a "difficult period" in German Lutheranism,² so difficult in fact that many feared the Evangelical faith might cease to exist. Almost immediately after Luther died, the unity of Lutheranism was ruptured. The Protestant princes and theologians struggled on without their leader and guide, trying to decide what constituted a right to

¹ Some did not feel that Melanchthon should be the successor of Luther's Evangelical faith. Johann Brenz named Nikolaus von Amsdorf the rightful successor after Luther's death. Robert Kolb, "Nikolaus Von Amsdorf, Knight of God and Exile of Christ, Piety and Polemic In the Wake of Luther," Diss. (University of Wisconsin, 1973), Ann Arbor: University Microfilms, 1973), 1.

² Luther Peterson, "The Philippist Theologians and the Interims of 1548: Soteriological, Ecclesiastical, and Liturgical Compromises and Controversies Within German Lutheranism," Diss. (University of Wisconsin, 1974), Ann Arbor: University Microfilms, 1974), 1.

resist and how that resistance should manifest itself. The statements made in the 1530's were defined and redefined as the political situation worsened for the Evangelicals. The theological controversies sparked by Melanchthon's compromises at Leipzig in 1548 nearly crippled the fledgling Evangelical faith. Factionalism was found on every front. The princes and theologians of Wittenberg and Leipzig opposed those at Jena and Magdeburg. Melanchthon and his Philippist followers fought vicious word battles against Matthias Flacius Illyricus, Nikolaus von Amsdorf, and the other Gnesio-Lutherans. These divisions were not resolved officially until the acceptance of the Book of Concord in 1580, a full fifty years after presentation of the Augsburg Confession.

Charles V's and Moritz of Saxony's Interims

It would be naive to assume that only doctrinal issues were behind the controversies among the Evangelicals. These controversies occurred in a unique social, cultural, and political setting that colored the nature of their struggles, and the outcomes.³ It has been well stated that in the confessional age religious and political motives were

³ Theodore Jungkuntz, Formulators of the Formula of Concord: Four Architects of Lutheran Unity, (St. Louis: Concordia Publishing House, 1977), 13.

"inextricably intertwined." Often it is impossible to separate or even to distinguish between them.⁴

The defeat of the Protestant League of Princes in the Schmalkaldic War by Emperor Charles V heightened the fear that the Evangelical faith would be utterly crushed. The Schmalkaldic League was formed in 1531 after Charles V rejected the Augsburg Confession. The Protestant princes intended to form a military alliance after the recess of the Diet of Speyer in 1529 but were unsuccessful. Later, when Charles V convened the Diet of Regensburg in June 1546 (with the aid of Spanish and German troops) they formed the League. Charles's manipulation of the proceedings resulted in the Protestant estates' refusal to participate in the colloquy. The Schmalkaldic League forces attacked imperial troops during the Diet of Regensburg in June.⁵ They did not catch the emperor totally unprepared. Charles V was ready to take action "against those who had not only torn the holy robe of Christ's vicar but were also tugging at the imperial

⁴ Bodo Nischan, "Confessionalism and Absolutism: The Case of Brandenburg," in Calvinism in Europe 1540-1620, Andrew Pettegree, Alastair Duke, and Gillian Lewis, eds., (Cambridge: University Press, 1994), 183.

⁵ See Thomas Brady, Jr., "Schmalkald League," OER, 4:12-15. See also John Guilmartin, "Schmalkald War," 15-16 and Vinzenz Pfnür, "Colloquies," Regensburg, 1546, 1:380.

mantle."⁶ He hoped to "break the back of the Lutheran movement."⁷ His primary targets were Landgrave Philip of Hesse and Elector Johann Friedrich of Ernestine Saxony. Not only were they members of the Protestant League of Schmalkald, but Johann Friedrich illegally had installed a Protestant bishop in Naumburg.⁸ Pope Paul III supported the emperor's attack on "the Lutheran heretics" in a papal bull issued in July, 1546. With the aid of Duke Moritz of Albertine Saxony (d. 1553), the imperial forces quickly defeated the League of Protestant Princes. Wittenberg capitulated, the emperor declared Johann Friedrich's lands forfeited, and he commanded Moritz to take possession and enforce the imperial ban in April, 1547.⁹

Moritz was highly susceptible to Charles V's persuasion. He was envious of his cousin Johann Friedrich's

⁶ Kolb, "Nikolaus Von Amsdorf," 149.

⁷ Charles V to sister, Mary of Hungary, Regensburg, 9 June 1546, cited in Kolb, "Nikolaus Von Amsdorf," 149.

⁸ Amsdorf was installed two days after Pflug. This occurred in 1542. This was not a legal move but the elector was determined to bring the bishopric under his control, and that meant Evangelical in faith. See Kolb, "Nikolaus Von Amsdorf," 114 ff. Also used as justification was the bigamy of Philip of Hesse. See J. A. O. Preus, The Second Martin: The Life And Theology of Martin Chemnitz (St. Louis: Concordia, 1994), 29.

⁹ Charles sentenced Johann Friedrich to death, then commuted his sentence to life in prison.

lands and electoral title.¹⁰ Charles offered Moritz a chance to take over Ernestine Saxony with all its rights and privileges. The temptation was too great for Moritz to refuse.¹¹ Jealousy and strife over control of Saxony did not originate with these princes. It began in 1534 and continued for nearly forty years.¹²

There were significant precedents to justify Moritz's invasion of his cousin's lands. One such precedent dated back to 1356. A portion of Johann Friedrich's land was held in fief to the German king. By placing the lands under imperial ban, it stripped this privilege from the elector and allowed Charles to appoint another prince to take over feudal rights.¹³

¹⁰ Ernestine Saxony was one of the seven electorates at this time. Moritz would become the new elector by attaining these lands. Along with the territories and privileges, Moritz would control the heart of Lutheranism, Wittenberg University. To gain all this, he attacked his cousin, Johann Friedrich, and his nephew, Philip of Hesse.

¹¹ Peterson, "Philippist," 14.

¹² In 1534, Elector Joachim I of Brandenburg divided his lands between his two sons. He was concerned that his sons might defect to the Evangelical faith. His will stated, "that our sons and their heirs, together with all their lands and subjects, remain always faithful to the old Christian faith, religion, ceremonies, and obedience." Still unconvinced that his sons would carry out his desires, Joachim divided his lands between his sons. Nearly a half century of strife was engendered due to Joachim's fears. Not until 1571, under Johann Georg, were the lands reunited. See Bodo Nischan, Prince, People, And Confession, The Second Reformation in Brandenburg, (Philadelphia: University Press, 1994), 11.

¹³ James McNutt, "Rendering to Caesar: Secular Obedience and Confessional Loyalty In Moritz of Saxony's Diplomacy on the Eve of

Another precedent justifying Moritz's invasion of Ernestine Saxony was the "foreign hands" policy. To keep lands from falling into "foreign hands," that is, anyone outside the ruling family, military possession by a member of the same house was allowed. In this case, the ruling house was the Wettin family of Saxony. It was important to protect these lands from Habsburg invasion. The threat that King Ferdinand would bring troops and take what now was Moritz's to protect was genuine. Ferdinand demanded that Moritz decide by 12 September whether he would move against Ernestine Saxony. The threat of war in Bohemia apparently tipped the scale in favor of the emperor.¹⁴

There was no consensus among the Protestant princes over whether armed resistance to the emperor was warranted. That Evangelical princes such as Moritz of Saxony joined the imperial forces exemplifies this. The emperor was able to use existing rivalries between Ernestine and Albertine Saxony to exacerbate tensions over when and how armed conflict should take place. Luther's view that armed resistance to a superior was wrong still prevailed. Even

the Schmalkaldic War," Diss. (Ohio State University, 1995), Ann Arbor: UMI Dissertation Services, 1995, 303.

¹⁴ McNutt, 273-294 passim. It should be remembered that Charles V was himself a Habsburg, which may explain Moritz's attack on him in 1552.

those who accepted the possibility of such reserved this type of aggression for the faith's defense. Moritz felt he was not obligated to aid his cousin Johann Friedrich and the Schmalkaldic League in the war against Charles V because Moritz believed the Evangelical faith was not being attacked. His duty was to obey his lord, the emperor. He wrote in October, 1546,

Then if we have received so many assurances from His Majesty that we have nothing to fear in matters concerning God and religion, and that we are unhindered by His majesty to give to God what is God's, so are we bound by truth and good conscience to give to the emperor (as Christ our savior commanded) also what is the emperor's, just as our princely duty requires.¹⁵

The humiliating defeat of the Schmalkaldic League brought with it a forced settlement that was highly unpopular in Lutheran principalities. At the "armed diet" of Augsburg following the League's defeat in 1547, Charles informed the princes and theologians that he wanted both reform and reunion. To this end he was instituting political and religious changes. Charles appointed the Archbishop of Mainz to draft an interim religious settlement for the German territories. This was to be a temporary solution until a general council could enact a permanent one. The Council of Trent was still in session, but Charles

¹⁵ McNutt, 271.

did not trust Pope Paul III or the Council to come up with "a workable solution." He felt the Council only wished to condemn the Protestant heretics, which certainly would not solve his immediate problems.¹⁶

The pope, arguing that this violated papal prerogative, refused to recognize Charles' attempts to draft an interim settlement for over a year.¹⁷ When Pope Paul III finally agreed to Charles' religious settlement, he sent three cardinal legates to help prepare the Interim. Charles refused the pope's proffered "aid"¹⁸ because he wanted to retain a free hand directing the Interim.

Difficulties in obtaining a consensus document from the imperial committee ensued. From the beginning, the committee of estates appointed by the emperor to draft the Interim allied along Catholic and Protestant lines. In the "Declaration of Religion," the Catholic princes and bishops refused to allow the emperor to impose any of the religious changes in their territories. The Protestants wanted only political reforms, stating that these would suffice to bring

¹⁶ Peterson, "Philippist," 2, 37. The Council of Trent began in late 1545, about two months before Luther's death and did not conclude until December 1563. See also J A O Preus, Second Martin, 29 ff.

¹⁷ Nischan, Prince, 26.

¹⁸ Peterson, "Philippist," 38.

peace.¹⁹ King Ferdinand²⁰ (d. 1564), who oversaw the Peace of Augsburg in 1555, wanted a *reservatio ecclesiastica*, insisting that no more ecclesiastical territories be secularized by their Protestant rulers. An ecclesiastical prince, they argued, could denounce his faith, but his lands would remain the property of the Roman Church.²¹

As a result of these factional squabbles, Charles instructed three theologians to compose the settlement:²² Bishop Julius Pflug of Naumberg, a German Catholic humanist; Bishop Michael Helding of Brandenburg, also a Catholic; and Johann Agricola, Joachim I of Brandenburg's Lutheran court preacher. The official title of Charles V's Interim was, "The Roman Imperial Majesty's Declaration, how the Religion Should be Maintained in the Holy Empire until Decision of the General Council, Revealed and Publicized at the Diet Augsburg, May 15, 1548, and Accepted by the General Estates." In his introduction to the compromise document,

¹⁹ Peterson, "Philippist," 39; Kolb, "Nikolaus Von Amsdorf," 155.

²⁰ Ferdinand was king of Bohemia and Hungary at this time. He was the younger brother of Charles V. In 1556, when Charles abdicated the throne for monastic life, he turned over the imperial crown to Ferdinand, who became Ferdinand I.

²¹ Peterson, "Philippist," 31. This became law in 1555 with the Peace of Augsburg. See also F. Bente, Historical Introductions to the Book of Concord (St. Louis: Concordia Publishing House, 1965), 102.

²² Kolb, "Nikolaus Von Amsdorf," 155.

Charles excluded the Catholic territories from subjugation to its decrees.²³ There was no need to demand adherence by members of the old church to a generally catholic document.

The Augsburg Interim's vaguely formulated statement of justification reintroduced works righteousness,²⁴ the papal hierarchy, all seven sacraments, the Mass, prayers to saints and for the dead, as well as many traditional church ceremonies and practices that the Protestants had rejected earlier. The only concessions made to the Evangelicals were communion in both kinds and clerical marriage.²⁵ Charles believed that the Protestant schismatics were the reason for all of his problems. Therefore, he was determined to end the "highly injurious division of the disputed religion, from which then all injury, distrust, opposition, war, need and difficulties among the estates has up to now resulted." The Council of Trent would settle the schism, but for now,

The highest unavoidable necessities deem necessary these things down to discussion and determination by the

²³ Peterson, "Philippist," 40, 43. There seems to be an on-going controversy as to whether or not Charles meant to bring the Catholics in line with his reforms. This seems to indicate that he did not.

²⁴ Der Römischen Kaiserlichen Maiestat erklerung, cited in Peterson, "Philippist," 49. A two-fold system of justification was reintroduced. Inherent justice gives believers the gift of love. Living "soberly, righteously, and blessedly in the world," while awaiting heaven "through the glory of the great God and our Savior" completed the process.

²⁵ Peterson, "Philippist," 44, 74.

general council, in order in no way to allow confusion to be planted or grow in the present situation but rather to erect more Christian unity and moderation and better understanding, and no longer to wink at the many opposing sects nor hinder further the general peace.²⁶

All discussion about the Interim, by word or pen, was strictly forbidden.²⁷

Melanchthon and the Interims

Despite this directive, the emperor's Interim religious settlement was rejected by nearly everyone.²⁸ The only people who whole-heartedly endorsed the Interim were co-author Agricola, Elector Joachim of Brandenburg, and Elector Friedrich of the Palatinate.²⁹ Southern German territories that Charles's troops occupied were forced to introduce the Interim.

The Northern German imperial cities led the opposition, especially Bremen, Hamburg, Lübeck, Lüneburg, and Magdeburg.³⁰ Margrave Hans of Küstrin, who had fought on the imperial side during the Schmalkaldic War, became a

²⁶ Der Römischen Kaiserlichen Maiestat erklerung, cited in Peterson, "Philippist," 44-45.

²⁷ *Ibid.*, 46.

²⁸ More than 100 treatises were published in Magdeburg against the Leipzig Interim in only two years. Peterson, "Philippist," 434. See also Bente, 98ff.

²⁹ Peterson, "Philippist," 115.

³⁰ Peterson, "Philippist," 3.

staunch opponent of the Augsburg Interim.³¹ A popular rhyme in the area went:

Beware of the Interim--there's a rogue behind it. To me,
Lucifer, a child is born--the delight of my wife, Mrs.
Pope--and his name is Interim.³²

Melanchthon and his colleagues initially condemned the Interim, stating that it "confirmed and re-established many papal errors and abuses."³³ The "True Copy of a Letter that the Honorable Preachers of Leipzig wrote to Duke Moritz of Saxony" in 1547 stated, "we must beg, pray, flee to, and invoke God for victory over the emperor, the opponent of the pious Christian princes. To this [we] set forth our bodies and lives to him, the good God."³⁴ In early July, 1548, Melanchthon wrote of the Emperor's Interim, "Although war and destruction are threatened, it is, nevertheless, our duty to regard the Word of God as higher; that is to say, we must not deny what we know to be the truth of the Gospel."³⁵

Melanchthon accepted the idea of natural law at work in

³¹ Nischan, Prince, 26.

³² Peterson, "Philippist," 115.

³³ Bente, 97.

³⁴ Pfeffinger, Warhafftige Copey, 1547, cited in Peterson, "Philippist," 467.

³⁵ Bente, 98.

the political realm. Luther rejected this concept.³⁶ In his 1543 *Loci*, Melanchthon stated, "it is not permissible for kings, princes, and rulers to act contrary to the divine laws and contrary to the natural law."³⁷ Melanchthon believed it was paramount to distinguish between person and substance when attempting to understand the role of government. This was similar to Luther's distinction between person and office. Rulers are distinguished from citizens, laws from judgments, and legal contracts from wrong doers and punishments. He continued to believe, as did Luther, that "it is a mortal sin to disobey the commands of lawful rulers, so long as they do not order us to act contrary to the commands of God." Melanchthon felt it was the duty of the ruler to resist actively the teaching of false doctrine: "Each person in his own station must prohibit open indignities against God. Therefore, the rulers must prohibit and punish . . . the profession of ungodly doctrines."³⁸

³⁶ The appeal to natural law seems to have been quite popular. Charles V used the concept of natural law in the Augsburg Interim to substantiate the validity of the sacrifice of the Mass. Der Römischen Kaiserlichen Maiestat erklerung, cited in Peterson, "Philippist," 67-70.

³⁷ Philip Melanchthon, trans. J. A. O. Preus, Loci Communes, 1543, (St. Louis: Concordia Publishing House, 1992), 226.

³⁸ Melanchthon, Loci Communes, 1543, 215, 223-225.

Melanchthon made the majority of his statements against the Interim in private letters to kindred spirits. He would not publicly take a clear stand on the imperial Interim.³⁹ Even when berated or begged, he would not come out publicly against it for Melanchthon feared imperial reprisals for such a stance.⁴⁰ What little he had written nearly ended in his exile.⁴¹

The "Opinion on the Interim of the Theologians in Wittenberg" appeared also in July. In the "Opinion," Melanchthon and the Wittenbergers observed that "the acceptance of this book is a confession that our churches have hitherto taught wrongly, and have willingly aroused divisions."⁴² Regarding the article on justification, the Wittenbergers stated that

although the book says that man comes to righteousness through faith, yet this is the meaning of the book, that faith is only a preparation, and that after that man is

³⁹ Bente, 98.

⁴⁰ *Ibid.*, 99. Bente states that Melanchthon's fear of Emperor Charles made him putty in Moritz's hands.

⁴¹ Bente, 98. A letter of Melanchthon's had been published without his knowledge by Bugenhagen, Cruciger, Major and Pfeffinger, but only in Melanchthon's name. Charles V told Moritz to banish the "arch-heretic." The emperor removed Amsdorf from his position as bishop of Naumburg shortly after Luther's death, so Melanchthon knew this was no idle threat. Charles V told the bishop of Speyer to "deal with Johann Friedrich" regarding Amsdorf, "or await imperial punishment." Kolb, "Nikolaus Von Amsdorf," 118, 220.

