

PRAISE FOR
*FAITH AND ACT: THE SURVIVAL OF MEDIEVAL
CEREMONIES IN THE LUTHERAN REFORMATION*

Ernst Walter Zeeden was one of the most important Reformation historians of the twentieth century. Years before scholars began to weigh up the vitality of late-medieval religion or trace the broad outlines of the confessionalization process, Zeeden was shedding light on a religious culture that transcended the traditional late-medieval and early modern divide while thinking of new ways to comprehend the period as a whole, an approach that eventually led to his influential idea of the “formation of confessions.” *Faith and Act* was one of his earliest and most important works in this vein, a mix of exacting research and historiographical vision that may justly be viewed as one of the foundation texts of modern Reformation history.

—C. Scott Dixon, PhD
Queen’s University, Belfast

For 50 years Zeeden’s work has shaped historians’ knowledge of the confessionalizing of religious life and practice in Reformation-era Europe. *Faith and Act* provides a masterful account of the ritual system of the churches in Protestant Germany by means of a close analysis of the documents through which the Reformers both preserved and adapted elements of the Catholic tradition. Historians of liturgy and church discipline will welcome the re-appearance of Zeeden’s classic monograph, gracefully translated and with updated bibliographical references.

—Ralph Keen, PhD
Professor of History
Arthur J. Schmitt Foundation Chair in Catholic Studies
University of Illinois at Chicago

Kevin Walker’s translation of *Faith and Act* represents a necessary addition to contemporary scholarship on how liturgical practices shaped the lived religion of the Reformation churches. Zeeden’s original book was visionary in many ways; it anticipated both the scholarly discussion over confessionalization that has dominated the last generation of Reformation

scholarship and the debate inspired by Gerald Strauss over the relative success or failure of the Reformation. Walker's translation brings Zeeden's original insights to light for an Anglophone audience, and his preface and notes update the scholarly apparatus to account for over fifty years of scholarship inspired by, and in dialogue with, Zeeden's original. Walker's additions never overshadow the text, however, and his explanation of ecclesiastical terminology in the preface provides a remarkably clear window into the diverse and potentially overwhelming world of organizational, disciplinary, and liturgical practices that characterized the nascent Lutheran churches. Taken as a whole, this new translation of Zeeden's *Faith and Act* reveals a fluid religious culture in which secular and ecclesiastical leaders strove to synthesize traditional forms of worship with novel theological insights; this depiction adds depth and specificity to our knowledge of that process of synthesis, and delightfully unsettles easy generalizations about the transition from medieval to early modern Christianity.

—Phillip Haberkern, PhD
Assistant Professor of History
Boston University

Ernst Walter Zeeden's *Katholische Überlieferungen in den lutherischen Kirchenordnungen des 16. Jahrhunderts* is one of the most important works of German research from the past half century concerning the history of the Reformation and its ramifications. For comparative historical research of confessions, which consequently became focused under the key concepts of "confessional formation" and "confessionalization," this book represented a decisive breakthrough in terms of methodology and substance. Zeeden was able to show that the separation of the confessions in the everyday religious life of people in the Holy Roman Empire was a slow process that stretched over several generations. In doing so, he qualified firmly ingrained views of history of Protestant and Catholic historians (and theologians), who had presumed an early separation of the confessions: Some saw the "introduction of the Reformation" at the earliest possible fixed date (with the first evangelical sermon and celebration of the Lord's Supper under both kinds), others in the successful defense of Catholicism and beginning of the Counter-Reformation, also preferably as early as the 1520s and 1530s (with territorial prohibition mandates). By way of contrast, Zeeden pointed to the numerous cases of interference and mixed forms in practice, in which the old Church and new faith coexisted in many German territories and cities. Closed confessional states among the territories of the Empire were for a considerable time more the exception than the rule. The dogmatic confessional definitions of doctrine (Augsburg Confession, Council of Trent, Heidelberg Catechism) were put into practice in worship, piety, and

everyday life also very gradually at first and with numerous compromises. In conjunction with this, Zeeden also drew attention to the significance of cultural-historical phenomena (art, literature, popular customs). It is to be highly welcomed that now after half a century this groundbreaking study for research is being translated into English.

—Professor Dr. Anton Schindling
Fachbereich Geschichtswissenschaft
Seminar für Neuere Geschichte
Philosophische Fakultät
Eberhard-Karls-Universität Tübingen

This book would be a helpful contribution to Lutheran theology and church life if it offered only an English translation of Zeeden's classic study, which made clear the dense catholicity of earliest Lutheran church practice. Translator Kevin G. Walker offers here much more. In a highly informative preface, as well as dozens of new footnotes, he breathes new life into the work, making it much more useful and relevant for today. For everyone who really cares how the Lutheran Reformation came to life in a rich but varied liturgical practice, this book, now more than ever, is essential reading.

—Mickey Mattox, PhD
Associate Professor of Theology
Director of Undergraduate Studies in Theology
Marquette University

Kevin Walker has done us a service through his translation of Ernst Zeeden's monumental study of the Lutheran church orders of the sixteenth century. These documents provide a unique insight into the Lutheran Reformation, both the successes it enjoyed as well as the perennial challenges and occasional failures. Anyone interested in the development of Lutheran liturgical practice, especially in light of medieval milieu from whence it came, will find *Faith and Act* to be an engaging resource.

—Paul Grime, PhD
Associate Professor of Pastoral Ministry and Missions
Concordia Theological Seminary, Fort Wayne, IN

A gripping read awaits those who attend to Zeeden's multi-faceted account of the nitty-gritty of classical Lutheran church life in its parish and public setting. As he shows how the first generations committed to the Augustana took care not to throw out the 'catholic' baby with the tainted 'medieval' water, a master historian of another confession poses searching questions to

Lutherans of the present day. I commend Kevin Walker for toiling to make this significant study available to the reading public of the Anglosphere.

—John R Stephenson, PhD
Professor of Historical Theology
Concordia Lutheran Theological Seminary, St. Catharines, Ontario

This meticulous historical study examines the complexities of liturgical practices in sixteenth century Lutheranism as reflected in the church orders. *Faith and Act: The Survival of Medieval Ceremonies in the Lutheran Reformation* is an invaluable handbook providing detailed and documented data giving contemporary readers a glimpse into the way that liturgical texts and ceremonies were retained, modified, or rejected in various territories. Liturgical scholars as well as pastors will find this volume to be a useful guide to understanding the evangelical reception and appropriation of the catholic legacy of liturgical forms and practices in light of the immediate background of the medieval church.

—John T. Pless, MDiv
Assistant Professor of Pastoral Ministry and Missions
Director of Field Education
Concordia Theological Seminary, Fort Wayne, IN

What a service Kevin G. Walker has done for the Lutheran Church in English speaking lands by providing this fine translation of Ernst Zeeden's helpful monograph: *Faith and Act: The Survival of Medieval Ceremonies in the Lutheran Reformation*. Both the medieval practices and the details of the early Lutheran appropriation of them are not nearly as well known as they ought to be, and this volume goes a long way towards remedying that. I heartily recommend the book to any and all who love the Lutheran liturgy and seek to become better acquainted with its formative development in the time of the great Church Orders. It's the next best thing to having a full set of Sehling gracing your shelf!

—William C. Weedon, STM
Director of Worship
The Lutheran Church Missouri Synod

FAITH AND ACT

THE SURVIVAL OF MEDIEVAL CEREMONIES
IN THE LUTHERAN REFORMATION

ERNST WALTER ZEEDEN

TRANSLATED BY
KEVIN G. WALKER



Peer Reviewed

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TRANSLATOR'S PREFACE

Major developments changed the scene of the sacred and the secular as the late Middle Ages yielded to the early modern era. Lutheran reforms had far-reaching effects, both direct and indirect. One might be surprised, however, to learn of things that did not change with the Reformation, or at least not right away. The work presented here by E. W. Zeeden shows us clearly that the Reformation did not happen overnight—neither with the posting of the Ninety-Five Theses, nor with the presentation of the Augsburg Confession. Although he does express his own opinions and conjectures along the way, the Roman Catholic Zeeden avoids polemics, seeking rather to be a faithful historian who presents the facts and lets them speak for themselves. Of the numerous works he has written dealing with the Reformation and the Counter-Reformation, one volume has previously been made available in English: *The Legacy of Luther: Martin Luther and the Reformation in the Estimation of the German Lutherans from Luther's Death to the Beginning of the Age of Goethe*, translated by Ruth Mary Bethell (Westminster, Md.: Newman Press, 1954). The work before you focuses on Lutheran church orders of the sixteenth century and provides an intriguing display of the complex interaction between personal faith and habit, the way people worship and the way they believe, the ruler's right to determine the religion of his land and the religion actually adhered to by the people,¹ as well as the impact that economic conditions and the governing forms of church and state had on the life of the church. While the author of such a work may be judged by what he has or has not included, it must be remembered that Zeeden makes no claim to completeness, but rather refers to this as an exploratory overview. It is an invitation to get acquainted with the source documents and explore them more widely and deeply than others have done before.²

¹ These two laws are sometimes referred to as *lex orandi est lex credendi et agendi* (the rule of prayer is the rule of creed and deed) and *cuius regio, eius religio* (whose the region, his the religion).

