

## CHAPTER XVIII

### LUTHER ON MORALITY AND MATRIMONY. THE BIGAMY OF PHILIP OF HESSE

#### I. LUTHER'S ETHICAL TEACHING IN GENERAL

The ethical system of Luther was vitally influenced by his conception of the gospel, which in his opinion was essentially only forgiveness of sin, a cloak covering guilt, the quieting of an "affrighted conscience." To gain a sense of confidence was the starting-point of the new doctrine. Luther's supreme gain was to acquire certainty of salvation through an active faith in the appropriation of the merits of Christ. This thought is the guiding star also of his ethics.

Protestants say that Luther erected ethics upon its genuine foundation, which had been ignored up to his time. This claim, however, is disproved by certain leading declarations of his, which raise the question how a true ethical system could originate under such conditions. Luther taught that man is not a free agent, but a mute "pillar of salt," either controlled by the grace of God which is operative within him, or subject to the domination of the devil, without any activity on his part. His reason in religious matters resembles a lunatic.<sup>1</sup> In consequence of an ineradicable original guilt, sin persists in man's inordinate concupiscence; even the just man, *i. e.*, he who is regarded as just by God, remains a sinner. Sin is merely covered up by fiduciary faith in the blood of Christ. The "golden cloak of grace" due to the merits of the Redeemer does everything. Good works are devoid of supernatural merit and have no significance for Heaven. Every man is predestined for Heaven or hell by a hidden decree of God.<sup>1</sup>

It is fair to ask: What moral inducement is there in Luther's hypothesis to combat the perversity of human nature? Is there any moral responsibility? Can there be any such thing as Christian morality? At a time when the renown of Luther was not so great as it is since the last decades of the nineteenth century, the Protestant theologian K. F. Stäudlin openly declared that "no genuine Christian ethic could

<sup>1</sup> Cfr. Grisar, *Luther*, Vol. V, pp. 3 sqq.

exist" on the basis of Luther's principles.<sup>2</sup> Many other Protestant authors share this view. As a matter of fact, Luther's work "On the Enslaved Will" marks the death of ethics.

He inculcates humility because sin is in man and man is completely dependent upon God, without any capacity or volition on his part. But this sort of humility is no basis for a system of ethics.

Luther errs in his fundamental presupposition that the assurance of possessing salvation, contained in fiduciary faith, will move man to observe true morality, and particularly to perform acts inspired by love, which alone are pleasing to God. Lack of morality demonstrates that one has not the right kind of faith, which, in his system, takes the place of Christian perfection and virtue.

Practical Christianity is relegated to the background in Luther's system, for the only obligatory works of divine worship are faith, praise, and thanksgiving. The others are to be "directed towards our neighbor"; yet there are no good works except such as have been commanded by God. Indeed, without faith the good works which man performs amount to sin, just as the virtues of the pagans were *splendida vitia*.<sup>3</sup> "Faith" causes the Church and the world to be two entirely different empires, so completely separated that the exterior office of a Christian, e. g., of a ruler, has nothing to do with his Christian belief. To strive for perfection as Catholics do, is folly. There are no evangelical counsels, and even the most pious believers are sinners. Saints must be "good, hearty sinners"—an expression which recalls to mind his declaration: "Sin boldly, but believe more boldly."

But in spite of these intellectual aberrations, the sermons and writings of Luther contain a rich treasure of ethical doctrines. He so urgently and eloquently exhorts men to the practice of virtue that his voice is scarcely distinguishable from that of the ancient Church. Many illustrations of this have been furnished in the foregoing chapter. Thus, in point of morality Luther actually pursued a far better course than his theological opinions would lead one to expect. His lack of consistency proved a decided advantage. In his ethical teaching, as in other respects, he did not carry his avowed principles to their logical conclusions. He desired to be helpful to others in his own way as a spiritual director and to demonstrate that the new Gospel was morally sound and profitable.

<sup>2</sup> *Geschichte der Moral*, Göttingen, 1806, p. 209.

<sup>3</sup> Cfr. Grisar, *Luther*, Vol. V, pp. 47 sqq.

Luther never attempted to formulate a system of ethics, and his theoretical principles would have rendered the attempt futile. But Protestantism has reason to congratulate itself that its founder, even without a system, scattered so many seeds of Christian morality in his emphatic and popular way, though it should not be overlooked that he derived his supply from the heritage of the ancient Church, upon which he drew freely.

Protestant writers have lamented the fact that Luther bequeathed to his followers no systematic introduction to the devout life so that even to the present day Protestantism lacks any definite rule of piety. Julius Kaftan laments that Luther slighted the doctrine of piety and that of "redemption from the world," in the narrower sense. The salvation "bestowed by Christ is not merely justification and forgiveness of sins," but rather the "everlasting possession" to be reached by a Christlike life. Justification is but the road to this possession. The Church has other "vital interests."<sup>4</sup>

In his writings no less than in his life Luther neglected the true methods of self-reform. Catholic authors, on the other hand, such as St. Bernard and Gerson, from whom Luther derived enlightenment at a former period of his life, showed that true piety is based on self-denial. In Luther's opinion self-denial is of far less importance than the ready surrender of the "fretful" so-called traditional prejudices of renunciation and restraint in worldly affairs. The ill-considered expression: "What matters it if we commit a fresh sin?", since there is forgiveness in faith, supplies us with a profound insight into his mentality.