⁴² Melanchthon, *Opera quae supersunt omnia, Corpus Reformationum* (CR) 6:925, cited in Peterson, "Philippist," 116.

justified by love, as the book plainly says, a man is made truly righteous afterwards through love. . . A man is righteous, that is, pleases God, on account of his love and works, as the monks have previously taught.⁴³

Melanchthon and the Wittenbergers pledged a desire to reconcile their differences nevertheless.

When one, with the good counsel of those who should rule in the churches, shall think of something in such indifferent things useful to more unity and good order, we will gladly help to maintain [it]. . . .⁴⁴

Though seeming to reject the article as unacceptable to the Evangelicals, the Wittenbergers affirmed their willingness to compromise. They would accept the hierarchy of bishops as long as they promised not to persecute the Evangelical faith or introduce "heretical ceremonies." Adopting a conciliatory stance, they advised that no one should make an issue of opposing the Interim over such things as confirmation and extreme unction.⁴⁵ Melanchthon put forth these comments and pacific "olive branches" after he had committed himself to writing another religious settlement for Moritz of Saxony, the Leipzig Interim. Melanchthon wrote to King Christian III of Denmark:

The emperor had moved from Augsburg to Ulm and has brought the Interim to beginning [there] so that one

⁴³ *Ibid.*, 117.

⁴⁴ *Ibid.*, 122.

⁴⁵ *Ibid.*, 120.

holds the Mass daily. Also the preachers of Ulm have been forced to accept the Interim and according to it to teach that which the preachers who have been in Ulm, Martin Frecht and others, would not accept. Therefore immediately they were thrown in chains. Since the emperor has since left Ulm, the provost has led these preachers so pitifully in chains to Speyer.⁴⁶

Things were worsening for the Evangelicals. In November, 1548, a month before completion of the Leipzig Interim, Melanchthon wrote to a group of theologians, advising them regarding the Augsburg Interim:

Remember that you are the guardians of truth, and consider what has been entrusted to you for preservation by God through the prophets and the apostles, and . . . Dr. Luther. If that man were still living, the misfortune of a change of doctrine would not be threatening us. . . .⁴⁷

The theologians of Wittenberg continued sending mixed messages about how to handle the Interim. Meanwhile, Charles V persisted in his enforcement campaign.

The emperor and Joachim II of Brandenburg both knew that they needed Moritz and his forces to enforce the Interim.⁴⁸ His aid in the Schmalkaldic War had turned the tide in the emperor's favor. He was certain it would do so again. To gain Moritz's support, the emperor promised

⁴⁶ Melanchthon to Christian III, 3 September 1548, cited in Peterson, "Philippist," 113-114.

⁴⁷ Bente, 98.

⁴⁸ Nischan, Prince, 27.

Moritz that he would not have to renounce his Evangelical faith. Charles eventually promised that no religious changes would occur in Moritz's lands, but these promises remained sketchy.⁴⁹ Though Moritz was told that Charles's ultimate plan was to return all the heretics to the fold, Moritz refused to believe it. He had stated his demands regarding protection of the Evangelical faith to the emperor. Charles was well aware "in what religion we and our estates stand, and His Majesty knows we confessed, and continue to confess, that we and our estates adhere to the Augsburg Confession . . . so there can be no misunderstanding."⁵⁰

In July 1548, Charles V demanded that the Interim be enforced in Saxony, despite his earlier promises to the contrary.⁵¹ For himself, Moritz told the emperor, he could accept the Interim. His Saxon subjects would require approval of the document before its implementation. At home, Moritz promised never to forsake the "pure doctrine of Luther."⁵² Caught between imperial and territorial demands,

⁴⁹ Kolb, "Nikolaus Von Amsdorf," 151.

⁵⁰ McNutt, 291.

⁵¹ Peterson, "Philippist," 124.

⁵² Kolb, "Nikolaus Von Amsdorf," 173-174.

Moritz gathered his team of Protestant representatives and theologians to examine the Interim and make a full report regarding its doctrines and ceremonies. He told them to yield to the emperor wherever possible for the sake of peace.

The committee's response, entitled "Report on the Interim by the Theologians Gathered at the Landtag at Meissen, 1548," was completed 6 July.⁵³ The committee conceded nothing to the emperor. Unable to present the Protestant response to the emperor, Moritz recast his committee. Composed of like-minded Evangelicals and Catholics, Moritz charged them to create an acceptable Saxon formula of the imperial settlement.⁵⁴ Though Melanchthon stated that he preferred exile to acceptance of the imperial document, he and his colleagues decided it was better at this point to compromise than face exile.⁵⁵ Dubbed the

⁵³ Peterson, "Philippist," 125-126.

⁵⁴ Peterson, "Philippist," 130-134, 147. Melanchthon was not alone in drafting the Leipzig Interim. Georg von Anhalt, Bugenhagen, Major, Cruciger, Paul Eber, Johann Pfeffinger, Daniel Gresser, Georg Forester, Joachim Camerarius, Heironumus Weller, and Anton Lauterbach all had input in Moritz's compromise Interim. These men represented Leipzig, Dresden, Merseburg, Freiburg, Pirna, and Wittenberg. See Kolb, "Nikolaus Von Amsdorf," 177. The committee was composed of jurists, except for one member, all were "of reformed Catholic tendencies." Plug was one of the Catholic theologians picked by Moritz to draft his Interim. Moritz chose him specifically because he helped draft the Augsburg Interim.

⁵⁵ Melanchthon, CR 6:85, cited in Peterson, "Philippist," 115, 136.

Leipzig Interim by the Magdeburgers, Moritz's Interim was introduced on Christmas Eve, 1548.⁵⁶

Reaction to Moritz's formula was so hostile that he never published the entire document. He presented what was referred to as the "Summary" and ordered it introduced into all the churches in his lands.⁵⁷ A supposedly Lutheran settlement, this document allowed the elector, in theory, to enforce the Emperor's religious settlement in a form more palatable to his Evangelical subjects.⁵⁸ The Catholic bishops had no difficulty accepting the Leipzig Interim because they could (and did) interpret it exactly as they had the Augsburg Interim. Melanchthon disagreed, insisting that this Interim was not the same as the emperor's.⁵⁹

Melanchthon had a vested personal interest in the acceptance of the Leipzig Interim. He had put much of himself into it and, unlike Luther, did not possess the ability to withstand political pressure. It has been said that Moritz's political predicament is the background for the Leipzig Interim and the theological controversies that

⁵⁶ Peterson, "Philippist," 146.

⁵⁷ *Ibid.*, 7.

⁵⁸ Bente, 99.

⁵⁹ Peterson, "Philippist," 157-158.

evolved from it.⁶⁰ Because Moritz did not reject the Augsburg Interim outright, Melanchthon and the other Wittenbergers needed to effect a workable compromise.⁶¹ Melanchthon, no longer directed by Luther, drifted doctrinally. The Leipzig Interim's articles on justification by faith and the Lord's Supper modified Luther's teachings.⁶² It is only with "some effort" that "a more Lutheran interpretation could be read" into the Leipzig Interim.⁶³ It was this doctrinal shift that led to the split between Philippists and Gnesio-Lutherans in the Evangelical camp.

Christian unity was what Melanchthon desired above all

⁶⁰ Peterson, "Philippist," 16. Melanchthon was in debt to Moritz on several counts; Moritz became the personal protector of Melanchthon after taking over Ernestine Saxon lands, he reopened Wittenberg University and put Melanchthon in charge of it, and he gave Philip "a handsome cash gift" to aid in reopening Wittenberg University. It would be hard not to be "beholding" to your elector for granting new life to the heart of the Reformation. Otto Vogt says that this money "played no role in Melanchthon's rapidly developing friendship with Moritz." Kolb, "Nikolaus Von Amsdorf," 177. Melanchthon, like Luther, was convinced that he was living in the Last Days. An urgency to reunite the church in this circumstance is not out of the realm of possibility. It is also possible that Melanchthon had deluded himself, much like Moritz did, into believing that Charles V truly sought Christian unity and correction of ecclesiastical abuses. See also Bente, 99.

⁶¹ Peterson, "Philippist," 145.

⁶² Luther Peterson believes that the Leipzig Interim was in keeping with the Evangelical tradition of Luther, stating that it could have "accorded an authentic peace within Lutheranism." Peterson, "Philippist," 11.

⁶³ Nischan, Prince, 27.

else. He had proven that he was willing to sacrifice doctrinal "clarity" to achieve that end. He worked tirelessly to reunite all of Christendom. Division and discord were things for which Melanchthon had no tolerance. Yet, all his efforts to reunify the church were unfruitful.⁶⁴ Even before the Interims, Melanchthon differed with fellow theologians over his tendency to compromise for the sake of unity. In 1543 he was at odds with Amsdorf over the Book of Cologne. Melanchthon had been requested by Hermann von Wied, elector and archbishop of Cologne, to draft a constitution to reform his territories. Melanchthon sought advice from Martin Bucer and others before publishing the results in 1544. Amsdorf, having been asked to review the work for the elector of Saxony, complained that the wording of the articles on free will and the real presence in the Lord's Supper was not in keeping with a Lutheran understanding.⁶⁵ This indictment by Amsdorf is all the more striking when compared with Melanchthon's

⁶⁴ Francis I of France asked Melanchthon for aid in drafting a religious settlement but called it off when he signed a peace treaty with Charles V in 1538. See J A O Preus, Second Martin, 28-29, 55-56.

⁶⁵ This book was drafted by Melanchthon for Archbishop Hermann von Wied, Cologne's elector. Amsdorf had been asked by the elector of Saxony to appraise the document so he could give a response to Hermann, who had asked for an opinion of it. Melanchthon, bitter, wrote to Martin Bucer, criticizing Amsdorf's report. Kolb, "Nikolaus Von Amsdorf," 118-120.

writings just five years earlier. Joachim II of Brandenburg asked Melanchthon to respond to his theologians' proposed church order in 1538. He declared that it was missing the very heart of the Reformation doctrine, justification by faith.⁶⁶

Luther had managed to keep Melanchthon's doctrine from deviating too radically, at least publicly. After Luther's death, there was no one to keep watch over Melanchthon's theology. Melanchthon gave his views on his relation to Luther in a letter in 1548, remarking that

in Luther's time I was often compelled to give in and found it more than humiliating. He [Luther] would drive away at his point, out of sheer passionate obstinacy, with little regard for what befitted his person or the common weal.⁶⁷

It has been suggested that Melanchthon rejected

Luther's understanding of Christian suffering, perhaps due to his fear for the safety and future of the church.⁶⁸

Luther stated clearly his views on the reality and even the benefits of persecution. Preaching on 1 Peter in April, 1537, he told his parishioners to expect persecution: "If

⁶⁶ Nischan, Prince, 15-16.

⁶⁷ Melanchthon to Christoph von Carlowitz, Saxon councilor, April, 1548, cited in Ernst Zeeden, The Legacy of Luther, (London: Hollis & Carter, 1954), 14-15.

⁶⁸ Robert Kolb states that Melanchthon took Luther's overarching principle of the theology of the cross and made just another schema in his works. Kolb, "God's Gift of Martyrdom," 408.

you want fire, you must endure the smoke. If you are a Christian, you are called under the cross. Therefore the prophet says (Ps. 44:22): 'We are counted as sheep for the slaughter.'"⁶⁹ In his sermon on Matthew 2:13-23, Luther said:

To this day it happens that when tyrants rage against the Gospel, they do no more than blow into the ashes. Then the fire becomes greater, and the ashes fly into their eyes. This is the success which their tyranny is to meet. When they shed innocent blood, this blood of the Christians is to act as a fertilizer on the field, making it rich and productive. For through persecution Christendom grows; conversely, Christians become lazy and lax when conditions were peaceful and quiet.⁷⁰

Looking back at the changes and compromises in the Leipzig Interim, Melanchthon stated that he and his fellow theologians accepted it to preserve justification by faith, preserve peace, to save the church from ruin, and to protect the weak from persecution. He chose the lesser of two evils, following Luther's example.⁷¹ He feared the Evangelical faith would not survive the strength of the emperor and therefore was willing "to compromise evangelical freedom . . . in exchange for a moderately stated Lutheran

⁶⁹ Ewald Plass, comp., What Luther Says, Tenth Printing, (St. Louis: Concordia, 1994), #3292, p. 1034.

⁷⁰ Plass, #3307, p. 1040.

⁷¹ "Final Report of the Theologians of Both Universities of Leipzig and Wittenberg," 1570, cited in Bente, 110.

doctrine of justification."⁷² The compromise thus was a salvage operation for the Wittenberg and Albertine theologians. Melanchthon felt that exile and the loss of Evangelicals in the pulpit would put the entire territory in jeopardy.⁷³ Unity and compromise were necessary to preserve God's church on earth.

Treatises against the emperor virtually stopped flowing from anywhere except Magdeburg after the defeat of the Schmalkaldic League. The Philippists either avoided the question or, as Melanchthon did in his *Loci*, reverted to a position more in keeping with Luther: obey and suffer the consequences.⁷⁴ Pfeffinger's tract of 1550 set limits on the ruler's right to dictate doctrine to the church, but did not speak of resistance in case the ruler overstepped his bounds.⁷⁵ Church hierarchy and ceremonies were not matters perilous to doctrine.⁷⁶ The Leipzig Interim demanded "that all clergy be subject and be obedient to the highest and other bishops, who carry out their episcopal office

⁷² Jungkuntz, 13.

⁷³ Peterson, "Philippist," 10, 146.

⁷⁴ Peterson, "Philippist," 469, 478.

⁷⁵ Pfeffinger, Von den TRADITIONIBUS, CEREMONIES., cited in Peterson, "Philippist," 473.

⁷⁶ Peterson, "Philippist," 6-7.

according to God's command. . . ."⁷⁷ The Albertine Saxon theologians regarded such matters as *adiaphora*.⁷⁸ The appropriate Christian response was obedience.

Resistance to the Interims

Reaction to the Interims differed considerably in the northern territories. In "The Preachers of the Young Lords, Sons of Johann Friedrich, Dukes of Saxony, Christian Opinion on the Interim," the Ernestine theologians of Jena labeled it "anti-Christian."⁷⁹ Flacius called for an act of confession in response to Charles V's Interim. The emperor was not effecting change, Flacius railed, but only distinguishing between regulations. Flacius' call for confession became the Magdeburger's rallying cry: "*in casu confessionis et scandali nihil est adiaphoran*."⁸⁰ In other words, when the Christian faith is in jeopardy, every issue pertaining to the faith matters. What could be considered

⁷⁷ The highest bishop was the pope. Peterson, "Philippist," 167.

⁷⁸ Bente, 99. Melancthon's concept of *adiaphora* may have been influenced by Erasmus. He, too, hoped to restore Christian unity by enlarging the blanket of *adiaphora*. He included the Trinity and God's omnipotence as *adiaphora*. *Erasmii Opera Omnia*, VI:926-928, cited in Peterson, "Philippist," 88, 112.

⁷⁹ Dated 28 July 1548. Three articles were excepted. Peterson, "Philippist," 137.

⁸⁰ Oliver Olson, "Matthias Flacius Illyricus 1520-1575," in Jill Raitt, ed., Shapers of Religious Traditions in Germany, Switzerland, and Poland, 1560-1600, (New Haven: Yale University Press, 1981), 3.

"indifferent" when the existence of the Evangelical faith was at stake?

Amsdorf demanded total opposition to the Interim because key Evangelical beliefs had been sacrificed.⁸¹ He declared that it was the height of presumption for the emperor to allow clerical marriage and communion in both kinds since Christ himself allowed the former and commanded the latter. The Magdeburgers believed that the compromises of the Leipzig Interim affected the doctrine of justification directly. Melanchthon was undermining the very foundation of the gospel he had helped reclaim. The Magdeburg theologians accused the Wittenbergers of striking the concept of *sola fide* from the Interims. They charged that Melanchthon had taken justification by faith and reverted to the Roman concept of *iustitia infusa*, which Luther had so clearly rejected.⁸² This "infused righteousness"⁸³ required a response and acts of love

⁸¹ Amsdorf, "Answer, Conviction, and Confession on the Wonderful and Winsome Interim," cited in Kolb, "Nikolaus Von Amsdorf," 165-167.

⁸² Bente, 99.

⁸³ The concept of infused righteousness is nearly identical to Erasmus' concept of "double justification." In his *Erasmii Opera Omnia*, he states, "There is a double righteousness, the first is innocence to which we are restored through faith and baptism, the other is faith working through love." V:325, cited in Peterson, "Philippist," 78.

besides faith, a reinstatement of works righteousness. Article VI of the Augsburg Interim on justification was taken over into the Leipzig Interim in paraphrase form. Article VIII stated, "The spirit flows out from Christ into all members of this Church, infusing them with the gift of blessedness and love." "Members of this Church" has nothing to do with possessing saving faith. The medieval understanding of church membership was retained. It included everyone in Roman lands. There was no distinction between the visible and invisible (hidden) church.⁸⁴ This was a clear break from the three *solas* of the Evangelical faith.⁸⁵

The response called for in Jena and Magdeburg was a call to confession and resistance, not capitulation and compromise. The Magdeburgers believed that firm opposition would preserve the Evangelical faith.⁸⁶ Melanchthon and his followers were willing to compromise; their opponents would not.⁸⁷ Georg Major wrote:

⁸⁴ Der Römischen Kaiserlichen Maiestat erklerung, cited in Peterson, "Philippist," 8, 54, 57-58, 78, 149.

⁸⁵ *sola fide, sola gratia, and sola scriptura.*

⁸⁶ Peterson, "Philippist," 202-203, 281.

⁸⁷ Wenzel Lohff, "Legitimate Limits of Doctrinal Pluralism According to the Formula of Concord," Sixteenth Century Journal, VIII:4 (1977), 24.