² Some church order excerpts have been translated into English and form Chapter 3 of *Documents from the History of Lutheranism, 1517–1750*, ed. by Eric Lund (Minneapolis: Fortress Press, 2002); for orders by Johannes Brenz

Originally published in 1959, this book followed an article employing a term that was to become groundbreaking in the study of early modern Church History: *Konfessionsbildung* (formation of confessions, confessional formation, or confession-building).³ As stated by Anton Schindling, “His approach overcame older confessionalistic models of interpretation in historiography that either understood Protestantism as a dynamic one-way street into the

in particular, see *Godly Magistrates and Church Order: Johannes Brenz and the Establishment of the Lutheran Territorial Church in Germany 1524–1559* by James M. Estes (Toronto: Centre for Reformation and Renaissance Studies, 2001). As an example of more recent German research into church orders, one may look to the collection of essays entitled *Gesammelte Aufsätze: zu den Kirchenordnungen des 16. Jahrhunderts*, ed. by Anneliese Sprengler-Ruppenthal (Tübingen: Mohr Siebeck, 2004).

Studies in English providing more insight into the rites, worship, and church polity of the period include *Johannes Brenz and the Problem of Church Order in the German Reformation* by James Martin Estes (Ph.D. diss., Ohio State University, 1964), *An Historical Survey of the Liturgical Forms in the Church Orders of Johannes Bugenhagen (1485–1558)* by Loui Novak (Th.D. diss., Iliff School of Theology, 1974), “*Ordo et Libertas*”: *Church Discipline and the Makers of Church Order in Sixteenth-Century North Germany* by Jeffrey Philip Jaynes (Ph.D. diss., Ohio State University, 1993), *Pastors and Parishioners in Württemberg During the Late Reformation, 1581–1621* by Bruce Tolley (Stanford: Stanford University Press, 1995), *The Reformation and Rural Society: The Parishes of Brandenburg-Ansbach-Kulmbach, 1528–1603* by C. Scott Dixon (Cambridge: Cambridge University Press, 1996), *The Reformation of Ritual: An Interpretation of Early Modern Germany* by Susan C. Karant-Nunn (London; New York: Routledge, 1997), *Worship Wars in Early Lutheranism: Choir, Congregation, and Three Centuries of Conflict* by Joseph Herl (New York; Oxford: Oxford University Press, 2004), and *Christian Magistrate and Territorial Church: Johannes Brenz and the German Reformation* by James M. Estes (Toronto: Centre for Reformation and Renaissance Studies, 2007).

³ Ernst Walter Zeeden, “Grundlagen und Wege der Konfessionsbildung in Deutschland im Zeitalter der Glaubenskämpfe,” *Historische Zeitschrift* 185 (1958): 249–299. Zeeden expanded on this work in a book published seven years later: *Die Entstehung der Konfessionen: Grundlagen und Formen der Konfessionsbildung im Zeitalter der Glaubenskämpfe*. München; Wien: Oldenbourg, 1965. Later he republished articles from books and journals as a collection: *Konfessionsbildung: Studien zur Reformation, Gegenreformation und katholischen Reform*. Stuttgart: Klett-Cotta, 1985.

modern world or Catholicism as the ever-constant, steadfast old Church.”⁴ Zeeden, who passed away this year, has been hailed as a pioneer, whose approach to research paved the way for the concept now commonly referred to as confessionalization.⁵ While this concept has received a fair amount of treatment, largely due to the work of Wolfgang Reinhard and Heinz Schilling,⁶ study devoted to the church orders and visitation records is still underrepresented. That being the case, the work before you remains a valuable contribution to our understanding of how the Lutheran confession took shape, as it draws from numerous primary sources little tapped elsewhere.

To increase the book's usefulness I have added numerous references and explanations. As a way of helping the reader understand the historical setting, at this point we turn to a brief discussion of terminology relating to the ecclesiastical offices encountered in this book. For us the word “pastor” (Latin for

⁴ “Maßgeblich an der Etablierung des Fachteilgebiets ‘Geschichte der Frühen Neuzeit’ beteiligt: Zum Tode von Professor Dr. Ernst Walter Zeeden ein Nachruf von Anton Schindling” in the *Leute* section of the newsletter *Uni Tübingen aktuell* No. 4/2011.

⁵ In an essay entitled “Delayed Confessionalization: Retarding Factors and Religious Minorities in the Territories of the Holy Roman Empire, 1555–1648,” Anton Schindling differentiates the concepts: “The term *Konfessionsbildung* emphasizes the process of spiritual and theological discussion and definition within the church that resulted in the formulation of a binding confession. . . . By contrast, the more comprehensive term *Konfessionalisierung* embraces the implications for state, politics, society, and culture that resulted from the definition of the confession” (p. 54 in *State and Society in Early Modern Austria*, ed. by Charles W. Ingrao, West Lafayette, Ind.: Purdue University Press, 1994).

⁶ For an explanation and critique of the approach of Reinhard and Schilling, see “The Concept of ‘Confessionalization’: a Historiographical Paradigm in Dispute” by Ute Lotz-Heumann, *Memoria y Civilización* 4 (2001): 93–114, and more recently “Confessionalization and Literature in the Empire, 1555–1700” by Ute Lotz-Heumann and Matthias Pohlig, *Central European History* 40 (2007): 35–61. See also *Confessionalization in Europe, 1555–1700: Essays in Honor and Memory of Bodo Nischan*, ed. by John M. Headley, Hans Joachim Hillerbrand, and Anthony J. Papalas (Aldershot, Hants; Burlington, Vt.: Ashgate, 2004). For a study of confessionalization that narrows its scope to the exclusion of Roman Catholicism, see *Lutherans and Calvinists in the Age of Confessionalism* by Bodo Nischan (Aldershot, Hampshire; Brookfield, Vt.: Ashgate/Variorum, 1999).

“shepherd”) generally denotes any ordained minister. In German, however, “*Pastor*” was not always used generally. For any ordained minister a common word is “*Geistlicher*,” which is translated here as “clergyman”; another is “*Seelsorger*” (curate), one who is responsible for *Seelsorge/cura animarum* (care of souls); “*Priester*” (priest) also continued to be used for this purpose in Lutheran churches, whereas “*Pfaffe*” took on a pejorative connotation. Another common word in German, today generally used as we use “pastor,” is “*Pfarrer*.” Also in the sixteenth century, *Pfarrer* is used synonymously with *Pastor*, but one should not automatically assume with this that any ordained minister is meant. Only a *Pfarrer* in the sense of the old polity could be called *Pastor*.⁷ Since modern usage of “pastor” deviates from the old sense, the following should help the reader better understand the hierarchical system that was in place and why “*Pfarrer*” is not simply rendered as “pastor” in this translation.

Regions were divided into parishes,⁸ and a parish (*Pfarrei*) would generally have at least one church and one pastor called *Pfarrer* or *Pfarrherr*, literally “lord of the parish.” English has a word from medieval Latin meaning the same thing, namely, “parson.”⁹ Parishes

⁷ Sehling (5:20) expressly states that this was the case in Dorpat (a city in northeastern Livonia, now Tartu, Estonia). In general, the terms appear to be used interchangeably throughout the church orders; also in the Lutheran Confessions, the Latin equivalent for *Pfarrer* is usually either *pastor* or *parochus*. Zeeden himself sometimes writes *Pastor* when *Pfarrer* is the word used by his source. Although distinctions may appear to be made at times, I have not found any true distinction in the church orders. For example, the 1570 church order for Kurland (now part of Latvia) lists: “*pastores, pfarhern, diaconi, seelsorger und kirchendiener*” (Sehling 5:80), but an earlier listing and discussion (58f.) shows that *Pfarrer* and *Pastor* are synonymous. In another place, the great church order of 1580 from Elector August of Saxony, it might seem that the distinction between *Pfarrer* and *Pastor* is that of serving in a city or village, respectively (Sehling 1:384); later however, in the “Visitation and Superintendence Order” portion, it is clear that *Pfarrer* also refers to village clergy (393f.).

⁸ A parish could also be limited to personal property (for example, a nobleman’s court) or that of an institution.