Retirement, examination of conscience, and solitude, were to be shunned, according to his view. Quietude, he says, "calls forth the worst of thoughts."<sup>5</sup> In his directions for praying, one misses the salt of sorrow and contrition; they lack the fragrance of true humility and are far removed from that charity which resigns itself to God and submits with equanimity to the divine will, especially with reference to one's vocation in life. To render his prayers fervent, he must spice them with curses against the "papists." There is anger and passion in his practical attitude; megalomania, jealousy and irritation in his appeal to violence; there are, finally, examples of untruthfulness and dishonesty in his polemics, so that Erasmus is constrained to exclaim: "You pretend to be a teacher of the Gospel!"<sup>6</sup>

<sup>4</sup> *Op. cit.*, Vol. V, pp. 89 sqq.

<sup>5</sup> *Ibid.*, p. 93.

<sup>6</sup> *Ibid.*, pp. 112 sqq.

His teaching on "self-improvement and the reformation of the Church," considered in the light of Luther's conduct, furnishes numerous other and no less damaging objections to his ethical doctrine.<sup>7</sup> Suffice it to say that reform, to be effective, should have commenced with a sincere improvement of morals, enforced by the example of his own life. Instead, he commenced with arbitrary changes of doctrine. It was necessary at that time to counteract the subjectivism and scepticism produced by the Renaissance. Luther, on the contrary, encouraged this evil. He favored the divergent tendencies of the nations and took no account of the new tasks imposed on the Church by the discovery of new countries. Allowing the masses to read the Bible was no compensation for the want of truly great objects of reform.

The Bible in consequence of the use that was made of it rather became the means of theological and social confusion. It seemed, as Luther himself declared, as if everyone was desirous "of boring a hole wherever his snout happened to be."<sup>8</sup> In his pessimism, with which he infected the world, he despises how even in the first centuries "the devil had broken into Holy Scripture and caused such a disturbance as to give rise to many heresies."<sup>9</sup>

As a reformer, he did not direct the unfavorable currents of his age into better channels, but to a certain extent permitted himself to be carried off by them. Thus, in the beginning of his career, he adopted the pseudo-mysticism which pervaded his age. From contemporary humanism, he not only adopted disrespect for authority and the spirit of rebellion, which he augmented, but also promoted the excessive use of authority on the part of ambitious princes at the expense of their subjects. Finally, in his writings and addresses on marriage and sexual questions, he cultivated the crude naturalism of the Renaissance with an abandon that was astounding, particularly in his fight upon sacerdotal celibacy and monasticism. At times, says the Protestant philosopher Frederick Paulsen, this naturalism causes Luther to speak "as if abstention from the works of the flesh spelled rebellion against the will and command of God."

<sup>7</sup> *Ibid.*, pp. 84 sqq.

<sup>8</sup> *Ibid.*, p. 129.

<sup>9</sup> *Ibid.*, p. 130.

## 2. MATRIMONY AND SACERDOTAL CELIBACY

We shall not revert here to the examples which have been previously adduced to show how Luther availed himself of the lure of the married state in order to gain adherents among priests and religious. Nor shall we refer to his afore-mentioned writings on his favorite theme of matrimony, such as his treatises "On the Matrimonial Life," "On Things Matrimonial," and his interpretation of the seventh chapter of the First Epistle to the Corinthians. We will consider only a few of the general principles and viewpoints prominent in these works.

Luther's doctrine on matrimony cannot be treated as a complete system because of the author's numerous contradictions and vacillations. It is manifest from many ardent expressions that Luther regarded Christian matrimony as an exalted state of life. His own marriage, which had been contracted in defiance of the Church laws, afforded him frequent opportunities of eulogizing matrimony as an institution ordained by God. He waxes enthusiastic in emphasizing its chief purpose, namely, the procreation of children for the welfare of State and Church, even though at the same time he continually exaggerates the danger of incontinence as its most urgent motive. In a hundred passages he describes how married life operates as a stimulus to good works, how it protects the faith of husband and wife, awakens love, and fosters discipline and domesticity. He delineates family life in such captivating terms that the single life appears quite unattractive. The moral features which he delights in mentioning in the course of these descriptions have led Protestant writers to say that Luther's views on matrimony spell the very apex of morality. Why disregard the sensual and dangerous aspects of his teaching and example?

It was fatal to Luther's teaching on matrimony that it was the product of a twofold struggle—that against the state of virginity and that against the authority of the Church.