You with body, goods, and blood, you of whatever estate you are, Oberkeit or subject, you are obliged to help and maintain (which also natural law teaches you) God's ordinance that the evil be punished and the pious protected, that true godly doctrine [and] true worship be raised up.⁸⁸

Even before Luther's death, Magdeburg committed itself to both the Evangelical faith and armed resistance on its behalf. Robert Kolb has stated that resistance theory as displayed in Magdeburg was heavily influenced by Johann Friedrich's actions at the time of the Schmalkaldic War as well as the early debates Luther had with fellow theologians.⁸⁹ Luther Peterson believes that these early political theorists in Magdeburg laid the groundwork for justifiable disobedience and who might accomplish it.⁹⁰ In 1526 they had created the first League of Magdeburg.⁹¹ The Torgau Declaration gave public expression to the right to resist, as was discussed in Chapter One.

The Interim's call for "a simple return to Catholic practices"⁹² meant more to the Magdeburgers than

⁸⁸ Georg Major, Ewiger . . . Declaration, 1546, cited in Peterson, "Philippist," 462.

⁸⁹ Kolb, "Nikolaus Von Amsdorf," 222.

⁹⁰ Peterson, "Philippist," 449.

⁹¹ Nischan, Prince, 65.

⁹² Der Römischen Kaiserlichen Maiestat erklerung, cited in Peterson, "Philippist," 73.

reinstating *adiaphora*. Amsdorf condemned the Augsburg Interim as a rehash of the Regensburg Book issued seven years earlier, which the Evangelicals had rejected already.⁹³ Martin Bucer and Johannes Gropper secretly drafted this Book and presented at the Diet of Regensburg in 1541 as the basis for theological compromise between the Catholics and Evangelicals.⁹⁴ Amsdorf, Melanchthon and Luther dismissed it at the Diet of Regensburg in 1541 because it compromised the doctrine of justification by faith.⁹⁵

To get Melanchthon to regain his lost focus and take an active role in condemning the Interim, Flacius published a letter from Luther to Melanchthon:

You want to govern things according to your philosophy; you torment yourself and do not see that this matter is not within your power and wisdom. . . . If we fall, Christ, that is to say, the Ruler of the world, falls with us; and even though He should fall, I would rather fall with Christ than stand with the Emperor.⁹⁶

Aquila pleaded with Melanchthon to sound the alarm against the Interim, as Luther would have done: "Thou holy man,

⁹³ Amsdorf to Johann Friedrich, 20 June 1548, cited in Kolb, "Nikolaus Von Amsdorf," 162.

⁹⁴ See Vinzenz Pfnür, "Colloquies," The Book of Regensburg and Regensburg, OER, 1:377-380.

⁹⁵ Nischan, Prince, 24. See also Peterson, "Philippist," 96.

⁹⁶ Luther to Melanchthon, 30 June 1530, cited in Bente, 110.

answer and come to our assistance, defend the Word and name of Christ and His honor."⁹⁷ The concessions and compromises in the Interims, the Magdeburg theologians charged, would confuse the people. Reintroduction of ceremonies would be interpreted as a return to Catholicism. "Appearances spoke a louder confession than doctrinal definitions."⁹⁸ The Magdeburgers were convinced that commanded uniformity bound consciences, contradicted Christian freedom, and, therefore, was dangerous to the Church. Any compromise with the emperor was a compromise with the Anti-Christ. By supporting the Imperial Interim, the Wittenberg theologians were supporting persecution of the south German Evangelicals as Spanish troops enforced it.⁹⁹ Flacius preached that failure to resist the emperor was a grievous sin because the Lutherans in Magdeburg were the only true Lutherans left.¹⁰⁰ The "Instruction Concerning Self-Defense" defined the

⁹⁷ Bente, 98.

⁹⁸ Amsdorf, cited in Kolb, "Nikolaus Von Amsdorf," 182.

⁹⁹ Kolb, "Nikolaus Von Amsdorf," 184-189. J A O Preus states that 400 Lutheran ministers in Saxony were exiled by the Augsburg Interim and several were killed. See J A O Preus, Second Martin, 59.

¹⁰⁰ Nischan, Prince, 68-9. It was during this time that Melanchthon gave the opposition camp their nickname, "Gnesio-Lutherans." In his *Corpus Reformatorum* Melanchthon said that "these absurd persons consider themselves the only 'gnesio' [true] Lutherans." See Olson, "Matthias," in Jill Raitt, Shapers, 4.

Protestant princes' right to fight this just war.¹⁰¹ They stated that the pope had caused the Schmalkaldic War to destroy the Evangelical Church.¹⁰² While it was true that the princes were to be obedient in things temporal, this was spiritual. Again, as in times past, the Evangelicals appealed to a general council.¹⁰³ By 1548, during negotiations over the proposed religious settlement, they began calling for a national synod to settle the religious schism. The decrees of the Council of Trent made it quite clear to the Protestants that a general council was not going to be impartial.¹⁰⁴

Melanchthon stated that natural law gave man the ability to reason, thereby knowing when rulers inflicted *atrox iniuria* (horrible injury) on their subjects. The Magdeburgers used this justification in their writings. In such a case, protection fell under the right of the husband or father to protect his family. The magistrate was duty-

¹⁰¹ Published in 1547 during the Schmalkaldic War by the Magdeburgers. Luther Peterson, "Melanchthon on Resisting the Emperor: The Von der Notwehr Unterricht of 1547," Sixteenth Century Essays & Studies Series, VIII (1987), 133-134. See also Jill Raitt, Shapers of Religious Traditions, 4, and Peterson, "Philippist," 13.

¹⁰² Amsdorf translated the papal bull of 1546 into German, adding his own comments. Kolb, "Nikolaus Von Amsdorf," 152.

¹⁰³ Peterson, "Melanchthon," 136.

¹⁰⁴ Peterson, "Philippist," 40.

bound to protect the people. To distinguish between just resistance and riot, the intent of the inferior in opposing his superior was considered, as was the superior's performance of his duties. In this way the Magdeburgers were able to draw the line between usurpers and those genuinely concerned with providing protection.¹⁰⁵

The line of reasoning begun in the 1530's continued concerning the relationship between emperor and the princes. The princes' authority was independent of the emperor. Any ruler found guilty of breaking either table of the Mosaic Law was subject to removal from office. This included the emperor. The Gnesio-Lutherans held that the right of self-defense and the duty to protect others are valid always. If the superior was a tyrant, the people were justified in removing him. "When high authority unjustly presumes to persecute with force not only the persons of those subject to its rule, but also their divine or natural rights; and when it suspends and destroys true doctrine and worship, the lesser magistrate is under divine obligation to defend itself and those subject to it as best it can against that authority."¹⁰⁶

¹⁰⁵ Peterson, "Melanchthon," 140-141.

¹⁰⁶ Magdeburg Confession, 1550, cited in Oliver Olson, "Theology of Revolution: Magdeburg, 1550-1551," Sixteenth Century Journal, 71.

Justification for this practice was found in private law and Luther's orders of creation. Self-defense was equated with self-preservation, a protection by right of nature. This argument had been used by William of Ockham and Gerson in the fourteenth century. Luther's orders of creation stated that each order was limited by God. Obey God first, then the temporal authorities. The pope had clearly exceeded his authority by dictating to the temporal realm, which amounted to a tyrant and a thief claiming jurisdiction over king and prince. Therefore, the Schmalkaldic League had every right to defend itself.¹⁰⁷

By 1545, Magdeburg's city council strengthened the city's defenses, rejected religious compromises, refused allegiance to the new Archbishop, and demanded freedom to conduct Evangelical worship services. Charles V imposed the ban on Magdeburg after the defeat of the Protestant League, interrupting trade, sanctioning plunder of the countryside and seizure of property. This did not stop Magdeburg, however. Deposed pastors flocked to Magdeburg.

In Strasbourg, Caspar Hedio preached about resistance in 1534. He likened the relationship between the Strasbourg

¹⁰⁷ Peterson, "Melanchthon," 136-140.

citizens and magistracy to that of the Athenians and Pericles. Hedio exhorts the leaders:

Remove false teaching from their midst, guide them with true doctrine and every good order and policing. Care for them, work for them, turn to them your every energy, for it is to you and to them a matter of eternal life.¹⁰⁸

The Magdeburg Confession of 1550 encapsulated North German Lutheran thinking on political resistance after the defeat of the Protestant League. By the time the Magdeburg Confession was written three years and one war later, the Magdeburgers were emphasizing the constitutional duties of the Lower Magistrates.¹⁰⁹

Violent reactions in Brandenburg over the Interims caused Elector Joachim II to fear for his life. Nonetheless he was still trying to enforce it in 1551. Official efforts to enforce the Interim ended with the treaty of Passau in 1552, after the imperial defeat at the hands of Moritz of Saxony and other Protestant princes.¹¹⁰ Robert Kolb stated that, "The controversy over the Interims is but one example of the mixture of politics and religion which marks the whole course of the Reformation."¹¹¹

¹⁰⁸ Steven Ozment, The Reformation in the Cities, (New Haven: Yale University Press, 1975), 212-213.

¹⁰⁹ Peterson, "Melanchthon," 142-144.

¹¹⁰ Nischan, Prince, 28-29.

¹¹¹ Kolb, "Nikolaus Von Amsdorf," 192.

Compounding the difficulties created by the Interims was Melanchthon's "tampering" with confessions of faith and their explanation. He altered and defended his successive editions of *Loci* and the Augsburg Confession throughout his lifetime.¹¹² He became stubbornly committed to his deviations, refusing to believe that he had changed the true meaning of any doctrine.¹¹³ The only things he felt had changed were things that were of no doctrinal consequence, simply *adiaphora*.¹¹⁴ In the end, Melanchthon admitted his error in drafting the Interim:

I knew that even the least changes [in ceremonies] would be unwelcome to the people. However, since the doctrine was retained, I would rather have our people submit to servitude than forsake the ministry of the Gospel.¹¹⁵

He wished he had never become involved with the "insidious

¹¹² Melanchthon reworked Article XXVIII of the 1541 *Variata* of the Augsburg Confession on episcopal jurisdiction so that it opposed the original 1530 stance. Georg Kretschmar, "The Diet of Resenbourg and the 1541 *Variata* of the Augsburg Confession," in Carter Lindberg, ed. *Piety, Politics, and Ethics, Reformation Studies in Honor of George Wolfgang Forell*, (Kirksville: Sixteenth Century Journal Publishers, 1984), 85.

¹¹³ Hoass, 56.

¹¹⁴ Clyde Manschreck sees his stance on *adiaphora* not in conflict with Luther. The only difference between Luther and Melanchthon, he believes, is that Melanchthon could not "foresee the historical consequences of his stand." Manschreck, "A Critical Examination and Appraisal of the *Adiaphoristic* Controversy in the Life of Philip Melanchthon," Diss. (Yale University, 1948), New Haven: Clyde Manschreck, 1953, 260, 264.

¹¹⁵ Melanchthon to Flacius, 5 September 1556, cited in Bente, 112.

deliberations" of the Interims.¹¹⁶ But by then it was too late. The damage had been done and would run its devastating course.

The defeat of the Schmalkaldic League was a disastrous blow for the Evangelicals. Moritz's defection to the emperor gave him political powers of which he had only dreamed. Along with these new powers, however, came the emperor's religious settlement. To appease both Charles V and his Evangelical subjects, Moritz drafted what he hoped would be a formula with which everyone could live peacefully.

Philip Melanchthon and his followers aided this process by drafting the Leipzig Interim. Melanchthon's attempt to effect a compromise between the Evangelical and Roman religious camps not only failed but caused controversies that threatened to unravel the tenuous fabric of the Protestant Reformation. The rift between the Philippists and Gnesio-Lutherans would only become larger. Each side became convinced that their understanding of Luther was the only true interpretation. This included his writings on resistance. The fighting between the universities of Wittenberg and Jena over the proper time to resist would reach a fever pitch. The precarious position of the

¹¹⁶ *Ibid.*

Evangelical faith would not be settled until 1555. It would take many more years before the Lutheran factions were reunited.

CHAPTER THREE
PRIVATE VERSUS PUBLIC RESISTANCE:
PHILIPPISTS VERSUS GNESIO-LUTHERANS

The Peace of Augsburg

Emperor Charles V convened a diet at Augsburg in March, 1550. He was still trying to enforce his Interim. A year later he was no closer to his goal. He was willing to consider objections from the Protestant princes only after the Interim was in force. The Protestant Princes, including Moritz of Saxony, allied with Henry II of France and attacked Charles V's troops in Magdeburg that year. Charles called for a truce, leading to the Peace of Passau in 1552. "His intent to suppress Protestantism had alienated his Protestant allies and angered his Protestant foes. His intent to restructure the relationship between emperor and territorial rulers had precipitated even greater difficulties."¹

The Turkish threat that had been acute in the 1530's was again at a critical stage. Charles needed peace and support, not more war and enemies. The Protestant princes demanded Concessions when the Augsburg Confession was first brought before the emperor in the 1530's. In 1555, the

¹ Hans Hillerbrand, The World of the Reformation, Twin Brooks Series, (Grand Rapids: Baker Book House, 1973), 106-107.

Evangelical rulers again demanded concessions, this time on political grounds.² The Evangelical princes met in Naumburg in May, 1554 to work out the truce implications of Passau with the emperor.³ Charles sued for peace in October, 1555, divided his lands, and retired to a monastery in defeat.⁴ His schemes to deprive the German princes of power and return the heretics to the faith had failed. Neither imperial nor Protestant forces were able to dominate. Consequently, compromise was the only solution.

The Peace of Augsburg afforded sixty-three years of tenuous calm, having given Lutheranism an attenuated legal standing. It initiated the longest period of peace (lasting until the start of the Thirty Years War in 1618) in modern German history. This treaty was modified with the Peace of Westphalia in 1648, but the recognition of Lutheranism became and remained a reality. The founding premise of the Peace of Augsburg thus remained in force until the final

²Hillerbrand, World, 202-203. See also Herbert Immenkötter's "Peace of Augsburg," in OER, 1:92.

³ Kolb, "Amsdorf," 247.

⁴ Charles V officially abdicated 25 October, 1555. Neither he nor the pope attended the Augsburg negotiations. Both emperor and pope "lost their ability to influence the course of action in Germany." Hillerbrand, World, 109. It should also be noted that pope Julius III died in March, Marcellus II died in May, and Paul IV needed time to respond but the diet ended in September. See Harold Grimm, The Reformation Era, 1500-1650, Second edition, (New York: Macmillan & Company, 1973), 211.

demise of the Holy Roman Empire early at the beginning of the nineteenth century.⁵ Ferdinand I (d. 1564), brother of Charles V and successor to the throne of the Holy Roman empire, negotiated the Peace of Augsburg with Moritz of Saxony's successor, Augustus.⁶ After Charles V abdicated the throne, he divided the Holy Roman Empire between his son Philip and his brother Ferdinand. Philip inherited the Spanish half; Ferdinand inherited the Austrian Habsburg lands.⁷

Some scholars believe the Peace of Augsburg was a purely religious compromise, while others hold it to be wholly political.⁸ It was a combination. It amounted to political control of religious expression. One of the most significant stipulations in this settlement was the ruler's right to choose the religion of his lands--either Lutheranism or Catholicism--instituting what in the

⁵ Herbert Immenkötter, "Peace of Augsburg," in OER, 1:91.

⁶ August succeeded Moritz at the latter's death in 1553. James Tracy, "Magistracy," 490.

⁷ Richard Dunn, The Age of Religious Wars, 1559-1715, (New York: W. W. Norton, 1979), 59.

⁸ Herbert Immenkötter states that it was not a religious compromise because both confessions of the Catholic church and the Evangelical church were given equal footing. See "Peace of Augsburg" in OER, 1:92. Richard Dunn states that the Peace of Augsburg was not political, likening the settlement to Henry IV of France's Edict of Nantes. See Dunn, 60.

seventeenth century became the *cuius regio, eius religio* principle.⁹ Those who did not accept the faith of the ruler were entitled to move from the territory. In fact, they were required to emigrate.¹⁰ This effectively rendered the Interims, which had caused and would continue to cause so much unrest, useless.¹¹

The princely supporters of the old faith also claimed an ecclesiastical reservation on all church lands still in Roman Catholic hands in 1552. The ecclesiastical reservation stipulated that no matter what religion the ruler adopted, these lands were to remain under Catholic control. Personal conversion of the ruler did not affect either the ecclesiastical or the political status of an ecclesiastical territory.¹² Accordingly, any archbishop, bishop, or abbot who converted to Lutheranism or other Protestant creed would lose his title, lands, and

⁹ This phrase appears nowhere in the Peace of Augsburg. It was coined in the seventeenth century. Herbert Immenkötter, "Peace of Augsburg," in OER, 2:92.

¹⁰ Herbert Immenkötter, "Peace of Augsburg," in OER, 2:92.

¹¹ Robert Kolb, "Nikolaus Von Amsdorf, Knight of God and Exile of Christ: Piety and Polemic in the Wake of Luther," Diss., University of Wisconsin, 1973, (Ann Arbor: University Press, 1973), 194. Luther Peterson states that the Interims and adiaphora "were a dead letter" after the treaty of Passau and the Peace of Augsburg. See Luther Peterson, "The Philippist Theologians and the Interims of 1548," 312-313.

¹² Hillerbrand, World, 108.

authority.¹³ As a compromise, due to vehement protests by the Evangelical princes, the right to appoint a Catholic successor was applied only to those territories seized by Protestants after 1552.¹⁴

The question of ecclesiastical jurisdiction in all other territories was "suspended" until some future conciliation could be afforded.¹⁵ The Brandenburg representative rejected the ecclesiastical reservation completely. Catholic control over non-secularized church properties was unacceptable because it infringed on the territorial rights of the German princes.¹⁶ Privately, to gain the Protestant's good will, King Ferdinand made another promise, the *Declaratio Ferdinandae*. It stated that Protestants living within ecclesiastical principalities were free to practice their faith. This promise did not become part of the treaty but sufficed to get Protestant acceptance of the ecclesiastical reservation (which was part of the

¹³ Herbert Immenkötter, "Peace of Augsburg," in OER, 2:92. See also Harold Grimm, The Reformation Era, 1500-1650, Second Edition, (New York: MacMillan Company, 1973), 212.

¹⁴ P. N. Bebb, "Religious Peace of Augsburg, 1555," in Jonathan Zophy, ed., The Holy Roman Empire A Dictionary Handbook, (Westport: Greenwood Press, 1980), 29. See also Hillerbrand, World, 107-108.