⁹ We have another word from Latin, “rector” (ruler), which is also used as a title for a *Pfarrer*, as well as for the leader of an academic institution. Although Anglicans and Scandinavian Lutherans use this term to refer to a *Pfarrer*, it is not common among German or American Lutherans, nor have I found it used this way in the church orders. Sehling does not index the term,

that did not have their own parson, and possibly lacked their own church building, were affiliated with a mother parish and called out-parishes (*Filiale*). As “lord of the parish,” the parson would live in the parsonage (*Pfarrhaus*), take possession of parish land called glebes (*Pfarräcker*), and possibly receive benefices, prebends, and tithes.¹⁰ He would be the “head pastor” of the parish, thus he would be responsible for the pastoral care of all his parishioners (*Pfarrkinder*) and all other clergy serving his parish would be subordinate to him and bear a different title: preacher (*Prediger/Predikant*), deacon (*Diakon*), and chaplain (*Kaplan/Capellan*),¹¹ for example. These

but I have found *rector*, *conrector*, and *subrector* used to denote school leaders (for example Sehling 3:146, 278, 293; 5:301–2, 495–7, 555).

¹⁰ Parishioners tithed their food and animals to support church workers in addition to putting alms in the offering box and paying occasional fees (see the note on small tithes in Part 2 of Chapter 2). Prebends and benefices are explained in the first footnote of Chapter 2.

¹¹ The terms for “chaplain” and “deacon” are sometimes used synonymously. Even as *Seelsorger* (curate) typically refers to a clergyman in general, but sometimes to an assistant pastor in particular, so also *Prediger* (preacher). Any clergyman could be called a preacher, since all are ordained to the *Predigtamt* (preaching office), but some were called specifically to fill a preaching benefice, in which they may have been free of other pastoral responsibilities. Already in the fifteenth century, “the laity came increasingly to consider itself responsible for the church’s constitution and performance. This was an impulse which had long been at work, principally in the cities. Territorial princes and city magistrates, even individual citizens, took energetic action in matters of monastic reform, and toward the turn of the century it became customary to endow preaching benefices for the purpose of guaranteeing regular sermons of high quality (as is proved by the frequent stipulation that incumbents should hold a university degree), as a result of which many regions, especially in southwest Germany, had at least one endowed preacher in almost every city” (p. 194 in “Religious Life in Germany on the Eve of the Reformation” by Bernd Moeller, pp. 189–198 in *Contesting Christendom: Readings in Medieval Religion and Culture*, ed. by James L. Halverson, Lanham: Rowman & Littlefield, 2008, first published in *Pre-Reformation Germany*, ed. by Gerald Strauss, London: Macmillan, 1972. Reproduced with permission of Palgrave Macmillan.). Andreas Wagner wrote similarly about this, noting that the preachers who received these preaching benefices had to have a theological education, and that it was not rare for this education to surpass that of the local parson (cf. p. 72 of Wagner’s doctoral thesis, *Das Falsche der Religionen bei Sebastian Franck*, Berlin 2007). “The special tasks of these preachers was usually to instruct

ministers were basically “assistant pastors.” (Note: There was also a diaconal office in which laity had charge over funds and food in the common chest.) The term vicar (*Vikar/Vicarius*) had various usages: a clergyman ministering in the stead of a parson (like a vacancy pastor), an assistant minister, or a young theologian assigned to assist and receive training from a parson. Numerous church orders say that they are to help parsons, preachers, and chaplains with hearing confession and administering the Sacrament; they are also regularly to help sing the daily offices, receive the Sacrament, and listen to sermons.¹² All of the above could be called ministers of the church or church workers (*ministri ecclesiae/Kirchendiener*) in the narrow sense, while others under the parson’s authority could also be called this in the wide sense: sacristan/sexton (*Küster/Mesner/Kirchner*),¹³ bell-ringer (*Glöckner*), schoolmaster (*Schulmeister*), teaching assistant (*Schulgeselle*), cantor, and organist.¹⁴ In addition to preparing the altar and baptismal font and maintaining the church grounds, the duties of the sacristan usually included bell-ringing (thus *Glöckner* was frequently used in the wide sense to denote a sacristan), but could also include working the organ bellows (otherwise done by *calcanten*,

the townspeople from the Bible and the Church Fathers as well as to catechize the youth” (p. 25 of Peter Blickle, *Die Reformation im Reich*, 3rd ed., Stuttgart: E. Ulmer, 2000, quoted by Wagner).

¹² Cf. Sehling 3, *passim*. A vicarage (*Vikarei*) was an office or position bound with a certain income; in this way, other church workers could also be called vicars. Thus in the 1578 visitation decree for Stendal, for example, the organist and choirmaster are called vicars (Sehling 3:318).

¹³ The terms “sacristan” and “sexton” are used synonymously, even as the three German terms are used interchangeably (see the *DWB* entries for “Küster,” “Meszner,” and “Kirchner,” which are all defined by the Latin “*aedituus*” and a term for “bell-ringer” as well as other related terms). Since the office usually included many more responsibilities (cf. note 15) than what is currently understood today by the words “sacristan” and “sexton,” the term “clerk” is sometimes used, as in *Worship Wars in Early Lutheranism: Choir, Congregation, and Three Centuries of Conflict* by Joseph Herl (New York; Oxford: Oxford University Press, 2004); I have chosen to retain “sacristan” and “sexton” since I use “clerk” for “*Schreiber*.”

¹⁴ A teacher bearing the title *baccalaureus* or *infimus* had not attained the rank of master, thus was a teaching assistant or intern. Cantors and organists were also counted as teaching assistants. *Schulmeister* and *Schulgesellen* were also called *Schuldiener*, school ministers or workers.

bellows-treaders), as well as catechizing, teaching, preaching, and visiting the sick.¹⁵

Moving in the other direction of the hierarchy, a parson could be made a superintendent (*Superintendent/Superattendent*)¹⁶ or bishop¹⁷ to oversee other parsons and church workers; carrying out this office involved church and school visitations.¹⁸ Above these would be a general superintendent or archbishop. With the intermingling of church and state it also happened that a prince's authority extended so far over the church that he took the title of chief bishop (*summus episcopus*). Beyond this there were also consistories¹⁹ and synods,²⁰

¹⁵ For a list of the sacristan's duties as described in the 1581 church order for Hoya, see Herl, 42; see also an excerpt from the 1528 church order for Braunschweig and from the "General Articles" from 1557 for the visitation in Electoral Saxony (Lund, 148f., no. 85; for the full and lengthy description in the latter, see Sehling 1:326–8).

¹⁶ See, for example, the corresponding section in Melancthon's 1528 "Instructions for the Visitors of Parish Pastors in Electoral Saxony" (*LW* 40, 313f.) and the "General Articles" from 1557 for the visitation in Electoral Saxony (Sehling 1:320f.). No one was to be made superintendent without the elector's approval (Sehling 1:334).

¹⁷ Although largely replaced by the term "superintendent," the term "bishop" was still used among Lutherans for this office. Examples include Nicholas von Amsdorf, Georg von Polentz, Erhard von Queiß, Paul Speratus, Eberhard von Holle, and Johannes Wigand, not to mention bishops in Scandinavia, where there was also an archbishop, Laurentius Petri.

¹⁸ See Sehling 1:69ff. for a discussion of various types of visitations (general, special, local, and particular). The 1577 visitation instruction for Saxony says that the superintendents and their adjuncts are to visit each parish and church assigned to them within their district at least twice a year (Sehling 1:348); however, finding the money required to travel around was problematic, and the time demands on the superintendents prevented them from fulfilling their other duties (Sehling 1:72f.). For an example of what a visitation entails, see the visitation instructions in the 1537 church order for Hesse (Lund, 147f., no. 84) or the instructions mentioned above in note 16. Synods could also be referred to as visitations when, instead of the visitors traveling to various parishes, the people to be visited traveled to the visitors (Sehling 1:69).