¹⁵ Hillerbrand, World, 108.

¹⁶ Nischan, Prince, 31.

treaty).¹⁷

The power to enforce the Peace of Augsburg rested with the elector of Mainz. He was charged with overseeing that the Catholics and Lutherans maintained an "eternal, unconditional peace." He was to call an imperial deputation "when peace was threatened" and everyone would decide what "appropriate measures" were to be taken against the offending party.¹⁸ This effectively put ecclesiastical power in the hands of secular officials. Control of church practice in the newly accepted Lutheran principalities fell largely to the princes.¹⁹ Those roles traditionally filled by bishops were transferred to the princes or their appointees.

The Interim's Aftermath

The right to resist and the conditions under which this might take place became less of a political issue under the new settlement. Though the Peace of Augsburg was not ideal,

¹⁷ Bebb, "Religious Peace of Augsburg, 1555," in The Holy Roman Empire, 29.

¹⁸ Grimm, 211-212. The author sees the Peace of Augsburg as the reason for the slow nation/state development in the Germanies because it catered to the "particularism of princes." He also feels it is responsible for the Thirty Years War because it excluded Calvinists from the religious settlement.

¹⁹ Hillerbrand, World, 206. See also Luther Peterson's article, "Philippists," 3:259, and James Estes' "Office of Secular Magistrate," 4:42, in Hans Hillerbrand, ed., OER, (New York: Oxford University Press, 1996).

it allowed local princes to do many things their way in their territories, as long as the chosen religion was Catholic or Lutheran. In theological circles the right to resist continued to be debated and refined. Nearly every controversy that plagued the Lutherans during the 1550's and 1560's arose from the Interims.²⁰ The Philippists and Gnesio-Lutherans differed in their attitude towards ecclesiastical uses and affairs. Melanchthon's disciples wished to change as little as possible; their opponents refused to reinstate anything by secular decree. Both camps welcomed governmental support for their ecclesiastical programs. The Philippists compromised with civil authorities whereas the Gnesio-Lutherans resisted secular rulers dictating to the church.²¹ The Gnesio-Lutherans were especially sensitive to encroachment by civil authority over ecclesiastical affairs. They felt that the establishment of church orders was not a civil concern and that the state had no right to meddle in doctrinal or ceremonial matters. The Philippists viewed the church as an institution; the Gnesio-Lutherans saw the church as a Biblical "remnant" being

²⁰ Brynjulf Hoass, "The Bestowal of the Benefits of the Real Presence: The Early Eucharistic Works of Martin Chemnitz as a Contribution Toward the Formula of Concord Article VII," Diss., Concordia Seminary, St. Louis, 1990, (St. Louis: Concordia Seminary Press, 1990), 21-22.

²¹ J A O Preus, Second Martin, 63.

attacked but standing firm until Christ's return.²² This controversy between the Philippists and Gnesio-Lutherans is known as the Adiaphoristic controversy. This dispute over ceremonies and polity was brought on by the compromises in the Interims and created what appeared to be an irreparable rupture within the Evangelical camp.

The Adiaphoristic controversy directly affected Lutheran resistance theory more than any other controversy that plagued the Evangelicals after the Interims. It raged from the introduction of the Interims in 1548 until the Peace of Augsburg in 1555 but was not settled until the acceptance of the Book of Concord in 1580. Melanchthon stated in the Frankfurt Recess of 1558 that "where the true Christian doctrine of the holy Gospel is polluted or persecuted, there the *adiaphora* as well as other ceremonies are detrimental and injurious." The Wittenberg theologians published their "Exposition" of 1559 to explain why they had accepted the reintroduction of certain Catholic ceremonies. Upon accepting the Corpus Christi festival these theologians stated that they wanted to instruct the people in how to rightly use the Sacrament. They hoped to point out the

²² Hoass, 30-33.

horrible abuses and profanations such as the adoration of the bread, thereby thanking God for "the purification of the temple from the Romanish idol."²³

Martin Chemnitz (d. 1586), theologian and superintendent of Braunschweig, replied to the Wittenbergers. "Even though the intention of those who receive and use the *adiaphora* be not an evil one, the question is whether the opinion of the one who commands, imposes, and demands the *adiaphora* is impious or wicked, whether such reception and observation is interpreted and understood as a turning away from the confession of the true doctrine, and whether the weak are offended and grow faint thereby."²⁴

Flacius was more blunt in his response, stating that to show themselves blameless, the Wittenbergers had deceived both God and themselves as to their true motives. "A Christian cannot obtain peace by offending God and serving and satisfying tyrants. Rather be drowned by the Spaniards in the Elbe with a millstone about one's neck than offend a

²³ Bente, 103, 110, 113. This same year, Melanchthon published his "Opinion on the Lord's Supper," sparking more controversy over what Gnesio-Lutherans believed to be his Crypto-Calvinist interpretation of Scripture. See Kolb, "Amsdorf," 454.

²⁴ Martin Chemnitz, Iudicium de Adiaphoris, cited in Bente, 111.

Christian, deny the truth, and surrender the Church to Satan."²⁵ Flacius believed that ministers who denied or failed to confess the truth or yielded to tyrants had deserted the church.²⁶ "Vague stirrings of national feeling were beginning to spread" and theologians, especially Flacius, were not above using this feeling to aid their message of "oppression to ecclesiastical tyranny."²⁷ The right of resistance and revolution was a logical extension to years of defiance against the government's hostility to the Reformation.²⁸

Johannes Brenz, softening the position taken by Flacius earlier in the controversy, stated, "*Adiaphora ex suis conditionibus iudicanda*." This meant that the conditions under which the *adiaphora* are introduced must be taken into account. If the circumstances surrounding the introduction of ecclesiastical practices are favorable, then the *adiaphora* may be peaceably accepted and practiced; if they are evil then acceptance and observance of *adiaphora* must be

²⁵ Matthias Flacius Illyricus, De Veris et Falsis Adiaphoris, cited in Bente, 111.

²⁶ Bente, 109.

²⁷ Kolb, "Amsdorf," 469.

²⁸ Hillerbrand, World, 204-205.

prohibited.²⁹ It was not entirely clear just what constituted good or evil circumstances. Each theologian's interpretation differed as to where to draw that line.

Theologians at Jena and Magdeburg accused Melanchthon and his faculty of diluting the heritage of Luther's Reformation. There was considerable bitterness over the loss of Melanchthon as the expectant faithful leader of the Reformation. The Lutherans at Jena and Magdeburg felt betrayed by their colleagues in Wittenberg and Leipzig over the Interims. This served to widened the gap between the Lutheran factions. The controversy over who was protected by the Augsburg Peace made the gap a chasm.³⁰ In the end, both Melanchthon and Flacius lost the leadership of their fellow Lutherans because of their positions in the Adiaphoristic Controversy.³¹

The Peace of 1555 reveals its religious and political significance. It sanctioned the faith of the Augsburg

²⁹ Johannes Brenz, cited in Bente, 111.

³⁰ Euan Cameron, "One Reformation or Many? Protestant Identities in the Later Reformation in Germany," in Peter Grell and Bob Scribner, eds., Tolerance and Intolerance in the European Reformation, (Cambridge: University Press, 1996), 108.

³¹ Clyde Manschreck, "A Critical Examination and Appraisal of the Adiaphoristic Controversy in the Life of Philip Melanchthon," Diss., (Yale University, 1948), New Haven: University Press, 1953, 261.

Confession, but which faction truly represented it and therefore was legal? Melanchthon's revised version of the confession, the 1540 *Variata* edition, allowed a broader segment of Protestants to claim political recognition under the settlement, especially those who embraced a Calvinist creed.³² His original version of the Augsburg Confession, the 1530 edition, referred to as the *Invariata*, is the version to which the Evangelicals signed their names. It is the version used to determine membership into the Schmalkaldic League. It became the "sticking point in every instance of Evangelical controversy after the Interims."³³ Melanchthon privately negotiated with Jean Calvin in 1557 over issues that divided Protestants, especially the Lord's Supper. Publicly, however, he continually refused to take a stand on the controversies his writings had spawned, particularly those dealing with the Lord's Supper, justification by faith, and *adiaphora*.³⁴ The Peace of Augsburg only referred to the lawfulness of the Evangelical faith. It did not settle which Augsburg Confession was to

³² Hoass, 38.

³³ Jungkuntz, 13.

³⁴ Hoass, 61, 107-108. The Philippists did not answer the Gnesio-Lutherans until 1559. The *Corpus Philippicum* was published in 1560.

be the basis for religious legitimacy under the law.³⁵

Elector Friedrich III of the Palatinate (r. 1559-76) later gained legal recognition for his Calvinist beliefs at the Diet of Augsburg (1566) by subscribing to Melanchthon's *Variata* of 1540 as the accurate, biblical interpretation of the earlier version of the Augsburg Confession.³⁶

Between 1555 and the publishing of the decrees of the Council of Trent in 1564, many colloquies and diets were held in hopes of coming to some understanding and agreement in doctrine and practice among the Evangelicals. If unity could not be achieved, at least a clearer understanding might be accomplished.³⁷ The controversies grew rather than diminished. Professors in Königsberg were so afraid of the violence during one of the controversies that they began

³⁵ Jungkuntz, 15. It should be noted that the Augsburg Confession was not the only confession submitted at the Diet of Augsburg in 1530. Martin Bucer and Wolfgang Capito submitted the Tetrapolitana for the four South German imperial cities. Since the Augsburg Confession became the legal definition for legitimacy, however, it was important to find a way to fit Reformed doctrine under the blanket of that confession. See Jungkuntz, 31. See also James Kittelson, "Tetrapolitan Confession," OER, 148-149.

³⁶ Luther Peterson, "Philippists," in OER, 3:259. Article X of Melanchthon's *Variata* of 1540 states: "Of the Lord's Supper they teach that together with the bread and wine, the Body and Blood of Christ are truly tendered to those that eat in the Lord's Supper." This leaves the question of how Christ is present to the discretion of the reader. See J. M. Reu, The Augsburg Confession: A Collection of Sources, (Ft. Wayne: Concordia Theological Seminary Press, n.d.), 401-402.

³⁷ Jungkuntz, 17-18. See also Robert Kolb, Confessing the Faith, 123.

carrying firearms to class.³⁸ The gulf between the Philippists and Gnesio-Lutherans became so wide that some believed that "as long as Philip and Flacius are alive no unity will be able to be effected between the rival parties."³⁹ Even Melanchthon's death in 1560 did not end the controversies.

At the time of the signing of the Peace of Augsburg, all first generation Evangelical princes were dead except Philip of Hesse. Even Moritz and Johann Friedrich of the second generation were gone. A whole new generation now had to define the relationship between church and state in an entirely new religio-political context of the age of confessionalism that followed the Peace of Augsburg. In 1558, the Evangelical princes met at Frankfurt am Main to settle the doctrinal controversies in their lands. Johann Friedrich the Middler and other princes of Ernestine Saxony refused to attend the diet. They were unwilling to accept the compromise formula presented by Melanchthon because too much power and direction of the church were given to civil authorities. Their rejection of this Frankfurt "Recess" did not sit well with many of the Evangelical princes. Still

³⁸ Bente, 153; Jungkuntz, 121.

³⁹ Chytraeus to Albrecht, cited in Jungkuntz, 127.

believing that unity was best accomplished through doctrinal confession, these princes commissioned their theologians to write a "Book of Confutation" against the current errors in their lands but this, too, failed to obtain concord. Johann Friedrich the Middler, himself "no mean theologian," was more concerned with consolidating his lands and its church than quibbling over doctrine.⁴⁰ Joachim II of Brandenburg was equally concerned about his own dynastic matters.

Religious considerations came into play only in so far as they affected the weightier matters.⁴¹ Duke Christoph was determined to unify his principality's religion. In the Württemberg Confession of 1551 he stated that he was aware of his appointment to government by God's grace and chose to display his zeal for the faith by his willingness to "uphold true godly doctrine with every possible service."

Concerning the separation of civil and ecclesiastical affairs, he stated,

Although we [i.e. Duke Christoph] know full well that there is a distinction between secular and spiritual government, nevertheless, . . . [we] have devoted all our efforts and zeal to aiding the true church of the son of

⁴⁰ Kolb, "Amsdorf," 290, 352-356, 385-389.

⁴¹ Joachim II's son Friedrich was made bishop of Magdeburg and Halberstadt for backing Charles V and the pope in the Schmalkaldic War. In 1552 Friedrich's brother Sigismund was given these positions after Joachim aided the emperor again. Nischan, Prince, 30-31.

God.⁴²

Württemberg's Great Church Order of 1559 clarified the government's position further:

We acknowledge . . . that it is our duty to God . . . before all else to provide the subjects entrusted to us with the pure teaching of the holy gospel . . . and thus zealously and earnestly to support the true church of Christ.⁴³

Only after attending to this may a ruler turn to establishing and maintaining "ordinances to secure that temporal peace, quiet, unity, and prosperity," which God allows so the church can grow.⁴⁴

In 1560, the year Melanchthon died, the theologians of Electoral Saxony published the "Corpus Doctrinae, i.e. the entire sum of the true and Christian doctrine . . . as a testimony of the steadfast and unanimous confession of the pure and true religion in which the schools and churches of these Electoral Saxon and Meissen territories have remained and persevered in all points according to the Augsburg Confession for now almost 30 years against the unfounded false charges and accusations of all lying spirits, 1560." This included the accepted ecumenical symbols and

⁴² Württemberg Confession of 1551, cited in Estes, 57.

⁴³ The Great Church Order of 1559, cited in Estes, 58.

⁴⁴ *Ibid.*

Melanchthon's altered Augsburg Confession (1540), his altered Apology of the Augsburg Confession (1542), the Saxon Confession (1551), and his altered *Loci Communes*. This came to be known as the *Corpus Philippicum*. Elector August demanded that every pastor in his lands subscribe to this collected work.⁴⁵

That year, 1560, Duke Johann Friedrich the Middler of Ernestine Saxony had his new consistory draft a new confession and church order, the *Book of Confutation* and the *Declaration of Viktorin*. He demanded subscription to it by all pastors in ducal Saxony. Seventy of eighty-eight pastors in Jena refused; sixty of seventy-five in Weimar refused. Thirty pastors refuse to sign any form of subscription and were exiled in the winter of 1562-3.⁴⁶

There was no legal protection for Evangelicals in ecclesiastical territories, though Ferdinand had promised there would be. Persecutions still took place. Duke Albrecht of Bavaria completely crushed the Evangelical church in his lands in 1561.⁴⁷ When the Protestant nobles and burghers protested Albrecht's political autocracy they

⁴⁵ Bente, 186-187.

⁴⁶ Kolb, "Amsdorf," 392, 407-411.

⁴⁷ Kolb, "Amsdorf," 208, 456.

were excluded from all diets, depriving them of their means of power.⁴⁸

All the great princes of the empire, except the duke of Prussia, attended the conclave at Naumburg later that year. Everyone seemed to come with their own political agenda. Philip of Hesse wanted to form a coalition to fight the Habsburgs and the Catholic Counter-Reformation forces. Friedrich III of the Palatinate was looking for political and theological backing as he was Calvinizing his lands by appealing to the altered Augsburg Confession (which he gained at the Diet of Augsburg in 1566).⁴⁹ This "Diet of Princes," so called because so many princes were invited and attended, specified that the *Invariata* be used to establish Lutheran unity. Friedrich III, along with Ulrich of Mecklenburg and Duke Johann Friedrich of Saxony, wished to use the *Variata*.⁵⁰ The *Declaration of Naumburg* attempted to give credence to both versions of the Confession while attaching more significance to the altered version. Since the Gnesio-Lutherans refused to cooperate yet another

⁴⁸ Dunn, 65.

⁴⁹ Ernst Koch, "Striving for the Union of Lutheran Churches, the Church-Historical Background of the Work Done on the Formula of Concord at Magdeburg," *The Sixteenth Century Journal*, 8:4 (1977), 106-107.

⁵⁰ John Montgomery, *Chytraeus On Sacrifice, 1659*, (St. Louis: Concordia Publishing House, 1962), 19.

attempt at Lutheran unity ended in defeat.⁵¹

"Every prince wanted to be his own bishop."⁵² This is exactly what Luther had feared and against which he had warned. In his "Temporal Authority: To What Extent It Should Be Obeyed," Luther wrote, "I do not speak with any hope that temporal princes will give heed, but on the chance that there might be one who would also like to be a Christian, and to know how he should act." The world, Luther believed, governs the two kingdoms backwards. Bishops "rule the souls with iron and the bodies with letters, so that worldly princes rule in a spiritual way, and spiritual princes rule in a worldly way. What else does the devil have to do on earth than to masquerade and play the fool with his people?"⁵³ Nonetheless, Melanchthon's view of the Christian magistrate as the "foremost member" of the church gained precedence over Luther's idea of

⁵¹ William Russell, "Declaration of Naumburg," in OER, vol. 3, 131. See also Montgomery, 19 ff.

⁵² Andrew Drummond cited in J A O Preus, Second Martin, 37. Henry Kamen states that "by inflating the role of the prince against the power of the Church, Luther concentrated both secular and ecclesiastical power in the same hands." He concludes that the Peace of Augsburg powers therefore fell to the princes in 1555. Kamen seems to forget that Luther only advocated this situation in "emergency" situations. It was Melanchthon who advocated placing both powers in the hands of the princes. See Henry Kamen, The Rise of Toleration, (New York: McGraw-Hill, 1967), 95.

⁵³ LW 45:116, 120-121.