¹⁹ An example of the makeup of a consistory can be seen in the consistorial order of 1584 issued by Margrave Georg Friedrich of Ansbach as Regent of Prussia; it specified that the consistory should be composed of *ecclesiasticae* and *politicae*, in particular, a court counselor, two lawyers, the general superintendent, the primary professor of Theology at the university, and a

both of which were generally made up of clergy and laity. This is the basic structure, but does not exhaust the list of positions and designations (much less spelling variations!) encountered in the church orders.

pastor (Sehling 4:123). Werner Elert says that according to Melanchthon's 1545 "Wittenberg Reformation," the government should establish ecclesiastical courts, which are consistories. "They are by no means mere administrative organs. On the contrary, they are also criminal courts in the strict sense of the term. Their judgment, it is true, 'does not put man to death with the sword; but it punishes with the Word of God and with separation or ejection from the church.' Thus when the key of binding is used, they support the pastor on the basis of the judgment of the church as a whole. . . . But even when the powers are delimited, there arises a point of view that cannot be derived from the Office of the Keys itself. This ecclesiastical court is competent as a penal court in cases 'which the secular government does not want to consider' " (p. 381 in *The Structure of Lutheranism*, trans. by Walter A. Hansen, St. Louis: Concordia Publishing House, 1962, Melanchthon's text in *CR* 5, 604). Lund says there were three consistories in Electoral Saxony and provides an excerpt from the Wittenberg consistorial order of 1542 concerning cases to be heard by the consistory (Lund, 149f., no. 86). According to the "General Articles" from 1557 for the visitation in Electoral Saxony, no city or village parson was to be accepted without the foreknowledge of the consistory and the local superintendent (Sehling 1:334). See also the "Consistory, consistorial organization" article by Sehling in *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, vol. 3, p. 246f. (ed. by Samuel M. Jackson, Grand Rapids: Baker Book House, 1952).

²⁰ The term "synod" could be used as a synonym of "visitation" (called a special or particular synod) or to designate a body that gave counsel or decided on actions to take (a general synod, Sehling 1:71f.). In Saxony, Elector August instituted the general synod, which consisted of theologians and counselors and met twice a year with the superintendents to discuss the visitation records and decide on how to address whatever shortcomings or offenses had been identified (Sehling 1:73). Also worthy of note is James M. Estes' discussion of the consistorial system and synods in Württemberg (pp. 20–30 of *Godly Magistrates and Church Order: Johannes Brenz and the Establishment of the Lutheran Territorial Church in Germany 1524–1559*, Toronto: Centre for Reformation and Renaissance Studies, 2001). There, "synod" referred to the consistory enlarged by general superintendents; the synod discussed the findings of visitations and recommended actions to be taken by the duke based on this. It also had the right to excommunicate, instead of leaving this up to individual pastors.

Though rarely encountered in Lutheran churches, cathedral and collegiate church chapters are another aspect of the church organization. A chapter is a body of canons (clergy) headed by a dean and/or provost and associated with a particular cathedral or collegiate church where they were responsible for conducting or singing services.²¹ In contrast to collegiate churches, cathedrals were served by bishops. "After the Reformation the chapters which came over to the new doctrine with their bishops were usually dissolved; but a few of them succeeded in maintaining their existence in spite of the local sovereign, especially those which did not become wholly Protestant and went on as 'mixed chapters' (Osnabrück, Halberstadt, Minden), with a system of alternation as to the bishopric between the two religions, lasting even through the Peace of Westphalia [1648]. The connection of the others with the bishops who had become Protestants did not last long, and most of them were sooner or later incorporated with the territories of the sovereigns who had at first been their administrators."²²

Concerning names of people and places, note that we have kept the German forms for German people and cities (thus Friedrich instead of Frederick, Georg : George, Heinrich : Henry, Johann and Johannes : John, Wilhelm : William, Nürnberg : Nuremberg, Braunschweig : Brunswick), except for Smalcald and some cities added to the map for reference. Instead of Courland, we have kept Kurland; instead of March : Mark (a borderland), although compounds have been partially anglicized (thus Old Mark for Altmark, New Mark : Neumark, Electoral Mark : Kurmark). All other lands and regions have been anglicized. For those interested in knowing the German behind the English terms for rulers and their lands encountered in this study, here is an overview in ascending rank:²³

²¹ Canons were generally supported by receiving a canonry, that is, a prebend or benefice, and had a vote in the chapter.

²² "Chapter" by Albert Hauck in *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, vol. 3, p. 9 (ed. by Samuel M. Jackson, Grand Rapids: Baker Book House, 1952).

²³ The middle of this hierarchy is approximate, due to the emperor's ability to grant or deny privileges and the ability of some rulers to acquire greater power, often the result of infighting amongst the nobility. See *The Feud in Early Modern Germany* by Hillay Zmora (Cambridge; New York: Cambridge University Press, 2011). For a good exposition of how these

baron / barony	<i>Freiherr / Standesherrschaft</i>
count / county	<i>Graf / Grafschaft</i>
prince / principality	<i>Fürst / Fürstentum</i>
landgrave / landgraviate	<i>Landgraf / Landgrafschaft</i>
margrave / margraviate	<i>Markgraf / Markgrafschaft</i>
count palatine / palatinate	<i>Pfalzgraf / Pfalzgrafschaft</i>
duke / duchy	<i>Herzog / Herzogtum</i>
(prince-)elector / electorate	<i>Kurfürst / Kurfürstentum</i>

All together there were seven electors, who had the right to elect the emperor of the Holy Roman Empire: the Duke of Saxony, the Margrave of Brandenburg, the Count Palatine of the Rhine, the King of Bohemia, and the archbishops of Mainz, Trier, and Köln (Cologne). Next to the emperor, the most powerful rulers were the electors. It should be noted that “prince” (*Fürst*) was used not only as a specific title, but also as a general title referring to any ruler ranking above him on this list, including the elector; they all classify as high nobility. Likewise, “principality” could refer to the land of any of these princes.

The border history of the various lands and territories in and around the Holy Roman Empire involves frequent fluctuation due to distribution among heirs, battles, and annexation, but in an attempt to help the reader visualize the abundant geographical references, we have added to Zeeden's text a map showing the approximate boundaries during the sixteenth century. If greater detail is desired, one may consult an historical atlas, such as Earle W. Dow's *Atlas of European History* (New York: Henry Holt, 1909). Our map is largely based on Plate 18 of this work. A good German counterpart is Map 7 of the *Kleiner Atlas zur deutschen Territorialgeschichte*, Bernhart Jähniß and Ludwig Biewer (Bonn: Kulturstiftung der Deutschen

various rulers and lands related to one another in the fourteenth century and earlier, see *Princes and Territories in Medieval Germany* by Benjamin Arnold (Cambridge; New York: Cambridge University Press, 1991). Also of interest here is *Reformation and the German Territorial State: Upper Franconia, 1300–1630* by William Bradford Smith (Rochester: University of Rochester Press, 2008) and *Nobilities in Transition, 1550–1700: Courtiers and Rebels in Britain and Europe* by Ronald G. Asch (London: Arnold Publishers, 2003).

Vertriebenen, 1989). For more details concerning lands east of the Holy Roman Empire, there is the *Historical Atlas of Central Europe* by Paul R. Magocsi (rev. and exp. ed., Seattle: Univ. of Washington Press, 2002).

Aside from names of cities and territories, Zeeden also uses vague geographical designations and names of regions not on the map. For example, Upper and Middle Baden are not well-defined terms and are not labeled, whereas the map shows specific boundaries for the Upper Palatinate and Lower and Upper Lusatia. In general, upper, middle, and lower refer to elevation, such as the plains of Lower Germany, the hills of Middle Germany, and the mountains of Upper Germany. *Mitteldeutschland* is always translated here as “central Germany” to avoid confusion with modern usage of the term “Middle Germany” as a region consisting of the modern states of Saxony, Thuringia, and Saxony-Anhalt. The map does not show borders for Thuringia, which was a region consisting of multiple territories in Saxony, bounded by Hesse (west), the Harz Mountains (north), the Saale River (east), and the Thuringian Forest (south). Likewise, the map does not show borders for Franconia, a region that consisted of various territories extending from the Thuringian Forest down to the Danube River and from Bohemia over to Frankfurt am Main. Lower Saxony does not appear on the map since it denotes a modern state in northwestern Germany.

One example of shifting boundaries is found in Ducal and Electoral Saxony. With the emperor's defeat of the Lutherans in the Smalcald War (1547), electorship was stripped from the Ernestine line and given to the Albertine line.²⁴ Thus prior to 1547, Electoral Saxony refers to the territory governed by Ernestine rulers and Ducal Saxony to that by Albertine. After the war, part of Electoral Saxony stayed in the electorate, passing from Ernestine to Albertine hands

²⁴ When Frederick II, Elector of Saxony, died in 1464, his two sons Ernest and Albert inherited his territories and ruled jointly. In 1485 they made a treaty and divided the territories, thereby separating the Wettin line into the Ernestine and Albertine lines. As the elder, Ernest retained the electorship, while Albert became a duke. In 1546 Duke Moritz (Albertine) invaded the lands of his cousin, Elector Johann Friedrich I, thereby betraying the Smalcald League and supporting Emperor Charles V. After defeating the Smalcald League in 1547, the emperor thanked Moritz by making him the Elector of Saxony and Johann Friedrich I the Duke of Saxony.

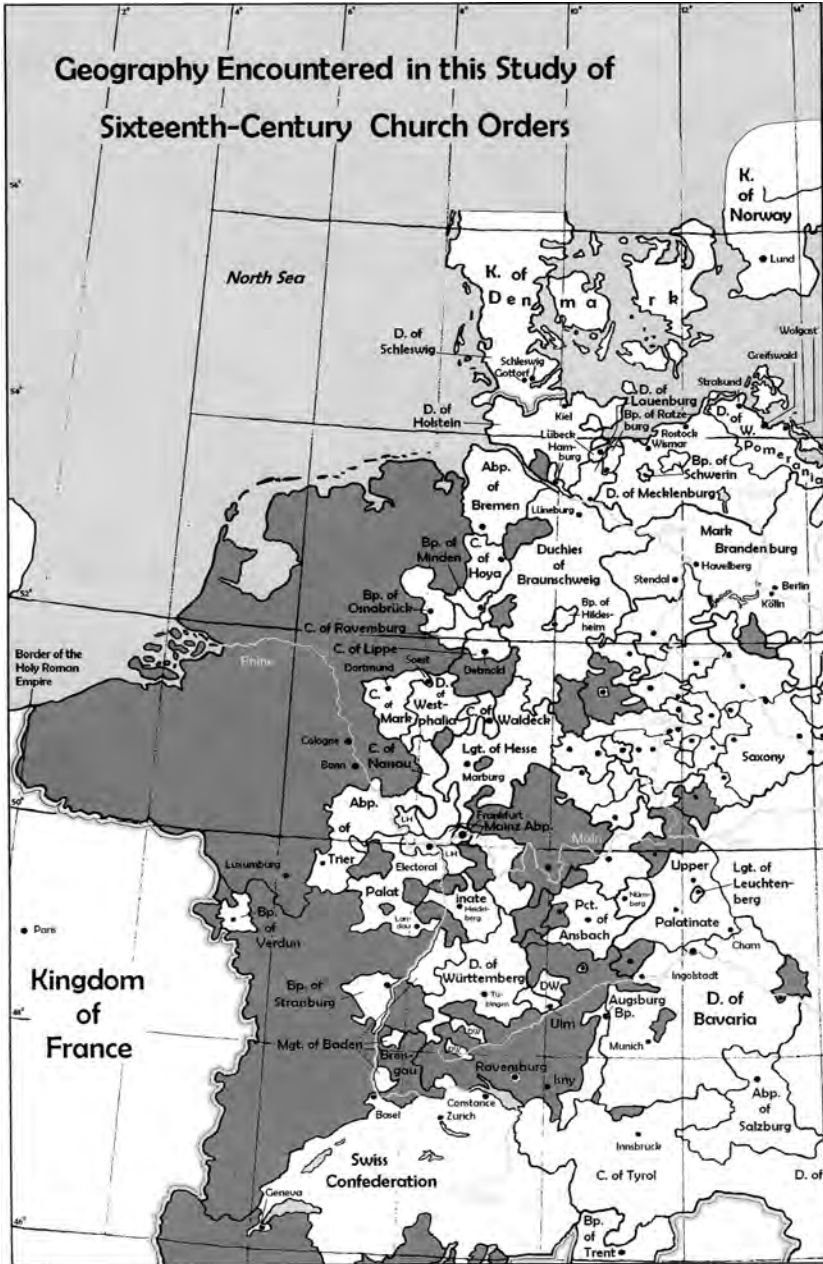
(KS and AS* on the map),²⁵ while the remainder became the Duchy of Saxony (Ernestine, ES on the map) or became part of Bohemia²⁶; what had been the Duchy of Saxony now became part of the Electorate of Saxony (Albertine, AS on the map). More shifts occurred in 1554 with the death of Johann Friedrich I.

Here I would also like to express my thanks to Rev. Dr. Benjamin Mayes and Rev. Michael Frese, who provided the impetus for undertaking this translation years ago and rendered assistance, along with Pfarrer André Schneider. In revising this work for publication, I owe special thanks to Dr. Joseph Herl for his many comments suggesting improvements to the translation, preface, and notes. My notes are followed by my initials to distinguish them from the author's. I have also made additions in square brackets. Unless otherwise noted, translations of texts other than Zeeden's are my own.

The Fourth Week in Advent, 2011
Kevin G. Walker

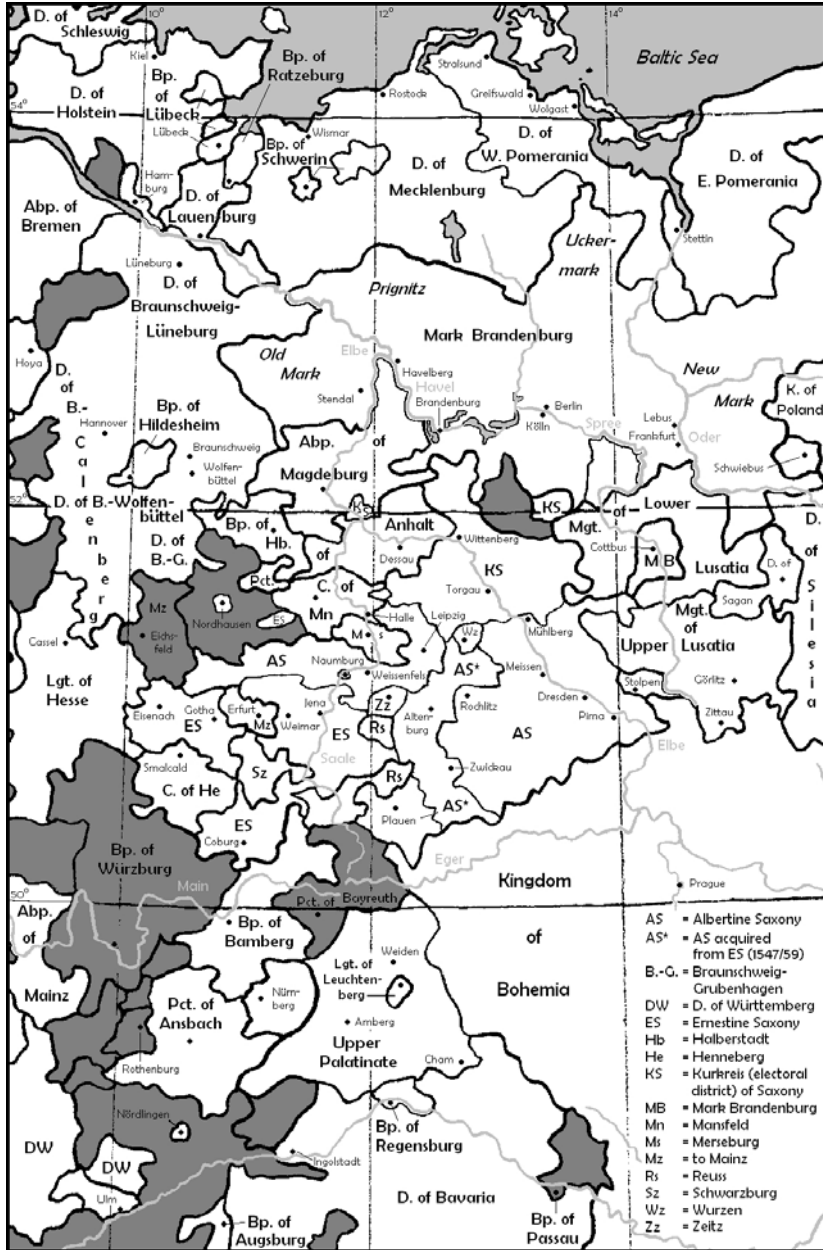
²⁵ Much of this was the electoral district (*Kurkreis*) of Saxony (KS on the map), which included Wittenberg. Having lost this chief city and its university, Johann Friedrich I later planned the University of Jena and made Weimar his capital. For more information about the electoral district of Saxony, see the source by Schmidt below in note 407 and the dissertation of one of Zeeden's doctoral students, Gunter Tietz, *Das Erscheinungsbild von Pfarrstand und Pfarrgemeinde des sächsischen Kurkreises im Spiegel der Visitationsberichte des 16. Jahrhunderts* (Tübingen, 1971).

²⁶ Vogtland (marked on the map by the city Plauen) had been part of Electoral Saxony, but the emperor gave it to his chancellor. Twelve years later (1559) it effectively became part of Electoral Saxony again due to unpaid debts.





MAP OF TERRITORIES



PREFACE

Since *Catholic* traditions in Lutheran church orders shall be spoken of in the investigation submitted here, it will be expedient to indicate in a few words what is meant by Catholic, so as not to evoke any misunderstandings. Here, Catholic means and can mean nothing other than ecclesiastical tradition from the period prior to the Reformation. In this regard, “ecclesiastical” should be understood quite broadly, and it should not be forgotten that many things in the late medieval church, which was notoriously quite liberal with regard to religious views and their discussion, looked different from post-Tridentine Catholicism.²⁷ Moreover, the “Catholic” that shall be spoken of here does not refer much at all to the doctrine, but rather to the outer garment of the church. We wish to observe what of this remained beyond the Reformation²⁸ in the cities and territories that had become evangelical²⁹: in the divine service, in devotional and religious customs, in law, and in the realm of church polity.