"emergency bishop."⁵⁴ Melanchthon and Calvin shared the belief that magistrates were responsible for both tables of the Mosaic law.⁵⁵ This meant that civil authority had the right and responsibility to dictate to the church and to the private citizen.⁵⁶

Melanchthon's stance on resistance in his 1555 *Loci* stated,

In our own times we see many examples of the learned vengefully inveighing against one another. This fury does great harm, and to lessen and recognize these great sins, God's word repeats that we are to have patience toward one another, are not to seek our own vengeance, are not to rend the Church because of pride and the hate which follows from pride, of which I could give many examples. I know a person who hoped to mount high enough to make it possible to urinate on Lutherans, but God severely restrained him. Therefore, I say that everyone should learn patience and not vindictively destroy the poor Church, nor hinder the invocation of God.⁵⁷

Concerning resistance in the face of "false divine services or snares of the conscience," Melanchthon directed his readers to "chastely remind others and root out the superstitions by acting contrary to them." "We are

⁵⁴ James Estes, "Office of Secular Magistrate," in OER, 4:41.

⁵⁵ Referring to the Ten Commandments. There are two tables of the law, the first concerning man's relationship to God, the second concerning man's relationship to his fellow man.

⁵⁶ James Tracy, "Magistracy: Germany and the Low Countries," in OER, 2:489.

⁵⁷ Melanchthon, *Loci communes* 1555, 133.

obligated," he stated, "to consider the divine command higher and not obey the human command." The only things mentioned that might be "contrary to God's command" were the Mass, invoking the dead, and prohibition against marriage. Melanchthon's concern was that if indifferent things were rejected "we might turn away from the gospel those intelligent people who are anxious lest the gospel make people savage, and might also give occasion to some wanton people to stretch freedom much too far." Though all magistrates fall into sin, "we should forgive the reasonable ruler, that is, one who devotes himself to doing what is right and who generally does so. . . .," but not the likes of Nero or Mohammed.⁵⁸ Secular authority "is obliged to maintain external discipline according to *all* the commandments."⁵⁹

Issues of loyalty clouded the question of resistance. Should one be loyal to the state church or to a confession or to Protestant communion in general? Also, loyalty to Luther's legacy remained a concern.⁶⁰ The Philippists and

⁵⁸ *Ibid.*, 259-341 passim.

⁵⁹ Italics in original. Melanchthon, *Loci communes* 1555, 335.

⁶⁰ Euan Cameron, "One Reformation or Many?" in Grell, *Tolerance and Intolerance*, 112.

Gnesio-Lutherans answered the questions of resistance and obedience differently. Melanchthon and his followers favored loyalty to Protestantism in general and, in a more humanistic vein, emphasized the catholicity of Christ's Church. Gnesio-Lutherans, by contrast, emphasized faithfulness to the Church's Evangelical confessions. In 1580, the Gnesio-Lutheran position won the day.

While the followers of the Augsburg Confession bickered among themselves, the supporters of the old Church acted as one body. The Decrees of the Council of Trent in 1563 reaffirmed the issue of authority and resistance to civil authority the way it always had:

The holy council cannot but be deeply distressed when it hears that bishops . . . with an unbecoming servility toward the ministers of kings, princes and barons, and as inferior ministers of the altar not only most unworthily give them precedence but even serve them in person. Wherefore, the holy council, . . . renews all the sacred canons, general councils and other Apostolic ordinances that relate to the decorum and esteem of the episcopal dignity, and . . . princes as well as all others, it commands that they pay them paternal honor and due reverence.⁶¹

Kings, princes, etc., were ordered to "render due obedience to the sacred constitutions of the supreme pontiffs and councils." They would be severely punished if they were to

⁶¹ H L Schroeder, trans., Canons and Decrees of the Council of Trent, 3rd printing, (St. Louis: B. Herder Book Company, 1955), XVII:72.

"obstruct her [the Church's] liberty, immunity and jurisdiction."⁶²

The question of whether the Evangelical Church would survive was solved, at least temporarily, with the signing of the Peace of Augsburg in 1555. Lutheranism gained a tenuous legal standing. For the time being, resistance to the emperor on behalf of the faith became a moot point. The question of the right to resist still was answered affirmatively but the Adiaphoristic Controversy shifted the debate to when and how such resistance might take place. The Philippists discouraged resistance, calling it divisive and injurious. They advocated patience and forbearance instead. Private or public passive resistance was a last resort. By contrast, the Gnesio-Lutherans continued to preach a doctrine of total resistance to the reinstatement of *adiaphora*. They refused adherence to any ceremonies decreed by secular officials and not expressly commanded in Scripture. Chemnitz and Brenz took a stance between the two extremes. They recognized the right to resist and the necessity to do so in some instances. They were conciliatory without seeming to capitulate, staunch without seeming rigid. It is not surprising that the princes called

⁶² Schroeder, 252, 273-274.

upon these men to bridge the gap between the Lutherans in the following decade.

CHAPTER FOUR
MARTIN CHEMNITZ AND THE BOOK OF CONCORD:
LUTHERAN VERSUS NON-LUTHERAN RESISTANCE

Formulating Lutheran Unity

The Catholic Counter-Reformation was gaining momentum in the 1570's. The enforcement and implementation of the Trent decrees were well underway; visitations and reforms sponsored by the pope himself had been taking place for a decade; and the Jesuits had been fighting against heresy for more than a quarter century.¹ The Catholic bishops responsible for enforcing the decrees set about their work diligently, sometimes with a vengeance. The wholesale slaughter of Protestants in Paris during the Saint Bartholomew's Day Massacre in August 1572 exacerbated Lutheran fears of Catholic retaliation in the Germanies, especially because it occurred during an established truce.² The Peace of Augsburg, while giving legal sanction to Lutheranism, did not solve the problems of unity in doctrine and practice faced by the Lutheran theologians and princes. Catholic resurgence and Lutheran in-fighting threatened to undo the progress the Evangelicals had made. Lutheran

¹ Adriano Prosperi, "Catholic Reformation," OER, 1:293.

² Robert Kingdon, "Saint Bartholomew's Day Massacre," OER, 3:469-470.
See also Luther Peterson, "Philippists," OER, 3:260.

discord hinged on what the heritage of Luther was and who was being faithful in promoting and preserving it.³ How deviant could one be and still be true to the Evangelical faith? Thirty years after Luther's death his followers attempted to use his words to settle their strife.⁴ The unity they sought perhaps only became possible through the political pressure, as well as the support, of the territorial princes.⁵

The princes' efforts to heal the rift by developing their particular confessions and practices were doomed to failure because this only added to disunity. No agreement was possible if each territory continued to establish doctrine and polity at the whim of the prince or the ecclesiastical city councilors. In many instances the civil and religious authorities were at odds. This made unity even within a realm unattainable. Yet, ruler and theologian alike were convinced that there had to be a way of devising a confession similar to the Augsburg Confession to unite the Lutherans. That became the goal.

³ Herbert Bouman, "Retrospect and Prospect, Some Unscientific Reflections on the Four Hundredth Anniversary of the Formula of Concord," The Sixteenth Century Journal, 8:4 (1977), 90.

⁴ Kolb, "Amsdorf," 421.

⁵ Lohff, 24-25.

Religious unity was not the only issue for the princes. Those who had signed the Augsburg Confession in 1530 were trying to maintain and safeguard control over their territories.⁶ The same was true with the efforts at unification in the 1570's. Religion and politics became combined in the office of the prince with the peace of 1555. Consequently, unity in religion became linked with the prince's political endeavors. Elector Augustus of Albertine Saxony, for political reasons, severely curtailed the activity of the extremists of both Lutheran camps in his principality. This he hoped would foster a climate of concord.⁷

Though the heart of the Reformation had once resided within Saxony, the princes looked outside ducal and electoral Saxony to find men to entrust with the task of reunification.⁸ One place the princes looked was to Braunschweig, to a second "Martin," Martin Chemnitz. "As the chief author of the Formula of Concord, the creator of the *Examen*, and of the first major Lutheran dogmatics

⁶ J A O Preus, Second Martin, 67.

⁷ Jungkuntz, 38-39.

⁸ Bouman, 91. It should be remembered that prior to 1547 Ernestine Saxony was the electorate; after 1547 the electorate switched to Albertine Saxony.

Chemnitz remains the most influential of all of Luther's disciples."⁹ A Catholic saying at the time went, "You Lutheran's have two Martins; if the second had not appeared, the first would have disappeared."¹⁰

Martin Chemnitz had been a professor at Wittenberg before his call as superintendent of Braunschweig. He was a student of Melanchthon and taught courses on his *Loci Communes*. Chemnitz was not identified with either the Gnesio-Lutherans or the Philippists. At the direction of Duke Albrecht of Mainz, Chemnitz had debated Osiander on justification by faith in 1550, taking a stand upon which both groups agreed.¹¹ He had attended the conference on the Adiaphoristic Controversy at Worms in 1557. His stance there put him at odds with his friend and mentor Melanchthon.¹² When Chemnitz wrote his book on the Lord's

⁹ Reinhard Mumm, cited in Junkguntz, 56. The *Examen* is Martin Chemnitz's treatise and examination of the Decrees of the Council of Trent.

¹⁰ Bente, 242.

¹¹ Chemnitz almost lost his position with Albrecht for "pressing Osiander 'so sharply'," but the duke still needed Chemnitz. Albrecht found Chemnitz useful for making calendars and astrological charts. Fred Kramer, "Martin Chemnitz 1522-1586," in Jill Raitt, ed., *Shapers of Religious Traditions*, 41.

¹² Arthur Olson, "Martin Chemnitz," in Herman Preus and Edmund Smits, eds., *The Doctrine of Man in Classical Lutheran Theology*, Concordia Heritage Series (Minneapolis: Augsburg Publishing House, 1962), 227.

Supper, he did not name Melanchthon or others who held the views he was refuting, but it distanced him from the Philippists.¹³ He could not consider as many things *adiaphora* as did Melanchthon and his colleagues. Almost two years after the Decrees of the Council of Trent were proclaimed, Chemnitz published his first volume of the *Examen of the Council of Trent* refuting the doctrines put forth by the Catholics.¹⁴ Princes and theologians alike favorably recognized his work. When Elector Augustus of Saxony called for a diet at Torgau in 1576 to provide a doctrinal statement to which all Lutheran princes could subscribe, it was to Chemnitz that he turned.¹⁵ Chemnitz understood the importance of distinguishing "between needless and unprofitable contentions" and "necessary controversy."¹⁶ True unity could not be achieved by compromising doctrine, nor by putting the worst construction on fellow Lutherans' opinions.

It was at Braunschweig that Chemnitz laid out his ideas

¹³ Hoass, 114.

¹⁴ The papal canon in Styria wrote of Chemnitz's work, "What shall I write concerning Martin Chemnitz, to whom next to God, I owe my conversion? His irrefutable *Examen of the Council of Trent* puts to shame all libraries of the papalists." Kramer, 44, 50.

¹⁵ Montgomery, 22.

¹⁶ Tappert, 506-507.

on church-state relations.¹⁷ Chemnitz, like Luther, believed that peace and stability were necessary prerequisites for teaching the Gospel, "for the doctrine of the Word of God cannot be taught where crime rules."¹⁸ Chemnitz upheld the rights of patronage provided they were used rightly.¹⁹ Bishops were to be obeyed only in so far as they allowed the gospel to be preached.²⁰ However, Roman pontiffs were not true bishops because they had overstepped their ecclesiastical bounds and ruled in a civil fashion over the people, which was not as God intended it. But the political authorities were not to "order the ministries of the church according to their own will and by their own authority. They must act in concert with the whole church."²¹

Linking the church and state further than even Melancthon had, Chemnitz wrote, "In our churches, . . . the

¹⁷ Kramer, "Martin Chemnitz," in Raitt, Shapers, 41-43.

¹⁸ Martin Chemnitz, Loci Theologici 1594, trans. J A O Preus, 2 vols. (St. Louis: Concordia Publishing House, 1989), 440.

¹⁹ Martin Chemnitz, Ministry, Word, and Sacraments: An Enchiridion 1593-1603, trans. Luther Poellot, (St. Louis: Concordia Publishing House, 1981), 35.

²⁰ Warren Quanbeck, "The Formula of Concord and Authority in the Church," The Sixteenth Century Journal, VIII:4 (1977), 49-50, 55.

²¹ Martin Chemnitz, Examination of the Council of Trent 1522-1586, 4 vols., trans. Fred Kramer, (St. Louis: Concordia Publishing House, 1971-1986), II:703-705.

ministers of the Word and the sacraments are not only called and placed into office by the people and the secular government, . . . but there comes to these the very weighty judgment, examination, and approval of the true presbytery."²² The whole church had the duty of calling its ministers and bishops. The appointment of ministers "does not properly belong to the political rights of a magistrate," Chemnitz believed, but a Christian magistrate, as a member of the church, "has a mandate . . . with his office . . . to be a nursing father of the church." It is his job to make sure that the "ministries of the church be rightly ordered and administered."²³

Chemnitz also discussed resistance theory in his writings on *adiaphora*. Some ceremonies practiced by the Catholics he believed were contrary to God's revealed will in Scripture, especially those fostering "superstition or idolatry," like the mass and praying to saints. Any such practices are to be rejected. Others, though not idolatrous, were neither helpful nor useful and care should be taken before abolishing them. One must be careful not to confuse the two. Chemnitz believed that

²² *Ibid.*, 714.

²³ Chemnitz, Ministry, 33.

In these things one must have regard for the weak instead of Christian liberty; for their sake they can be observed at the right time, according to the teaching and example of Paul. . . . But there are in the papacy also many childish, useless, and truly histrionic ceremonies that are properly rejected and abolished, since they are not in harmony with ecclesiastical solemnity.²⁴

If such ceremonies are imposed as necessary, "then one must follow the example of Paul . . . he yields to the weak with regard to food and [observance of special] days." When "false brethren" subtly introduce and establish corrupt opinions to "bring Christians into bondage with such observations . . . he declares that those who in this case yielded to the adversaries did not approach the truth of the Gospel with the right foot." Chemnitz believed that the Lutheran position on ecclesiastical ceremonies (that is, *adiaphora*) should be included in the Church Order and pastors should be examined so that they rightly teach and use the doctrine.²⁵

It was the responsibility of every minister to "neither defend nor cover up or paper over false doctrine, but oppose it openly and plainly and warn his flock to beware of it. . . . But he is not to stir up all kinds of unnecessary disputes and strifes about words instead of discourse, and

²⁴ *Ibid.*, 51-52.

²⁵ *Ibid.*, 52, 157.

arouse his hearers with untimely clamoring, but only fight against adversaries in necessary conflicts, without which purity of doctrine cannot be retained."²⁶

"One ought not to fight hatefully" about *adiaphora*, Chemnitz held, for true piety does not consist of these things. Similarly, "one must not place sin in them, unless false opinions come to them." Chemnitz believed that even imposed fasts, called "distinctions of food," imposed on Christians should be rejected as superstitious.²⁷ As to how one could know which ceremonies should be kept and which should be removed or rejected, Chemnitz wrote,

In things which consist of ceremonies or gestures, that liberty should be preserved which Scripture gives and which the true church has always used in human traditions of this kind, namely, that those things may be retained and used which have no admixture of ungodliness and superstition.

Once a ceremony has degenerated into such a state, it "must either be corrected or changed or . . . be abrogated and wholly taken away."²⁸ Removing such ceremonies should not be done by just anyone. "However, if this is done lawfully, it is useful to show freedom in the case of *adiaphora* of this

²⁶ *Ibid.*, 47.

²⁷ Chemnitz, Examination, IV:80, 282-284.

²⁸ *Ibid.*, II:117.

kind. . . ."²⁹

David Chytraeus (d. 1598), professor at the University of Rostock, was another theologian called upon to help write the elector's concord document. Regarding the episcopal order, Chytraeus, stated that as long as these men did their utmost to "uphold the unity and harmony of the church in true evangelical doctrine," and not pretend to possess the power to "interpret Scripture arbitrarily" or "legislate in matters of doctrine and worship" then such bishops are to be obeyed.³⁰

Chytraeus, like Luther, accepted the concept of the priesthood of all believers. All Christians have a responsibility to teach "the benefits which Christ has provided." Not only so, but all Christians had a responsibility to "recognize and reject false dogmas and the teachers of them." These rights typically yielded to the most qualified people, but each Christian retains the responsibility for the truth. Picking up on Luther's idea of vocation, Chytraeus wrote that true Christian service consisted of rendering "obedience to all just laws,

²⁹ *Ibid.* Clyde Manschreck points out that the Council of Trent and the Adiaphoristic Controversy dogmatized many things that might have otherwise been considered indifferent. Manschreck, 262.

³⁰ Chytraeus, 101-102.

magistrates, parents, and teachers." All vocational duties, such as "defending one's country, church, school, one's family, public order, etc.," should be carried out diligently.³¹

Jakob Andreae of Württemberg was the third major theologian chosen to aid in drafting the new Lutheran accord. Furthering the cause of unity through doctrinal purity, he preached a series of sermons on the major controversies dividing the Lutherans. The fourth sermon in this series dealt with problems created by the Interims, especially *adiaphora*. He stated that Christians must maintain the truth of the gospel and Christian freedom by refusing to yield to imperial imposition of "otherwise indifferent things" as a public confession.³² The *Swabian Concordia* of 1574 was drawn from Jakob Andreae's Six Christian Sermons.³³

Such were the writings of the Lutheran voices who contributed so significantly to the Formula of Concord and

³¹ *Ibid.*, 96-98, 115-116.

³² Jakob Andreae, "Six Sermons," cited in David Truemper, "The Catholicity of the Augsburg Confession: CA VII and FC X on the Grounds for the Unity of the Church," *The Sixteenth Century Journal*, XI:3 (1980), 15. The Swabian Concord of 1574 was subscribed to by Brunswick, Mecklenburg, Mansfeld, Hoya, and Oldenburg.

³³ Jungkuntz, 37-38.

Solid Declaration. These theologians clearly favored resistance in a time of confessional need. The problem came in deciding when that action should be taken. Chemnitz, Chytraeus, Andreae, and the other "Center Party" Lutheran theologians left much to the realm of conscience and consensus.³⁴ How their views influenced the creation of the Formula of Concord will become obvious.

The 1569 Saxon Confession declared, "We also add that we embrace the doctrine and opinion of Dr. Luther, . . . as it is most luminously and skillfully set forth in the book *De Servo Arbitrio*, against Erasmus, in the Commentary on Genesis, and other books, and we hold that this teaching of Luther agrees with the eternal word of God." This document, along with the 1572 confession of faith written and published in Brandenburg by Joachim II, was used in drafting the Formula of Concord.³⁵

The theologians of Wittenberg University had been

³⁴ He, along with Andreae, Brenz, and others, are typically identified with a third group of Lutheran theologians called the "Center Party." They were clearly the majority group, but attention was not fixed on the Center Party theologians until their unifying work took shape. Jungkuntz, 14.

³⁵ The *Corpus Doctrinae Brandenburgicum*. Elector Joachim II was so concerned with obtaining a true copy of the Augsburg Confession that he incorporated what he thought to be a genuine copy into the Brandenburg Confession. It was not the original copy. The original was lost c. 1540. The errors in Chytraeus' publication were not critical to doctrinal purity. Montgomery, 17-18.

suspected, even accused, of being Crypto-Calvinists. Elector Augustus refused to believe these allegations until the publication of an anonymous tract, the *Exegesis Perspicua* (1574), which set forth a decidedly Calvinist view of the Lord's Supper. Wishing to remain what he considered to be a true follower of the Augsburg Confession and simultaneously eager to reestablish peace among all Lutherans in his lands, the elector scheduled a series of conferences wherein Lutheran theologians would formulate a *corpus doctrinae* by which "the ministers in the lands of each ruler be required to be guided."³⁶

At Torgau, one such convention of theologians was held at the direction of the elector. It was decided to redraft two earlier confessions submitted at previous conferences as the basis for the new *corpus doctrinae* of Lutheranism. The Torgau Book was essentially the combining and refining of the Swabian-Saxon Concord and the Maulbronn Formula. The elector ordered Andreae to obtain signatures in support of it. It was sent throughout the German Evangelical territories. At Bergen Abbey near Magdeburg in March and May, 1577, these theologians met to revise the Torgau Book,

³⁶ Elector Augustus to his counselors, 21 Nov 1575, quoted in Bente, 245.

incorporating the comments garnered during circulation.³⁷

Andreae represented Württemberg; Chemnitz, Brunswick; Nikolaus Selnecker, Saxony; Chytraeus, Mecklenburg; Musculus and Koerner, Brandenburg.³⁸

Chemnitz knew the importance of maintaining a peaceable attitude among the theologians during these sessions. They would have to put aside their personal aims and petty squabbles to bring concord to the Evangelical faith. Chemnitz wrote, "Finally there must be a limit set to this theological one-upmanship, if we don't wish to lose the entire substance."³⁹ In one year's time, the Formula of Concord became a reality.

Fearing continued discussion and dissension, Johann Georg of Brandenburg and the six major theologians responsible for the Formula of Concord recommended to the Augustus of Saxony that copies be immediately supplied to dukes, princes and theologians where subscription was most likely. Brandenburg, Saxony and the Palatinate were to be approached first. Afterward, the northern principalities, port cities, upper German states, and the remaining

³⁷ Robert Kolb, "Formula of Concord," OER, 2:119. See also Tappert, "Preface to the Book of Concord," 7-8.

³⁸ Jungkuntz, 39-41.

³⁹ *Ibid.*, 63.

territories were to follow respectively.

During the two years of circulation, meetings were held to facilitate subscription to the Book of Concord. Opportunity was given each pastor, teacher and theologian to read the document before signing. Although subscription was to be voluntary (without coercion), those who refused to sign were dismissed from their positions.⁴⁰ The superintendent of Wismar, along with several pastors there and in Mecklenberg, was deposed. Ministers and theologians at Wittenberg and Leipzig, who resisted subscription because of the inclusion of the Formula of Concord, were informed by their elector that the Formula was in total agreement with all other doctrines expressed in the Book, so there was no reason for them to refuse subscription.⁴¹ In Brandenburg, Johann Georg scheduled meetings for subscription. Everyone in attendance at the Lebus and Berlin meetings signed the concord document.⁴²

Not every meeting met with such success, however. The New Mark area of Brandenburg voiced strong opposition, as did the Calvinist areas of Anhalt, Lower Hesse and the

⁴⁰ Bente, 247-249; Nischan, Prince, 44-45.

⁴¹ Bente, 249.

⁴² Nischan, Prince, 45.

Palatinate. Even Brandenburg did not subscribe to the Formula of Concord. By the time the Book of Concord was published, most areas where adherence to the Augsburg Confession was practiced had subscribed.⁴³

Lutheran Orthodoxy On Resistance

A few of Luther's and Melanchthon's writings were added to the Formula of Concord and a condensed version of the Formula (the Solid Declaration). Together these formed the Book of Concord. It was published in 1580, a half century after the Augsburg Confession. The Book of Concord includes the three ecumenical creeds of the ancient church (Apostles', Nicene, and Athanasian), the Augsburg Confession, the Apology of the Augsburg Confession, the Schmalkald Articles, Luther's Small and Large Catechisms, the Treatise on the Power and Primacy of the Pope, and the Formula of Concord.⁴⁴ The works of Luther's were included to retain his original intent and meaning, thus avoiding future errors and controversies.⁴⁵ The book as a whole was

⁴³ See appendix for list of signatories.

⁴⁴ Also included are a Preface, the 1537 treatise Of the Power and Primacy of the Pope, the Epitome of the Formula of Concord, the Thorough Declaration of the Formula of Concord, a Catalog of Testimonies and Visitation Articles. Concordia Triglotta, 2d reprint, Jubilee Edition, (St. Louis: Concordia Publishing House, 1921).

⁴⁵ J A O Preus, Second Martin, 69.

a blend of Luther and Melanchthon,⁴⁶ though decidedly more toward the Gnesio-Lutheran interpretation than the Philippist.⁴⁷ The Book of Concord maintained Luther's views on obedience and the right to resist. The emphasis on the ruler's responsibility to ensure sound doctrine and practice (Erastianism) came from Melanchthon.⁴⁸ Obedience to civil magistrates unless required to resist because "we must obey God rather than man" remained. The lack of coercive power in and the allowance for state control of the church were reaffirmed as well.⁴⁹ The Epitome of the Solid (Thorough) Declaration is a restatement of the doctrines contained in the Augsburg Confession,⁵⁰ along with those addressed in the Formula of Concord. Many areas of doctrine were left untouched by the Formula of Concord. It addressed the

⁴⁶ Manschreck, 264. See also Peterson, "Philippists," OER, 3:256.

⁴⁷ Even Melanchthon's Aristotelian wording in the explanation of the Lord's Supper was stricken from the Formula of Concord in final revisions. Killinger, 413. Bente maintains that the Formula of Concord is not a compromise between Luther and Melanchthon, but "a complete victory of Luther over the later Melanchthon as well as the other errorists who had raised their heads within the Lutheran Church." Bente, 251.

⁴⁸ Lewis Spitz, Jr., "Impact of the Reformation on Church-State Issues," in Albert Huegli, ed., Church and State Under God, (St. Louis: Concordia Publishing House, 1964), 93. See also Erwin Lueker, ed., Lutheran Cyclopedia, Revised Edition, (St. Louis: Concordia Publishing House, 1975), 273.

⁴⁹ These Erastian notions of Melanchthon's hearken back to Marsilius of Padua in 1324. See J Wayne Baker, "Erastianism," OER, 2:59.

⁵⁰ Arthur Cochrane, "The Act of Confession-Confessing," The Sixteenth Century Journal, 8:4 (1977), 74.

issues of the day, and some the theologians believed would become problems in the future.⁵¹ Not the least of these issues was obedience and the right to resist.

Article X of the Formula addressed obedience and resistance in the context of the Adiaphoristic Controversy. It was this controversy more than any other that had divided Lutherans on the right and responsibility of resistance. The accepted position, according to the Formula of Concord, was:

when under the title and pretext of external adiaphora such things are proposed as are in principle contrary to God's Word (although painted another color), these are not to be regarded as adiaphora, in which one is free to act as he will, but must be avoided as things prohibited by God.⁵²

The writers stated further that ceremonies should be viewed similarly. To accept ceremonies under the pretext of *adiaphora* would make it appear that there were no differences between Lutherans and Catholics, promoting a lie, which the Church should never do.⁵³

⁵¹ The articles on justification by faith and free will were a response to the Interims. Lohff, 33. See also Peterson, "Philippist," 287. One future issue discussed in the Formula was the doctrine of predestination. Spitz, 19. See also Gerhard Müller, "Alliance and Confession, the Theological-Historical Development and Ecclesiastical-Political Significance of Reformation Confessions," The Sixteenth Century Journal, 8:4 (1977), 138.

⁵² Concordia Triglotta, 1053.

⁵³ Concordia Triglotta, 1053-1055.

A greater problem inherent in accepting such ceremonies was that the Lutherans would be lulled back into the false teachings and practices from which they had emerged. This they could never allow. Consequently, the confessional position on resistance stated, as Flacius had, that "at the time of confession [when a confession of the heavenly truth is required]," then those things which normally would fall into the realm of *adiaphora* must not be accepted if "forced upon . . . whether by violence or cunning, to the detriment of the true worship of God and the introduction and sanction of idolatry."⁵⁴ The theologians justified resistance because they feared the gospel would be perverted by "false doctrine, superstition, and idolatry" and because it would suppress Christian liberty that allows the church either to have or dispense with such things.⁵⁵

The final draft of the Formula of Concord was sent to all Lutheran territories for examination and critique. The Solid Declaration contained the revisions of the Torgau Book. As stated earlier, it then was sent to all Lutheran lands, to every professor, minister, and teacher for

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, 1057.

subscription. Within two years over 8,000 of these men signed their names to it.⁵⁶ Herbert Bouman aptly points out that "few if any formal statements of a church's convictions were prepared with more care and labor than the Formula of Concord and scrutinized so minutely by so many individuals and synodical assemblies."⁵⁷ Elector Augustus had a coin minted in 1580 "showing himself in full armor on the storm-tossed ship of the church."⁵⁸ The combined efforts of Augustus and Johann Georg and their theologians brought about unity among the Lutherans that had so long evaded them.

Johann Georg of Brandenburg drafted the Formula of Concord during the first decade of his administration. As shown earlier in this chapter, many areas signed without hesitation, but the other territories, including Saxony and Brandenburg, initially resisted. In the end, most of these lands subscribed as well.⁵⁹ Other areas did not accept the Formula until many years later, and some never did.⁶⁰

⁵⁶ See Appendix for principalities and cities that subscribed.

⁵⁷ Bouman, 92-93.

⁵⁸ Montgomery, 22.

⁵⁹ Nischan, Prince, 44.

⁶⁰ Strasbourg did not officially subscribe to the Formula of Concord until 1598. Kittelson, "The Confession Age," in Reformation Europe, 366. See also Lewis Spitz, "The Formula of Concord Then

Countries that did not accept the Formula did not necessarily reject the doctrines contained therein. Some did not have any need for such a document, especially those outside the Germanies.⁶¹ Two-thirds or more of German Lutherans were united by the compilation of and subscription to the Book of Concord in 1580.⁶²

The Catholics and non-Lutheran Protestants took an immediate dislike to the Formula. The Reformed nicknamed it the "Formula of Discord."⁶³ Some historians believe it was the most controversial confession among Lutherans, Roman Catholic and Calvinists. It unified most German Lutherans but caused considerable disunity and strife among non-adherents and between Lutherans and other Protestants.⁶⁴ William of Hesse called it a stumbling-block to unity and the cause for making Luther's words into "arid scholasticism."⁶⁵ Thus, Johann Georg's son Joachim

and Now," The Sixteenth Century Journal, VIII:4 (1977), 10.

⁶¹ Lief Aalen, a Scandinavian Lutheran, stated, "It is possible to be a Lutheran *without* the Formula. It is not possible to be a Lutheran *against* the Formula." [Italics mine.] Kramer, "Martin Chemnitz," in Raitt, Shapers, 51.

⁶² Spitz, 19.

⁶³ Bodo Nischan, "Confessionalism and Absolutism," in Calvinism in Europe, 188.

⁶⁴ Cochrane, 63-64.

⁶⁵ William of Hesse to Coelestin, cited in Bouman, 93. Luther Peterson calls it "the strait jacket of orthodoxy," having lost the

Friedrich of Brandenburg complained against the anti-Melanchthon tenor of the Formula.⁶⁶ He refused to subscribe to it until 1579 and resisted distributing copies of it in his lands until the visitations of 1583-4 and then only under pressure.⁶⁷

According to C. George Fry, before the acceptance of the Lutheran Book of Concord, a Lutheran may have been described as anyone who was a non-Roman, Western Christian, an Evangelical, or anyone who professed allegiance to Luther's teachings. He states that "before 1580 it might have been difficult to identify a Lutheran. After that date it was not."⁶⁸ Though doctrine became codified, the tension between obedience and resistance continued even after the acceptance of the Book of Concord.

Article XVI of the Augsburg Confession stated that since God had established civil government, all "Christians are obliged to be subject to civil authority and obey its

"alternative choices" contained in the Interims. See Peterson, "Philippist," 28-29.

⁶⁶ Articles VII and VIII of Formula of Concord were a response especially against electoral Saxon Calvinist views of the Lord's Supper. Bente, 172.

⁶⁷ Nischan, Prince, 57.

⁶⁸ Adherence to Luther's teachings meant subscribing to the three *solae*: *Sola gratia*, *sola fide*, *sola Scriptura*. C. George Fry, The Age of Lutheran Orthodoxy 1530-1648 (Ft. Wayne: Concordia Theological Seminary Press, 1992), 1, 3.

commands and laws in all that can be done without sin."⁶⁹

The Apology of the Augsburg Confession stated that it is the prince's "special responsibility before God to maintain and propagate sound doctrine and to defend those who teach it."

At the same time, The Treatise on the Power and Primacy of the Pope stated that no one has authority over the church, to "assume lordship" or "burden the church with

traditions."⁷⁰ The Epitome of the Formula of Concord and the Solid Declaration state that any ceremony that is "introduced into the church with good intentions" can be accepted or rejected "for the edification of the church" unless such ceremonies are introduced by force. Agreement in doctrine must precede unity of practice.⁷¹

The Formula of Concord, combined with the historic creeds of the ancient church and the writings of Luther and Melanchthon, answered the question of ultimate supremacy in the church. Scripture continued to be the final authority in the church, "without benefit of civil, ecclesiastic, or social pressure." For all the things it did answer, the Book of Concord did not resolve the tension that exists when

⁶⁹ Tappert, AC XVI, 37-38.

⁷⁰ Tappert, 236, 321.

⁷¹ *Ibid.*, 610-613.

attempting to discern when and how resistance to authority should take place. That tension exists to this day.⁷²

In 1580, Lutherans in the German principalities codified their stance on resistance and obedience to authority. The tension that existed from Luther's original doctrine of the Two Kingdoms continued to exist. How resistance might be accomplished largely reverted to Luther's teachings on Christian suffering: publicly confess the truth, passively resist, and accept the consequences with joy. Since the Evangelical faith had obtained a legal standing, armed resistance did not appear in many writings in the 1570's. Writings focused instead at emphasizing concord, but unity based primarily on Luther's understand of Scripture, not Melanchthon's.

The diversity of practice in the German territories influenced interpretations of the prince's role in ecclesiastical polity, especially how far his influence would be tolerated by the church. The concept of a state church was easily accepted in some areas whereas others significantly circumscribed the prince's powers. The interpretation and implementation of the symbols of faith adopted in 1580 continued to differ, sometimes radically.

⁷² The problem of authority has been called the "Achilles heel" of Protestantism. Spitz, 14.

How differently these ideas developed is the subject of the final chapter of this thesis. Development of church practice, execution of and resistance to those practices differed widely even within the territory of Saxony itself. The aftermath of Interim doctrine and practice continued to influence Albertine and Ernestine Saxony as much or more than areas far removed from the center of theological fervor.

CHAPTER FIVE
THE BROAD SPECTRUM OF LUTHERAN RESISTANCE:
DOCTRINE VERSUS PRACTICE

"One of the most tangled aspects of the theological and ecclesiastical innovations associated with the Protestant Reformation are the church ordinances."¹ Yet, during the confessional period in the Germanies, creating a solidified body of both doctrine and practice was attempted by nearly every Evangelical territory. The *cuius regio, eius religio* principle complicated the composition and implementation of church ordinances. The religious fervor of the emperor became a factor in the 1560's.² The split between the Philippists and Gnesio-Lutherans fostered different expressions of Lutheranism. Personality, situation, and education all shaped the different actions and opinions of the Evangelical theologians, which in turn affected the nature of the ordinances they created.³ These church ordinances also bore the marks of each prince's and theologian's stance on the ruler's role in the

¹ Jeffrey Jaynes, "Church Ordinances," OER, 1:345.

² Emperor Maximillian II considered becoming Lutheran in 1562. Fear that a Protestant might rule the Holy Roman Empire fueled Catholic Counter-Reformation fires. See Günther Wartenberg, "Saxony," OER, 3:489-490.

³ Kolb, "Nikolaus Von Amsdorf, Knight of God and Exile of Christ: Piety and Polemic in the Wake of Luther," Diss. Ann Arbor: University of Wisconsin, 1973, 485.

ecclesiastical realm. I will use these ordinances to demonstrate the diversity with which Evangelical teachings were applied throughout the German principalities.

Typically, the church ordinance encompassed three areas: doctrine, liturgy, and administration. Most featured a confessional statement, instructions for catechization, prescription on administering the sacraments, liturgical format and helps, description of ecclesiastical offices and hierarchy, instructions on discipline, regulations for schools and universities, and guidelines for pastoral care of his flock.⁴ Church ordinances were drafted for cities, synods, and entire territories. After the Peace of Augsburg in 1555 the inclinations shifted from the smaller city ordinances to the all-encompassing territorial version. Lutherans began creating church ordinances as early as 1524 and continued to do so until at least the 1580's. The need for doctrinal content subsided with the publication of the Book of Concord in 1580 but "adopting a church ordinance represented a critical aspect of confession building, or confessionalization" nevertheless.⁵

The ecclesiastical and territorial configurations of

⁴ Jaynes, "Church Ordinances," OER, 1:246.

⁵ *Ibid.*, 346-349.