Even longer and more intensive research is required before any clear and unquestionable results concerning the material treated here can be submitted. What *this* investigation offers is a preliminary survey at best; it cannot yet provide a sufficient picture, but must be content with intimations and references. This study, which arose from long occupation with the Lutheran church orders, makes no claim to completeness or general validity of the statements submitted and also refrains from drawing far-reaching conclusions based on the facts ascertained. Its sole purpose is to make known that certain Catholic

²⁷ That is, Roman Catholicism after the Council of Trent, which took place from 1545–1563. – KGW

²⁸ When Zeeden refers to the Reformation as a point in time, he appears to mean the presentation of the Augsburg Confession in 1530 (see Chapter 3, II. c). – KGW

²⁹ As a rule, the word “evangelical” in this book can be equated with “Lutheran” rather than Protestant in general, those in the Reformed Church, or the sense of any later “evangelical” movements. Zeeden begins his introduction speaking generally, but then limits the study to the Lutheran Church, with only occasional references to the Reformed. – KGW

PREFACE

traditions *did* remain, what they looked like, and where they were encountered.

This little work goes back to a presentation made before members of the Society for Publishing the Corpus Catholicorum and the historical division of the Görres Society on Sept. 30, 1958 in Salzburg. My special thanks go to Prof. Dr. Hubert Jedin for his ever stimulating consultation and for the favor of receiving this study in the series of publications of the Society for Publishing the Corpus Catholicorum. Thanks are due to cand. phil. Andrea Wiedeburg, Tübingen, and Dr. Horst Rabe, likewise in Tübingen, for help reading the drafts. But I owe especial thanks to Dr. Rabe for kindly taking pains to compile the indexes for people, places, and subjects.

Tübingen, July 8, 1959.

Ernst Walter Zeeden.

ABBREVIATIONS

- BSLK* = *Die Bekenntnisschriften der evangelisch-lutherischen Kirche.* (2nd ed.) Göttingen: Vandenhoeck & Ruprecht, 1952.
- CR* = *Corpus Reformatorum: Philippi Melanthonis Opera quae supersunt omnia.* (ed. by Karl Gottlieb Bretschneider; Heinrich Ernst Bindseil) Halis Saxonum: C. A. Schwetschke et filium, 1834–60.
- Delius* = Delius, Walter. “Die kirchlichen Zustände der Reformationszeit im Amt Querfurt nach den Kirchenvisitationsakten von 1555, 1563 und 1583.” *Zeitschrift des Vereins für Kirchengeschichte der Provinz Sachsen und des Freistaates Anhalt* 30 (1934): 79–90.
- Drews* = Drews, Paul. *Beiträge zu Luthers liturgischen Reformen.* (Studien zur Geschichte des Gottesdienstes und des gottesdienstlichen Lebens IV/V) Tübingen: J. C. B. Mohr (Paul Siebeck), 1910.
- DWB* = *Deutsches Wörterbuch.* ed. by Jacob and Wilhelm Grimm. 32 vols. Leipzig: S. Hirzel, 1854–1961.
- Feddersen* = Feddersen, Ernst. *Kirchengeschichte Schleswig-Holsteins II: 1517–1721.* (Schriften des Vereins für Schleswig-Holsteinische Kirchengeschichte 19) Kiel: Mühlau, 1938.
- Fendt* = Fendt, Leonhard. *Der lutherische Gottesdienst des 16. Jahrhunderts: sein Werden und sein Wachsen.* München: Ernst Reinhardt, 1923.
- Götz, Bewegung* = Götz, Johann Baptist. *Die religiöse Bewegung in der Oberpfalz von 1520 bis 1560.* (Erläuterungen und Ergänzungen zu Janssens Geschichte des deutschen Volkes 10, 1–2) Freiburg im Breisgau: Herder, 1914.

ABBREVIATIONS

- Götz, *Einf.* = Götz, Johann Baptist. *Die erste Einführung des Calvinismus in der Oberpfalz, 1559–1576.* (*Reformationsgeschichtliche Studien und Texte* 60) Münster i. W.: Aschendorff, 1933.
- Götz, *Wirren* = Götz, Johann Baptist. *Die religiösen Wirren in der Oberpfalz von 1576 bis 1620.* (*Reformationsgeschichtliche Studien und Texte* 66) Münster i. W.: Aschendorff, 1937.
- Graff = Graff, Paul. *Geschichte der Auflösung der alten gottesdienstlichen Formen in der evangelischen Kirche Deutschlands.* (2nd ed.) Göttingen: Vandenhoeck & Ruprecht, 1937.
- Heckel = Heckel, Johannes. *Die evangelischen Dom- und Kollegiatstifter Preussens.* Kirchenrechtliche Abhandlungen 100/101) Stuttgart: F. Enke, 1924.
- Liber Usualis* = *The Liber Usualis: With Introduction and Rubrics in English*, ed. by the Benedictines of Solesmes, Tournai; New York: Desclee Company, 1961.
- LSB* = *Lutheran Service Book.* The Commission on Worship of The Lutheran Church—Missouri Synod. Saint Louis: Concordia Publishing House, 2006.
- Lund = Lund, Eric, ed. *Documents from the History of Lutheranism, 1517–1750.* Minneapolis: Fortress Press, 2002.
- LW* = *Luther's Works.* ed. by Jaroslav Pelikan et al. Philadelphia: Fortress Press; Saint Louis: Concordia Publishing House, 1955–.
- Müller = Müller, Nikolaus “Zur Geschichte des Gottesdienstes der Domkirche zu Berlin in den Jahren 1540–1598.” *Jahrbuch für branden-burgische Kirchengeschichte* 2/3 (1906): 337–551.
- Nottarp = Nottarp, Hermann. *Zur Communicatio in sacris cum haereticis.* (*Schriften der Königsberger Gelehrten Gesellschaft. Geisteswissenschaftliche Klasse.* 9, 4) Halle: Niemeyer, 1933.

- Plantiko = Plantiko, Otto. *Pommersche Reformationsgeschichte*. Greifswald: L. Bamberg, 1922.
- Ramge = Ramge, Karl. *Das gottesdienstliche und kulturell-sittliche Leben des alten lutherischen Amberg 1538–1626/28*. Neuendettelsau: Freimund-Verlag, 1938.
- RGG = *Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*. (2nd ed.) Tübingen: J. C. B. Mohr, 1927–1932.
- Richter = Richter, Aemilius Ludwig, ed. *Die evangelischen Kirchenordnungen des 16. Jahrhunderts*. 2 vols. Weimar: Landes-Industriecomptoir, 1846.
- Schmidt = Schmidt, Wilhelm. “Die Bremer evangelische Messe 1525,” in *Hospitium Ecclesiae, Forschungen zur Bremischen Kirchengeschichte*, ed. by Bodo Heyne and Kurd Schulz (Bremen: Boettcher, 1954): 52–85.
- Sehling = Sehling, Emil, ed. *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*, vols. 1–5, Aalen: Scientia Verlag, 1970–79, vols. 6ff. Tübingen: J. C. B. Mohr (Paul Siebeck), 1957–.
- WA = *D. Martin Luthers Werke: kritische Gesamtausgabe*. Weimar: H. Böhlau, 1883–.
- Wilken = Wilken, Johannes. *Die niederdeutschen evangelischen Kirchenordnungen des 16. Jahrhunderts als Quelle zur deutschen Kulturgeschichte*. Diss. phil. Hamburg, 1927.

INTRODUCTION

THE EVANGELICAL CHURCH ORDERS

The church orders are tied most intimately to the organization of the evangelical church, which proved to be necessary shortly after the Reformation; taken as a whole, they document the beginnings and later phases of evangelical church formation. Everywhere the Reformation found entrance, internal considerations necessitated reorganization of the church polity, and not this alone, but along with it also the church law and worship. Everything—polity, worship, and law—had to be transformed or reshaped in such a way that it was consonant with the new doctrine or at least did not contradict it. The way for doing so was led by those lands within Germany that were first in turning to the Reformation, such as the Ernestine Electorate of Saxony, Hesse, and the Franconian margraviates or the city of Hamburg.

The evangelical church polity grew as a rule upon the foundation of the state, territory, or even city in some cases. The preconditions for this are to be sought in the established church of the late Middle Ages. On account of being bound to territories and the great number of these territories, evangelical churches attained all sorts of different forms of polity. Despite the particularities that come to light, there are unmistakable common traits, especially within churches of the same confessional basis. For instance, the most general principal traits of all Protestant churches include the concept of leading the church in need of reform back to Holy Scripture, separation from the papacy, abolition of hierarchy, and reduction of the number of sacraments. Much still remained, at least at first, from the medieval past, such as the concept of ecclesial unity, the intimate connection between church and state which evolved over time, the mutual permeation of church and world, and the fundamental intolerance, which, however, was implemented more strictly now in the course of the religious battles.

Luther's writings after 1517 and especially since 1520 treated from various, mostly practical angles, the question of how and according to which points of view the church ought to be reformed. The primary thought was that it should be purified so that the Gospel

could be preached within it freely. In this regard, “freely” meant according to Luther’s doctrine. Among the guidelines that he issued, his preface to Melanchthon’s “Instruction for the Visitors in the Electorate of Saxony” (1528)³⁰ stands at the threshold of the evangelical state or territorial church. Luther acknowledged in this that his electoral prince has authority to carry out organizational reform of [the church in] his electorate, though with weighty reservations and under certain conditions tied to current events.³¹ One condition indicated by Luther was that the rightful ecclesial authority of the bishops had failed and was unfit for carrying out reform. His reservations referred to this condition: Only as a substitute for the rightful, but unfit bearer of spiritual authority is he [the elector/prince] to assume leadership of the church, as an emergency bishop or, in a sense, as a delegated representative. Within the Christian community he is the foremost member, therefore this office falls to him in his capacity as a member of the community. However, the prince should have no power *over the office of preaching the Word*; this should be independent from his office.

The prince thought somewhat differently than Luther on this point. Elector Johann the Steadfast undertook the organizational reform of the church by virtue of his own title, exercising the sovereignty over the church³² in his realm due him as prince. And so with the electoral visitation instruction of 1527³³ began de facto the sovereign church government, i.e. the era “in which the prince also issued worship and doctrinal ordinances in exercise of his hitherto existing sovereignty over the church, in which he also assumed the

³⁰ Luther’s preface and the “Instruction” are in *LW* 40:263–320. – KGW

³¹ See *LW* 40:271–3, where Luther describes the appeal to and obligation of the elector. Sehling (1:33) notes that it was neither Luther’s idea to have visitations nor his desire to have the secular authorities interfere with “the purely religious movement.” Only after seeing the great need did he begin to break with his ideal of leaving the church free to develop, unbound by laws, and desire aid from the secular realm in the form of visitations. – KGW

³² Sovereignty over the church = *Kirchenhoheit*, the equivalent of the Latin term *ius circa sacra* (also *ius, iura, or jura*). This is the sovereign right of the ruler/state in matters of the church, which generally includes the right to protect or act as patron (*ius advocatiae, ius protectionis*), the right to reform or allow the presence of a church (*ius reformandi, ius reptionis*), and the right of superintendence (*ius supremae inspectionis*). – KGW

³³ This document is in Sehling 1:142–8. – KGW

CHAPTER 1

THE SERVICES AND OTHER ACTS OF WORSHIP

The church orders often emphasize how they differ from the papacy. Occasionally they also comment on a usage or rite to the effect that they want it understood evangelically rather than “papistically”; for example, the tolling of the *Ave* bell, the solemn introduction of a woman into the church six weeks after having given birth (churching), or the celebration of a festival for a city’s patron saint. However, a great deal of what appears to us moderns from the distance of 400 years as truly Catholic was not commented on at all, but regarded as matter of course, or sometimes the remark was added that it pertained to a good Christian custom that had been in effect for ages in the land or city concerned; for example, tax exemption and the *privilegium fori*³⁶ for clergy, for whom, moreover, the word “priest” was still in vogue. Such “matters of course” shall be dealt with in what follows. Forms and examples of isolated or unusual faithfulness to tradition, which are not to be regarded as typical but occurred nevertheless, shall not be omitted. They will also be dealt with, yet the radius of their validity will be noted as accurately as possible and they will be identified as having existed in particular churches, places, or territories.

Among other service forms preserved from the Catholic period and living on in Lutheranism today are the Mass, Matins, and Vespers; various meditations and prayers, among which is the Litany

³⁶ The privilege of the forum: Clergy were exempt from the jurisdiction of civil courts and were instead tried by ecclesiastical courts. – KGW

for All Saints; the rites for administering the sacraments, and a number of half-liturgical, half-popular expressions of piety, such as processions. Moreover, the service was carried out in hitherto Catholic churches with little or no change to its furnishings and appearance at first. The services fell in line with the rhythm of the ancient Catholic church year with its seasons, like Advent, Lent, and Passiontide, with its high feasts and saints' days, its patron saint festivals, and church dedications. Of course that did not all cross over into the new confession without changes. The usury of the late Middle Ages in worship and veneration of saints was cut and liturgical expressions of piety were reduced to a level with biblical support. The administration of the sacraments and the ceremonies associated with them experienced this or that alteration according to the theology of the Reformation. Nevertheless, an amazing amount remained from the outward form and flow of the Catholic service, and that not only from the outward sides of medieval worship, but also from the substance of traditional piety, for example from elements of the *Ordo Missae* (the Order of the Mass or ordinaries) and from the prayers of the church.

In the following we will first consider tradition to the extent that it was received into evangelical services, then that which remained from it in sacramental practice and in other religious customs. An overview of days, times, and types of services is placed at the beginning.

I. THE SERVICE AND ITS CHIEF FORMS

A. DAILY SERVICES

First of all, it should be noted here that early Lutheranism was acquainted with daily services as a matter of principle. Sundays were observed, as far as possible, with Matins and the chief service (the service with the Lord's Supper) in the morning, and with a catechism sermon or catechism instruction and Vespers in the afternoon. Insofar as they were sung, the weekday³⁷ services, whose roots can be seen in the Catholic daily service,³⁸ were generally carried by Latin school students in cities having these; the services consisted of Matins and

³⁷ Weekdays (*Wochentage*) and workdays (*Werktage*) meant Monday through Saturday in the sixteenth century. – KGW

³⁸ Graff 1:215.

CHAPTER 2

LEGAL AND ECONOMIC CONDITIONS

I. TRADITIONS IN ECCLESIASTICAL LAW

Whenever complications not bound to any particular confession or sovereignty intervened—which was more often the case in the west and southwest, but more the exception in the north and east—then the old organization of parishes with their out-parishes, endowments, fiefs, prebends, and competences²⁹⁶ usually remained intact; likewise with their aggregation according to deaneries and their subordination to a higher ecclesiastical jurisdiction. The right of patronage (*ius patronatus*) and the right of collation transferred over from Catholic into evangelical church law without special changes.²⁹⁷ And even if

²⁹⁶ An out-parish did not have its own parson and was affiliated with a mother parish. A competence was an income sufficient to live on modestly. A prebend had various forms and could also be called a benefice; it was generally the income a canon or chapter member received from the revenue of an estate or land (also called a prebend) belonging to his cathedral or collegiate church. An ecclesiastical fief could be church estate granted to a secular person by feudal tenure or a benefice. Benefices involved the right of patronage and the right of collation, explained in the following note. See also “Fief, Ecclesiastical” in *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, vol. 4, p. 310 (ed. by Samuel M. Jackson, Grand Rapids: Baker Book House, 1952), and “collation,” “benefice,” and “prebend” in *The Law of the Church: A Cyclopedia of Canon Law for English-Speaking Countries*, by Ethelred Taunton (London: Kegan Paul, Trench, Trübner & Co., 1906). – KGW