Germany shaped political and religious practice. The overlapping rights and privileges of secular and sacred positions created problems that remained after the Peace of Augsburg in 1555. These unresolved issues erupted again in 1618. There were seven electorates, three of which were Protestant by 1544, and Cologne nearly became Lutheran in 1547. If the majority of electorates became Protestant, the electors would have possessed the power to name a non-Catholic to head the Holy Roman Empire. Out of the sixty-five imperial cities, fifty had embraced the Reformation by the end of the century. The basic ecclesiastical layout of Germany after 1555 consisted of six archbishoprics: Mainz, Cologne, Trier, Magdeburg, Salzburg, and Bremen. Within these archbishoprics were cities exempt from ecclesiastical control. All archbishops were responsible to the primate in Mainz.⁶ This complicated arrangement was exacerbated by the Evangelical princes' and city councils' ignoring the ecclesiastical reservation set by Emperor Ferdinand I. These factors, or the lack of them, shaped the expression of

⁶ Mainz oversaw Strasbourg, Speyer, Worms, Würzburg, Augsburg, Constance, Chur, Eischstätt, Hildesheim, Halberstadt, Paderborn, and Verden; Cologne oversaw Münster, Minden, Osnabrück, Utrecht, and Liège; Trier oversaw Metz, Toul, and Verdun; Magdeburg oversaw Merseburg, Naumburg, Brandenburg, and Havelberg; Salzburg oversaw Passau, Trent, Brixen, Gurk, and Freising; Lübeck, Ratzeburg, and Schwerin were exempted in Saxony. Bamberg, Regensburg, Basel, Vienna, and Meissen were also exempted. Chytraeus, 100-101.

Lutheranism, especially regarding the construct of the church and the nature of resistance theory.

Ernestine Saxony

Ernestine Saxony during Martin Luther's life was ruled until 1525 from Wittenberg by the reform-minded, anti-imperial Elector Frederick the Wise (r. 1486-1525). He supported Luther and the Reformation faith, especially in areas that furthered the rights and privileges of his territories and lessened those of the Holy Roman Emperor. His successor, Johann Friedrich the Constant (r. 1525-1532), favored the new ecclesiastical order emerging in the Evangelical heartland and supported his theologians' efforts. Luther handled changes in his church directly. When asked for advice on how and what changes should occur, he responded with letters, sermons, catechism, tracts, and eventually a German Mass.⁷ Though Luther was not tied to any one form of church structure or organization, he reviewed a number of church orders and returned them with suggestions.⁸ Luther believed that each church should be allowed the freedom to devise its liturgy and not be

⁷ His German Mass and Order of Service and Order of Mass and Communion were published in 1523 and 1526 respectively. LW 53:191.

⁸ Jaynes, "Church Ordinances," OER, 1:347.

compelled to adhere to any set form. It was important to administer the sacraments according to Scripture and maintain "the same rites and ceremonies" so long as they did not violate the word of God. When he finally did write his services, he wanted them to be truly German and fully Evangelical. Consequently, he wrote new liturgical music and hymns that would convey the German spirit.⁹ In his preface to his German Mass, Luther wrote, "Do not make it rigid law to bind or entangle anyone's conscience, but use it . . . as long, when, where, and how you find it to be practical and useful."¹⁰

As shown earlier, Luther never favored civil control of the church. The prince cannot be made responsible for establishing church government or practice by virtue of his office. Only in the case of extreme emergency was the prince able to dictate to the church. Luther never condoned a state church because his Two Kingdoms theology clearly distinguished between these realms of authority. Making the magistrate responsible to punish "outward crimes against

⁹ In 1524 a man was arrested in the town square in Magdeburg for singing one of Luther's new hymns and distributing leaflets containing more of the same. The town burgher released him shortly thereafter because he liked the hymns. LW 53:191.

¹⁰ LW 54:61.

God's majesty" blurred the line between the two kingdoms.¹¹ He allowed for the reintroduction of certain ceremonies but only "from free love," not of necessity.¹² Church visitations were authorized by virtue of the Elector's status as a fellow Christian, according to Luther's concept of the priesthood of all believers. Therefore, these visitations had no coercive power, only brotherly advice and admonition.¹³ Consequently, it is not surprising that Ernestine Saxon churches developed church ordinances without a clear pattern. Luther returned from hiding at Wartburg, because Karlstadt was implementing radical changes in the church. Luther believed such drastic changes might lead to civil disorder and compromise the gospel by implying that these changes must be made to have a pure faith.¹⁴ Certain changes needed to be made immediately, like celebrating the Lord's Supper rightly. Most changes were doctrinal and must be accomplished through preaching and teaching. Governing structure and style of worship were only consequential

¹¹ W D J Cargill Thompson, The Political Thought of Martin Luther, (Sussex: Harvester Press, 1984), 130-134, 154.

¹² Peterson, "Philippist," 346.

¹³ Thompson, 145-146.

¹⁴ Ronald Sider, ed., Karlstadt's Battle With Luther, Documents in a Liberal-Radical Debate, Philadelphia: Fortress Press, 1978, 16 ff.

wherein they impeded right worship and doctrine.

Prior to Luther's death the reformer handled questions of ecclesiastical order personally. People appealed to him for guidance. After his death (1546), there was no one authority to whom the princes and pastors could resort. The defeat of the Schmalkaldic League and the subsequent transfer of electoral rights and privileges to Albertine Saxony shaped Ernestine political agenda after 1547. When Moritz took possession of the electorate, Ernestine Saxony was confined to Thuringia. Thereafter, the top priority for the prince was to regain title to his lands.¹⁵

Johann Friedrich the Middler (r. 1547-1566) of Ernestine Saxony opposed Albertine Saxony, both religiously and politically. At the same time the Saxon Elector Augustus introduced the *Corpus Philippicum*, he introduced a new confession and church order for Ernestine Saxony in 1559-60. The Gnesio-Lutherans at Jena believed that the Declaration and Book of Confutation¹⁶ contained Philippist errors and refused to accept it. The duke allowed revisions that reflected poorly on the Philippists at Jena. As a

¹⁵ Günther Wartenberg, "Saxony," OER, 3:489-490.

¹⁶ The full title of the document was, "Book of Confutation and Condemnations of the Chief Corruptions, Sects, and Errors, Breaking in and Spreading at this Time." Bente, 133.

result, they too refused to adhere to the new church order. Up to this point the duke had embraced Flacius but the increasing difficulties he encountered in unifying his territories he believed were a result from hard-line Gnesio-Lutherans. As mentioned earlier, these theologians were expelled from Ernestine Saxony and fled to Magdeburg. More Gnesio-Lutherans were expelled in 1562. The duke replaced each one with Philippist theologians.¹⁷ When Elector Augustus of Saxony demanded subscription to the *Corpus Philippicum* in 1560, he attempted to distance himself from Flacianism. His conciliatory stance mirrored that of other princes. This year the diet of Naumburg met to attempt Lutheran unity between territories, throughout the Evangelical lands of Germany.¹⁸

Duke Johann Wilhelm became ruler of Ernestine Saxony in 1567.¹⁹ He had no love for the Philippists and expelled them from the University at Jena, recalling and reinstating all the exiled pastors and theologians except Flacius. In

¹⁷ *Ibid.*, 133-135.

¹⁸ *Ibid.*, 127, 187.

¹⁹ He came to power in the duchy during a resurgence of the Ottoman threat. Emperor Maximilian II had to pay tribute to them during this series of wars. Yet the Ernestine duke was still advancing the line of demarcation between Lutheranism in his territories and the Philippists. See Günther Wartenberg, "Saxony," OER, vol. 3, 489-490.

1569 he had the Saxon Confession drafted as a response to Catholic demands that all Gnesio-Lutheran writings were tainted by Flacian excesses and errors. Even Melanchthon realized that this was mere posturing by the Catholics so that the Evangelical doctrine of justification by faith could be rejected out of hand.²⁰ It was shown earlier how this document was used in the writing of the Formula of Concord.

Albertine Saxony, as well as most Evangelical territories in Germany, were served by Luther in a personal manner during his life. Duke Johann Friedrich the Middler instituted many practices that aligned with his political agenda. Eventually the territory reverted to a more Gnesio-Lutheran position and became an early signor of the Book of Concord. Flacius's radical stance on resistance and church polity were tolerated no longer in Ernestine Saxony, nor in many other lands.

Albertine Saxony

Duke Heinrich introduced the Reformation into Albertine Saxony in 1539. In his Church Ordinance, the *Heinrichsagenda*, he demanded both right doctrine and uniformity of practice. This Agenda attempted to maintain

²⁰ Bente, 135.

the "appearance of continuity" in many Roman ceremonies.²¹ Before the Schmalkaldic War, there was a wide range in practices in the Evangelical churches. In Albertine Saxony, practices were more "high church" in ecclesiology and liturgy. They practiced elevation of the host in Wittenberg until 1542.²²

As noted above, Ernestine Saxony had been the electorate until the defeat of the Schmalkaldic League in 1547. Emperor Charles V gave the land, title, and privileges to Moritz of Saxony in return for his military aid during the war. Moritz's newly expanded lands of Albertine Saxony retained the electorate from that time.²³ The Interim and subsequent Agenda were considered "good and welcome ecclesiastical and liturgical regulations."²⁴ Luther Peterson well stated that, "in these years Albertine Saxony emerged with a distinctive form of Lutheranism."²⁵

The Interims and Interim Agenda²⁶ fit Melanchthon's

²¹ Peterson, "Philippist," 328-331.

²² Peterson, "Philippist," 313, 328.

²³ Jungkuntz, 5.

²⁴ Johann Pfeffinger, cited in Peterson, "Philippist," 313-314.

²⁵ Peterson, "Philippist," 345.

²⁶ Luther Peterson states that the Interim Agenda was written using the *Heinrichsagenda*, the 1544 and 1548 Church Ordinances, the Augsburg and Leipzig Interims, and the Roman service books and missals. See Peterson, "Philippist," 348.

theology and Albertine ecclesiology. Melanchthon's loyalty to unity precipitated his involvement with the Interims and the revision of the Augsburg Confession. The Albertine theologians felt that the continuation of high church practices was a small price to pay for peace.²⁷ Melanchthon had no difficulty accepting Moritz's heavy hand in establishing church polity because he believed that the prince should be more than an emergency bishop as Luther advocated. He held that the prince should participate permanently.²⁸

Before the introduction of the Leipzig Interim, Moritz tried to impose an Agenda in his territories. He based it on the *Heinrichsagenda*, which duke Heinrich had introduced in Albertine Saxony in 1539. He adopted similar practices for Baptism and the Lord's Supper, visitation of the sick, absolution, and other ceremonies, but without the practice of elevation. Though this was an *adiaphoran* and hence an indifferent matter, Moritz was concerned that the common people might link this church practice with Catholic beliefs, so he excluded it. He established consistories in

²⁷ Peterson, "Philippist," 28, 315.

²⁸ Thompson, 151.

Leipzig, Meissen and Merseburg. The function of the consistory was to supervise doctrine, clergy and ceremonies, to conduct visitations, examine and ordain clergy, and to decide on excommunications.²⁹ The office of bishop was retained but redefined as an office "shared with the ministers," not one that solely dictated to them.

Moritz wished to maintain the customs and ceremonies of Catholicism but "within an Evangelical theological framework." The consistory issued bans and punishments were carried out by the civil authorities, effectively tying church and state together. The Mass was celebrated in the traditional Catholic manner except that it was spoken instead of sung, the minister faced the congregation, only the words of institution were used in consecration, and the sacrificial reference was deleted.³⁰

Elector Augustus, Moritz's successor, attempted to unify first his territories and then all the surrounding Evangelical lands as well. He continued to embrace Philippist Lutheranism as had his predecessor. He introduced the *Corpus Philippicum*, those "altered" works of

²⁹ The office of the keys was retained by the consistory as practiced in the Catholic church. His initial attempt to institute an Agenda was in 1544. In 1545 Moritz commanded that elevation of the host be reinstated. Peterson, "Philippist," 334-336, 343.

³⁰ *Ibid.*, 337-341.

Melanchthon's, between 1557 and 1560, demanding that all pastors subscribe to it. He also required, at the admonition of his Philippist theologians, that each minister sign an oath forswearing any allegiance to the Gnesio-Lutheran Flacius:

I do not adhere to the dangerous Flacian Illyrian errors, contentions, poisonous backbitings, and fanaticism with which the schools and churches of the country are burdened [by Flacius] concerning the imagined adiaphorism, synergism, and Majorism and other false accusations, nor have I any pleasure in it [the quarreling], and in the future I intend, by the help of God, to abstain from it altogether, to damn, flee, and, avoid it and as much as I am able, to prevent it.³¹

A comprehensive restructuring program in 1580 followed Augustus's attempt at a territorial church. This new arrangement transformed the territorial church into a state church with the introduction of church and school regulations "that encompassed the whole of public and church life and endured in part into the nineteenth century."³²

Christian I (r. 1586-1591) built on the foundation laid by Augustus. He issued new Bibles, removing Luther's introduction and adding Calvinist explanations to the text. New hymnals combined Lutheran liturgy and hymns with

³¹ Bente, 187.

³² James Estes, "Office of Secular Magistrate," OER, 4:42. See also Günther Wartenberg, "Saxony," OER, 3:489-490.

Reformed hymns and Calvinist doctrine. Though these changes were done away with after his death,³³ it is easy to see how such radical shifts in confession and practice affected ideas of who should control doctrine and government in the church.

Albertine Saxony remained concerned with radical changes. Dukes Heinrich and Moritz, and Elector Augustus attempted to change as little as possible in outward appearance while altering meaning. The desire for unity worked to blend Philippist and Gnesio-Lutheran doctrine but Melanchthonian practice was retained.

Magdeburg, Brunswick, and Brandenburg

Magdeburg, only fifty miles northwest of Wittenberg, became the seat of Evangelical resistance, due in large part to the take-over of Wittenberg by Moritz. Amsdorf's loyalty to his elector, Johann Friedrich, shaped his reaction to Moritz's invasion of his lord's lands and the ban against Magdeburg. There had been "paper wars" between the Catholics and Evangelicals in the 1520's and disputations in the 1530's. By the 1540's, attention formerly focused on Catholics shifted to Philippists. Pastors fleeing the Interim imposition congregated in Magdeburg. The only

³³ Peterson, "Philippists," OER, 3:261.

presses willing to print against Emperor Charles V and the Interims were in Magdeburg.³⁴ Reaction to the Interims colored church practice here as it had in Saxony.

Johann Friedrich recruited Amsdorf to bring the Reformation to many of his territories, including the bishopric of Naumberg.³⁵ Though Amsdorf, like Luther, stressed the need for visitations³⁶, the elector would not support any until 1545. He was content to let the churches progress without interference. Once swayed to the necessity of such a campaign, he instituted many changes. Each parish was required to maintain a Bible, Luther's postil, both of Luther's catechisms, the Schmalkald Articles, Melanchthon's *Loci communes* (probably the unaltered 1543 edition), along with other books. Magdeburg instituted strict rules of conduct and stiff penalties for "open sin."³⁷

Amsdorf opposed this new program and fighting between himself and the city council ensued. Other towns disliked

³⁴ Kolb, "Amsdorf," 76, 169-170, 191-192.

³⁵ *Ibid.*, 110-111.

³⁶ According to Bruce Tolley, the threefold system of catechesis and preaching, morals court, and visitations had been the primary means of reforming society in Germany since at least 1495. See Bruce Tolley, Pastors and Parishioners in Württemberg During the Late Reformation 1581-1621, (Stanford: University Press, 1995), 87.

³⁷ Kolb, "Amsdorf," 114-117,

the elector's new program. The visiting pastors received more opposition than support in Zeitz. Johann Friedrich appointed a lay administrator for this diocese who was completely independent of Bishop Amsdorf's control. According to Amsdorf's report, he was so "arbitrary and tyrannical that Evangelical nobles began complaining that they would rather live under a papal bishop."³⁸

Not all practices were consistent throughout the archbishopric of Magdeburg. In Merseburg, Duke Georg of Anhalt reintroduced confession, penance, the canonical hours, and episcopal ordination.³⁹ Melancthon's influence continued to be felt even in the heart of Gnesio-Lutheranism due in no small part to the fact that his textbooks made up the heart and soul of the Latin school curriculum in Germany.⁴⁰ The biggest difficulty came when the visiting pastors could not decide among themselves what errors they were supposed to suppress. Before the Formula of Concord began to take shape, the situation in Magdeburg deteriorated

³⁸ *Ibid.*, 446-447. It will be remembered that Naumberg was where the Catholic cathedral chapter appointed a Catholic bishop in January 1542 and two days later the elector appointed the Evangelical Amsdorf as bishop. He was, of course, not recognized "as any more than a private citizen."

³⁹ Peterson, "Philippist," 345-346.

⁴⁰ Tolley, 26, 34.

between the Catholics and within the Lutheran factions to such a degree that Amsdorf said he was "sad unto death."⁴¹

While serving as pastors at Brunswick in 1554, Chemnitz and Moerlin developed a Colloquium, a regularly scheduled meeting of all local clergy, that met every two weeks, to discuss church-related questions. This helped unify both doctrine and practice. The ministers wrestled with issues of excommunication and to what extent the civil authorities would be involved. They decided that minor excommunication--exclusion from the Lord's Supper--would be a function of the church; major excommunication--civil exile--would be enforced by the state. Duke Julius (r. 1568-1589) invited Chemnitz and Andreae to aid him in his efforts to introduce the Reformation in all his lands in 1568. All ministers were required to subscribe to the Augsburg Confession or forced to resign. A new church order was in place within a year. Chemnitz's 1569 *Enchiridion* was intended for use in conducting examinations of clergy candidates. Duke Julius published it and required all pastors to have a copy. The examination of all potential clergy in the doctrines of the Evangelical faith increased the confessional commitment of

⁴¹ Kolb, "Amsdorf," 450.

Brunswick-Wolfenbuettel.⁴²

Duke Julius reformed not only his clergy but also his schools. The goal of his new university at Helmstedt was to serve the church and state by cultivation of the sciences and establishing the work of reform. Teachers were tested for acquaintance and agreement with the Lutheran faith. A commission, of which Chemnitz was a member, was appointed to administer the test and "no one received an appointment to the university without his approval."⁴³

Even as they worked together, Chemnitz and Andreae differed in their understanding of the nature of church polity. Chemnitz believed that the church should be organized in a league, bound by "mutually accepted confessions;" Andreae thought the state should run the church. The state church should be bound together by independent confessions to which each church publicly consented.⁴⁴ These two men, who were instrumental in providing the Lutherans with a unifying confession of faith in the Book of Concord, did not agree on the nature of the relationship between church and state.

⁴² Jungkuntz, 51-53, 58-60.

⁴³ *Ibid.*, 60.

⁴⁴ *Ibid.*, 61.

Joachim II (r. 1535-1571) of Brandenburg tried a "via media" with a church ordinance in 1539-40.⁴⁵ The new Order of the Mass continued the old ceremonies but insisted on a doctrine of justification by faith. A government-appointed superintendent was set up for the ordaining and supervising of the clergy. In 1543 a consistory was established using Wittenberg as a model. Joachim II was attempting to prevent war between the Protestant princes and the emperor in 1546 and promote his own dynastic interests by formulating a compromise religious settlement. He was convinced that the Council of Trent would bring peace.⁴⁶ Only a stop-gap measure was needed until the Council could conclude. The areas of Brandenburg under Joachim II's control supported the emperor in the Schmalkaldic War and supported the imperial Interim.

In 1563 the elector again attempted to end the religious disputes in his lands and gain full unity. He continued the practice of elevating the elements in the Lord's Supper and introduced *ostensio*, the presentation of the elements, after the fashion of the Greek Orthodox

⁴⁵ Peterson, "Philippist," 332-333.

⁴⁶ Nischan, Prince, 21-25.

Church.⁴⁷ After the Marks of Brandenburg were reunited, the Gnesio-Lutherans gained control.

In 1572, only a few months into Johann Georg's rule (r. 1571-98), a new church order was issued, the *Corpus Doctrinae Brandenburgicum*. A "Visitation and Consistory Ordinance" was enforced in 1573.⁴⁸ All ministers were required to prove a "solid" knowledge of the Augsburg Confession and Luther's teachings before being ordained. They were required to maintain a Bible in German and Latin, the catechisms, Luther's Works and his postils.⁴⁹ The visiting pastors were instructed to look for "liturgical deviations" as well as doctrinal errors:

In these dangerous and tumultuous times, when all sorts of sects and mobs are agitating, especially while that damned doctrine of Calvinism is trying to sneak in . . . they are to watch diligently that God's Word is preached faithfully, that the blessed sacrament is administered in a non-sectarian fashion and the traditional Christian responses, canticles, and ceremonies remain unchanged and continue to be uniformly observed throughout the land.⁵⁰

Joachim II of Brandenburg and his son Johann Georg went about things differently. While Joachim II had sought

⁴⁷ *Ibid.*, 35, 37.

⁴⁸ Bodo Nischan, "Brandenburg," in OER, 1:207-208.

⁴⁹ Nischan, *Prince*, 43.

⁵⁰ Seehausen Visitation Report, 7 June 1581, cited in Nischan, *Prince*, 48.

compromise with the old church, his son was a clear advocate of the Lutheran creed. Johann Georg insured Brandenburg's continued "silent but effective theological force among the Lutheran territories."⁵¹

Magdeburg's leading theologians did not agree on implementing strict rules and high church practices. Nor did they agree on the prevailing influence of Philippist or Gnesio-Lutheran constructs of church-state relations. Though they led the fight against contrition of Christian liberty and advocated active resistance, they disagreed on how those ideas should be implemented. Brunswick civil and ecclesiastical authorities worked together to insure reforms but there, too, no consensus arose on church polity. Brandenburg instituted changes slowly, much as Albertine Saxony had done, but took a more active part in amalgamizing practice under Johann Georg.

South German Territories

The south German territories, being far removed from the seat of controversy between the Lutheran camps, could develop their practices without at least that complication. Johannes Brenz supported a church under direct supervision of the prince. Men were sinners and needed to be controlled

⁵¹ Koch, 108-109.

actively or they would destroy the church and each other. No civil magistrate could serve in Württemberg unless he was a Christian. Matters concerning doctrine continued to be outside his control, but that was all. And even there the line was vague because Brenz made it the duty of the secular authority to promote and protect pure preaching of the Word.⁵² Both Luther and Melanchthon were looked to for doctrinal interpretation.⁵³

Jakob Andreae agreed with Brenz that the church was a spiritual creation brought forth by the gospel and a political entity to be administered by the prince, by virtue of his office as chief church member.⁵⁴ He stated the goals of Lutheran teaching in the Formula of Concord:

(1) to maintain external discipline against unruly and disobedient men, (2) to lead men to a knowledge of their sin, (3) after they are reborn, and although the flesh still inheres in them, to give them on that account a definite rule according to which they should pattern and regulate their entire life.⁵⁵

Württemberg's 1559 Church Ordinance reflected those goals. It gave a comprehensive list of moral concerns. Dancing

⁵² Estes, "Two Kingdoms," 5-52.

⁵³ Luther's works were oftentimes incomplete in the libraries in Württemberg and other southern areas, but the works of Melanchthon and Brenz himself abounded. Tolley, 26, 34.

⁵⁴ *Ibid.*, 116-117.

⁵⁵ Tappert, *Epitome*, Article VI, The Third Function of the Law, 479-480.

between unmarried persons was allowed by civil authorities but condemned by the church, along with other festival gatherings. Working on Sunday and usury were also prohibited. Andreae created parish consistories on the Genevan model for enforcement of church discipline. The visitation had a dual role in Württemberg: it was to encourage and exhort the sinner or recommend imprisonment for the recalcitrant reprobate. The laity worked with the state church to resolve any other conflicts that arose, when their interests coincided.⁵⁶ Both doctrinal purity and personal discipline were matters of utmost concern in Württemberg.

Other areas in the south experienced doctrinal and practical complications as well. Many of these occurred as a result of rulers converting to an illegal religion, especially Calvinism. Elector Frederick III (r. 1559-1576) of the Palatinate converted to Calvinism in 1559. The Church Ordinance published under his direction in 1563 was written by Zacharius Ursinus, Melanchthon's former student. He co-authored the Reformed Heidelberg (Palatine) Catechism the previous year for the elector.⁵⁷ When Johann Sigismund

⁵⁶ Tolley, 90-117 passim.

⁵⁷ Dunn, xx, 63-64. See also "Reformed Confession," Lutheran Cyclopedia, 666.

(r. 1608-19) publicly communed as a Calvinist in 1613, he complicated relations with the emperor, King Sigismund III of Poland (a staunch Catholic), and the German Lutheran princes, especially his Saxon neighbors.⁵⁸ It is not within the purview of this paper to discuss Calvinist church practices but suffice it to say that it is not insignificant that Württemberg chose the Genevan model for church government and discipline rather than that of Wittenberg.

Territorial or national churches developed in Germany because rulers were not interested in practices or polity in churches outside their jurisdiction. Unification of doctrine was necessary so that conflict between Protestant princes would not erupt.⁵⁹ It was also necessary so that common enemies could be fought through the combined strength of neighboring principalities. Fear of clerical power ran high during these confessional years. As a result, many "queer arrangements in the Lutheran territorial churches" emerged.⁶⁰ Fear of the dissolution of the Reformation was also at a fever pitch. The 1548 Interims changed the

⁵⁸ Nischan, "Confessionalism," 182.

⁵⁹ J A O Preus, Second Martin, 36.

⁶⁰ Brady, "Luther and the State: The Reformer's Teaching in Its Social Setting," in James Tracy, ed., Luther and the Modern State, 37-38.

direction of doctrine, structure, and liturgy in most German Lutheran churches.⁶¹ The role of the princes in reforming their territories cannot be minimized. Especially after the Peace of 1555, power over religious expression in the territories fell to these political leaders. Even in areas where Luther's distinction between the ecclesiastical and civil realms was maintained, the prince carried more weight than Luther would have felt was safe. The complications of the ecclesiastical reservation defined doctrine and practice under uniquely difficult circumstances. By the time the Book of Concord was published, church polity already had been established. The prince had the machinery already in place to enforce his particular brand of Lutheranism. Measures with which to enforce these policies varied, as did the vehemence with which *cuius regio, eius religio* was enforced.

Before Luther's death in 1546, he guided church ordinances personally. He maintained a distinction between the civil and ecclesiastical realms, relegating the prince to a position of spiritual guardian. The heartland of the Reformation after Luther's death in 1546 and the electoral shift in Saxony after the defeat of the Protestant princes

⁶¹ Peterson, "Philippist," 6.

in the Schmalkaldic War in 1547 saw political agenda become intertwined with religious issues in the drafting of these ordinances. The widening rift between the Philippists and Gnesio-Lutherans was reflected in doctrine and practice throughout the north and central German principalities. The reformers and electors responsible for these church ordinances stressed their particular interpretation of the Evangelical faith. The surrounding Calvinist lands heavily influenced cities to the south. Their ordinances stressed church discipline much as their Reformed neighbors did. Though the Book of Concord decreased the necessity to belabor doctrine in church ordinances, the power and personality of the prince continued to be reflected in the practices sanctioned in each territory.

CONCLUSION

I have shown in this paper that the Lutheran theory of political resistance began to take shape under the direction of Martin Luther with his theology of the Two Kingdoms. The power and influence of the civil and spiritual realms were circumscribed but did not act totally independent of one another. Luther always allowed resistance to authority. Typically he advocated passive resistance rather than active. Active disobedience was never encouraged, however. Though the prince might engage in such active resistance, Luther saw this as only a last resort. The reformer rejected the idea of a Christian society and a state-controlled church. Men were too sinful to maintain a Christian society and the ruler, being human, was too prone to misuse his God-given power to be allowed to dictate to the church. Luther advocated independence among the churches regarding organizational structure and ecclesiastical practice, as long as the word of Scripture was not violated.

Luther's followers did not always agree with Luther's ideas on resistance, even when he was alive. After his death Melanchthon endorsed active resistance to the emperor privately but publicly supported passive acceptance of imperial decrees. Melanchthon feared the Evangelical faith

would be suppressed, especially after the defeat of the Schmalkaldic League, unless Protestants cooperated with the emperor. His desire for unity, coupled with his fear that the true church would cease to exist, led him to become involved with the Interim compromises of 1548. His wavering doctrinal stance on critical issues and his broad tolerance for ceremonial and liturgical practices that Scripture considered *adiaphora* created an ever-widening chasm between the Philippist and Gnesio-Lutherans.

The controversies sparked by the Interims led to ecclesiastical and political divisions. The German Evangelical princes increasingly became concerned with the emperor's power over the religious and civil rights traditionally extended to the territorial ruler. As a result, they continued to war with the emperor until he surrendered some of his control in the Peace of Augsburg. This religious settlement enabled individual princes to dictate the religious creed of his subjects--either Catholic or Lutheran. At the same time, the Evangelical princes continued to effect a religious peace within their territories. Confessions and church ordinances stipulated the accepted practice in each principality. Visitations were conducted to ensure adherence. The princes became increasingly aware that these fragmented efforts needed to

be replaced by something more permanent.

The continued threat of war with the Ottoman Turks, the Catholic Counter-Reformation offensive in Germany and western Europe generally, and the Calvinist incursion all around them, convinced these Lutheran rulers that a unified body of doctrine needed to be established so that these perceived enemies could successfully be warded off. The electors of Saxony and Brandenburg took the lead in securing a unified *corpus doctrinae* to which the majority of Lutherans could subscribe. In due course, the Book of Concord was drafted, circulated, and accepted by the majority of Lutherans throughout the Germanies.

Though doctrinal issues were largely settled with the acceptance of the Book of Concord, church ceremonies, practices, and governmental structure continued to be established locally. Most territories embraced church ordinances created largely by the prince and his theologians. The power and influence of the individual prince increased in most Lutheran principalities. The *cuius regio eius religio* principle, coupled with the role of the prince as active participant in the maintenance of the gospel, enabled the territorial ruler to establish not only the religion but its outward expression as well. Exactly

how much authority over the church any given ruler possessed differed from territory to territory. Magdeburg refused any ecclesiastical dictates by the civil magistrates.

Württemberg set up a strictly state-controlled church.

Saxony, after Luther's death, adopted a stance between these two extremes.

Church ordinances encompassed everything from the doctrinal stance of potential clergy to what activities might be enjoyed on a Friday night. Church discipline issues were divided between the ecclesiastical and civil authorities. The consistories of Albertine Saxony, Brunswick, and Württemberg cooperated with the local magistrates to enforce adherence to church practice.

Ultimately, regardless of the safeguards set up by the ecclesiastical officials, the power and authority of the secular ruler over the church continued to increase after 1555. The idea of a Christian society, reject by Luther but accepted by Müntzer, was accepted by Lutheran theologians in the seventeenth century such as Johann Gerhard.¹ Eventually the territorial church would become the state church. The

¹ Johannes Heckel, "Luther's Lehre von zwei Regimenten," Zeitschrift für evangelisches Kirchenrecht, IV (1955), cited in Huegli, Church and State Under God. See also Eric Gritsch, "The Use and Abuse of Luther's Political Advice," Lutherjahrbuch, 57 (1990), 212.

devastating effects to both church and state by the rulers' abuse of power are easily recognizable throughout the ensuing centuries.

That which Luther feared, indeed prophesied and attempted to prevent, became possible only nine short and turbulent years after his death. Thus, Ernst Troeltsch's view that Luther promoted territorial absolutism due to contradictory teachings is obviously untenable. Likewise, Reinhold Niebuhr's proposal that Luther's teachings bred tyranny, making him the "spiritual father of Adolf Hitler" is equally unfounded.² Luther's theology of passive resistance on the part of the citizen gained prominence place again in 1580 with the publication of the Book of Concord. Active resistance, for the time being, no longer was a subject of concern among Lutherans. The tension that existed in the sixteenth century as to when and how resistance should take place remains difficult to this day within Lutheranism.

² Eric Gritsch, "Luther and the State: Post-Reformation Ramifications," in James Tracy, ed., Luther and the Modern State, 45.

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APPENDIX

LIST OF MAJOR SIGNATORIES TO THE BOOK OF CONCORD¹

Louis, Count Palatine on the Rhine, Elector
Augustus, Duke of Saxony, Elector
John George, Margrave of Brandenburg, Elector
Joachim Frederick, Margrave of Brandenburg, Administrator
the Archbishopric of Magdeburg
John, Bishop of Meissen.
Eberhard, Bishop of Lebeck, Administrator of the Episcopate
of Werden
Philip Louis, Count Palatine on the Rhine
The guardians of *Frederick William* and *John*, Dukes of Saxony
The guardians of *John Sasimir* and *John Ernest*, Dukes of
Saxony
George Frederick, Margrave of Brandenburg
Julius, Duke of Brunswick and Lueneburg
Otho, Duke of Brunswick and Lueneburg
Henry the Younger, Duke of Brunswick and Lueneburg
William the Younger, Duke of Brunswick and Lueneburg
Wolfgang, Duke of Brunswick and Lueneburg
Ulrich, Duke of Mecklenburg
Louis, Duke of Wuerttemberg
The guardians of *Ernest* and *Jacob*, Margraves of Baden
George Ernest, Count and Lord of Henneburg
Frederick, Count of Wuerttemberg and Moempelgard
John Gunther, Count of Schwartzburg
William, Count of Schwartzburg
Albert, Count of Schwartzburg
Emich, Count of Leiningen
Philip, Count of Hanau
Gottfried, Count of Oettingen
George, Count and Lord in Castel
Henry, Count and Lord in Castel
Otho, Count of Hoya and Burgkhausen
John, Count of Oldenburg and Delmenhorst
John Hoier, Count of Mansfeld
Bruno, Count of Mansfeld
Hoier Christopher, Count of Mansfeld
Peter Ernst, Jr., Count of Mansfeld
Christopher, Count of Mansfeld

¹ Concordia Triglotta, 25-26.

Albert George, Count of Stolberg
Wolfgang Ernest, Count of Stolberg
Louis, Count of Gleichen
Charles, Count of Gleichen
Ernest, Count of Reinstein
Boto, Count of Reinstein
Louis, Count of Lewenstein
Henry, Baron of Limburg, *Semperfrei*
George, Baron of Schoenburg
Wolfgang, Baron of Schoenburg
Anarc Frederick, Baron of Wildenfels
 Mayor and Council of the City of *Luebeck*
 Mayor and Council of the City of *Lueneburg*
 Mayor and Council of the City of *Hamburg*
 Council of the City of *Brunswick*
 Mayor and Council of the City of *Landau*
 Mayor and Council of the City of *Muenster* in the Gregorian
 Valley
 Council of the City of *Goslar*
 Mayor and Council of the City of *Ulm*
 Mayor and Council of the City of *Esslingen*
 Council of the City of *Reutlingen*
 Mayor and Council of the City of *Noerdlingen*
 Mayor and Council of *Rothenburg* on the Tauber
 Mayor and Council of the City of Hall in *Swabia*
 Mayor and Council of the City of *Heilbronn*
 Mayor and Council of the City of *Memmingen*
 Mayor and Council of the City of *Lindau*
 Mayor and Council of the City of *Schweinfurt*
 Council of the City of *Donauwoerth*
 Chamberlain and Council of the City of *Regensburg*
 Mayor and Council of the City of *Wimpffen*
 Mayor and Council of the City of *Giengen*
 Mayor and Council of *Bopfingen*
 Mayor and Council of the City of *Alen*
 Mayor and Council of the City of *Kaufbueren*
 Mayor and Council of the City of *Isna*
 Mayor and Council of the City of *Kempton*
 Council of the City of *Goettingen*
 Mayor and Council of the City of *Leutkirch*
 The entire Government of the City of *Hildesheim*
 Mayor and Council of the City of *Hameln*
 Mayor and Councilmen of the City of *Hannover*
 Council of *Muehlhausen*
 Council of *Erfurt*

Council of the City of *Eimbeck*
Council of the City of *Nordheim*