²⁹⁷ The right of patronage refers primarily to a patron’s right to propose a clergyman to someone with the right of collation, generally a bishop, in order to fill a vacant benefice (the right of presentation; collation is the

some things in matters of matrimonial law were altered for dogmatic reasons, the matrimonial jurisdiction remained reserved for the ecclesiastical court as before. It was already recalled above that the practice of evangelical marriage knew of the binding engagement as well as the forbidden degrees and closed times.²⁹⁸ Even the Lutheran churches, after a period of initial hesitation, returned to administration of the greater ban, that is, solemn excommunication. The early church orders were content with the so-called lesser ban (*suspensio a sacris* [suspension from the holy things]). It excluded congregation members who lived in grievous sins like divorce and gluttony, or had committed crimes, from partaking of the Lord's Supper and from being godparents, insofar as a preceding pastoral admonition had not born fruit and so long as those concerned showed no contrition. This was also the view of the Lutheran Confessions, for example the Apology and the Smalcald Articles.²⁹⁹ Even as the Smalcald Articles,

appointment of a clergyman to a benefice). See, for example, "Patron and Patronage" in *The Catholic Encyclopedia* vol. 11 (Johannes Baptist Sägmüller, New York: Robert Appleton Company, 1911). "The patronage of a church built on a lord's territory belonged to him as a matter of course, unless he had expressly granted the right to the individual or congregation that built it. The Reformation took over patronage along with the parish. Calvinism rejected it with lay control over the church as a whole. The Evangelical church ordinances in so far as they dealt with patronage fell in more or less with canon law. Conservatism with reference to patronage made itself evident in that, after the Peace of Westphalia, Roman Catholics were permitted to exercise the right of patronage over Protestant churches, and vice versa. The absorption of cloistral estates led frequently to an increase of patronage; the princes not only securing the patronage of monasteries, but all inherent rights over churches incorporated with them. The decline of episcopal jurisdiction not being always immediately succeeded by a strict consistorial government also favored an increase of patronage." *The New Schaff-Herzog Encyclopedia of Religious Knowledge*, vol. 8, p. 390 (ed. by Samuel M. Jackson, Grand Rapids: Baker Book House, 1953). A study dealing with the right of patronage in German lands in the fifteenth and sixteenth centuries is *Territorialstaat und Kirchenregiment. Studien zur Rechtsdogmatik des Kirchenpatronatrechts im 15. und 16. Jahrhundert* by Jörn Sieglerschmidt (Köln: Böhlau, 1987). – KGW

²⁹⁸ See the paragraph after note 195 above.

²⁹⁹ *BSLK*, 400, 456 and elsewhere; a compilation of the church orders concerned is in Wilken, 34f.; among others, these included: 1528 Braunschweig (Sehling 6/1); 1536 Hannover (Sehling 6/2); 1535 Pomerania (Sehling 4); 1540 Mecklenburg, 1529 Hamburg, 1531 Lübeck (Sehling 5).

CHAPTER 3

CONTINUATION OF CHURCHLY ABUSES

From the complex of questions and issues that have traditionally been grouped under the heading of churchly “abuses” and have commonly been brought up for interpreting the late Middle Ages, some subquestions shall be singled out in what follows. An exhaustive and adequate treatment is neither possible nor intended within the scope set for this book. We simply share some facts and accounts which indicate that the problem of abuses also occupied post-Reformation evangelical churches. Scholarly literature has long been deeply consumed with the morally and religiously contestable conduct of the pre-Reformation clergy. That in this point much lay in disorder is a fact that will not change. However, relatively few deliberations were made in prior research concerning how difficult it is to find the right standard for evaluation here; only recently has attention been drawn to this problem with greater emphasis.³⁴⁷ In order to achieve a fair assessment, it will be necessary to bring the churchly abuses into view, first in connection with the economic and social conditions in which the clergy lived, and secondly in connection with the cultural standing of the clergy and the social class to which they belonged as well as the particular countryside (or city) in which they worked. Only after shedding light on these environmental conditions can a

³⁴⁷ I refer especially to the latest publication of Oskar Vasella, *Reform und Reformation in der Schweiz. Zur Würdigung der Anfänge der Glaubenskrise. (Katholisches Leben und Kämpfen im Zeitalter der Glaubensspaltung Heft 16)*, Münster in Westfalen: Aschendorff, 1958. [2nd ed., 1965.]

somewhat suitable judgment be formed. The same applies for the late Middle Ages as also for the clergy of all confessions in the age of the Reformation and Counter-Reformation.

What will be brought up in the following can be noted, therefore, with the proviso that the pertinent facts relating to the social situation, background, education, and environment must each be taken into account for the more deeply penetrating interpretation which we are not yet able to give here. Thus further-reaching conclusions may not be drawn immediately from the facts to be shared here. In part, it was a matter of isolated cases; in part, it concerned conditions that were bound to a particular city or countryside, or to the extent of a territory. Certainly some things recurred in scattered places, while others occurred independently of one another in many places. Here we may suppose that we are dealing with phenomena of a more general character.

Some material shall be presented in the following under the principal theme of what may have been passed on from the abuses and dubious customs of the Middle Ages: first, concerning the image of the parson; second, concerning the religious-moral degeneration of the congregations; and finally, concerning superstition, belief in magic, and the state of religious knowledge.

I. CONCERNING THE IMAGE OF CLERGY

The lifestyle, pastoral care (*Pastoration*), and educational level of late medieval clergy were open to criticism, but even among the evangelical clergymen after the Reformation they were not exemplary in places. Knowledge and education—if one can believe the complaints concerning these in the church orders, religion mandates, and visitation reports—also frequently left much to be desired. First, as far as what concerned education and background, the 1558 and 1573 Electoral Brandenburg church orders brought forth a great catalog of desires and complaints, which together constituted a vivid reflection of pastors, and from which we may selectively conclude that the patrons engaged in simony, presented [candidates] to parishes only in return for previously agreed upon concessions and in this way, in the language of the ordinance, made “inept and illiterate asses” into pastors.³⁴⁸ The great visitation and consistorial order issued fifteen

³⁴⁸ Sehling 3:93.

CONCLUSION

Throughout this perusal of the Lutheran church orders we have encountered traditions from the pre-Reformation, Catholic period in various levels of ecclesial life. These were met in the realm of liturgy and the administration of sacraments, to a lesser extent also in the conception of the sacraments; to a greater extent in the religious attitude in general, especially where this was expressed in customs and usages. Then we encountered older traditions in the area of law and polity, as well as economic conditions closely linked to these. Finally we saw that the abuses so greatly deplored at the close of the Middle Ages had a tenacious life of their own and by no means disappeared swiftly with the Reformation. On the contrary, they lived on in Protestantism and also caused trouble for the Lutheran authorities. For the time being, these things remain to be evaluated and historically interpreted; it is not possible to approach doing so until the proportions have been ascertained on the solid foundation of broadly conducted individual studies with more certainty than was possible with this more exploratory overview. The work in hand understands itself only as a first attempt in this direction. The author was incited to it by the question regarding the process of confessional formation, which has occupied him for a long time.

For all that, it may not be too soon to pursue some of the questions which were already asked in the early stages of our occupation with the material and which may perhaps offer a starting point for further observation and evaluation of it. Two of these I single out: the phenomenon of Lutheranism's conservative stance and the specific testimonial value of the church orders for historical knowledge.

The ecclesiastically conservative behavior of Lutheranism may be traced to various causes, not least of all from Luther's view that one may retain from the old churchdom whatever was not of downright unevangelical content, at least in certain situations.⁴¹⁵ This attitude

⁴¹⁵ For example, the elevation in the Lutheran Mass, WA 19:99 [cf. *LW* 53:82, The German Mass and Order of Service (1526)] abrogated by

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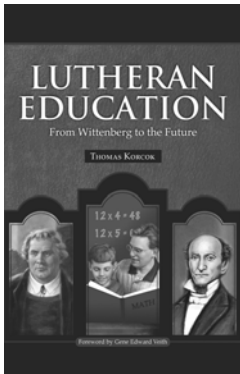
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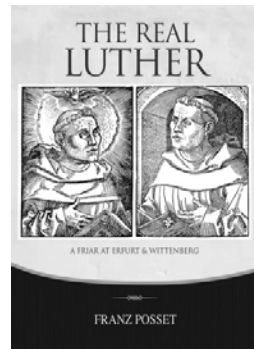
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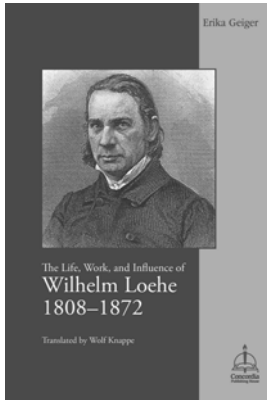
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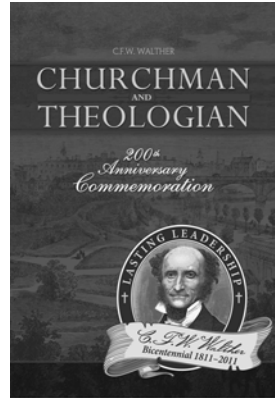
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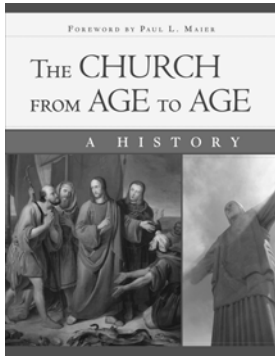
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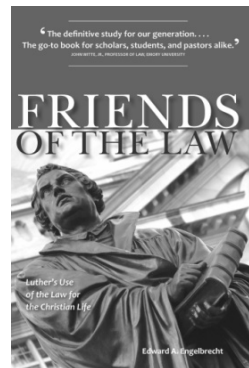
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