The sexual and sensual admixture of his doctrine derives from his antagonism to the state of virginity. His hostility to the sacerdotal and monastic states leads him to degrade celibacy beyond all measure.<sup>10</sup> In order to assail the Catholic position more effectively he as-

<sup>10</sup> Cfr. Grisar, *Luther*, Vol. III, pp. 241 sqq., and the excellent work of S. Baranowski, *Luthers Lehre von der Ehe* (1913), pp. 34 sqq.

serts, as the starting-point of his own doctrine, that the sexual instinct in man operates as an irresistible law of nature and tolerates no restriction in the form of vows, which can result in unchastity. In his invectives against the vow of chastity human dignity and decency are set aside. The means of grace offered by the Church for the successful conquest of the sexual instinct and for leading a higher life, are ignored. Nature, in his opinion, compels practically all men to embrace the matrimonial state. It is a "miracle" if anyone is able to live continently.<sup>11</sup> For the rest, he goes much farther than the Catholic Church by declaring the sexual instinct sinful in itself. He refuses to acknowledge that the involuntary movements of the sexual instinct are no sin, and that it is virtuous to resist them for the sake of God or to keep a deliberate vow.

His position was influenced not only by his antagonism to sacerdotal celibacy and the religious vow of chastity, but likewise by his fight on the authority of the Church. Her venerable and salutary traditions for the protection of the matrimonial state and family life, which she ever esteemed most highly, counted for nothing in his eyes. He rejects without investigation the teaching of the Church on matrimonial impediments and divorce. An artificial Biblical or a merely natural argument is sufficient for him to open a wide road to what he calls Christian liberty. The efforts made at the present time to abolish marriage as a social institution were unconsciously inaugurated by Luther when he denied the time-honored authority of the Church in matrimonial matters.

In his system, which did not recognize matrimony as a sacrament, the Church, which regulates and administers the sacraments, was replaced by the secular authority. His original endeavor to regulate matrimonial matters with the aid of his preachers and pastors, was defeated by a multiplicity of problems and controversial cases. The State usurped authority in this sphere and Luther favored this tendency. He could not consistently have done otherwise after he had declared matrimony to be a purely secular affair. But in doing so he nevertheless created a contradiction which cannot be spanned; for, on the one hand, he praises the matrimonial state as "most holy," and on the other, he divorces it from the Church, to whom holy things are subject.<sup>12</sup>

<sup>11</sup> Cfr. Grisar, Luther, Vol. III, pp. 246 sqq.

<sup>12</sup> Baranowski, *op. cit.*, p. 177.

In vain one seeks to find in Luther a true concordance between the service of the world and the service of God in matrimony. There is discord and antithesis everywhere. At times he extols sexual intercourse in matrimony as a lofty divine service; then again he characterizes it as religiously indifferent, nay, even as stained with sin. He exhorts parents to be one in their prayers and in the Christian education of their offspring, yet asserts the validity of marriage between Christians and pagans, because this does not affect the faith. He arbitrarily relaxes the ties of matrimony, and at the same time unduly contracts the duties of the domestic sphere; for the subjection of the wife to the authority of the husband, and that of the children to the will of the parents, as advocated by him, appears to exceed the bounds of what is lawful to personal conduct and individual self-determination.<sup>13</sup> His attitude on the latter subject provoked the celebrated, lengthy and violent controversy on the validity of marriage contracted without parental consent, which consent he designated as necessary for a valid union of the children.

Even more subversive were his principles concerning divorce.<sup>14</sup>

As early as 1520 Luther refused to assert the indissolubility of the marriage tie. As time went on, the complaint raised against him became ever more justified, that (to quote his own words) "he arbitrarily trifled with the dissolution and the confirmation of matrimony."<sup>15</sup> Though he regards divorce as a serious matter, injurious to the Christian polity and the State, he finds that adultery is an immediate ground for divorce, with liberty to remarry. After breaking with the Biblical doctrine and with tradition in this critical matter, he subsequently proposed a second ground for divorce, namely, willful desertion. He did this in order to come to the aid of those unfortunates who had been forced to adopt celibacy. Other grounds for divorce recognized by him are persistent irascibility and violent incompatibility of temper. If either one of the parties concerned cannot restrain himself, he says, "let him (or her) woo another in the name of God."<sup>16</sup> This was the extent to which the idea of the ir-

<sup>13</sup> *Ibid.*, p. 209. Similarly an examination of Luther's utterances on vocation would show how confused were his views of marriage and celibacy, and also of the secular and the spiritual vocation. On "vocation" in the Middle Ages and Luther's idea of it see N. Paulus in *Histor. Jahrbuch*, Vol. 32, pp. 725 sqq., and Vol. 45, pp. 308 sqq.

<sup>14</sup> Grisar, *Luther*, Vol. IV, pp. 3-79; Baranowski, *Luthers Lehre von der Ehe*, pp. 115 sqq.

<sup>15</sup> *Briefwechsel* VIII, p. 398.

<sup>16</sup> Baranowski, *op. cit.*, p. 124.

resistibility of the sexual urge had led him. As a matter of course, Luther permits divorce (*divortium*) where the life of one conjugal partner is jeopardized by the other; but the passage in question does not clearly indicate whether or not he means a complete dissolution of the matrimonial bond. It frequently appears that he is little concerned with the important distinction between a complete dissolution of the marriage bond and a mere separation from bed and board. He extends the so-called Pauline Privilege to Christian couples and to cases where one party urges the other to "unchristian conduct," to "theft, adultery or any unrighteousness towards God." But, as regards these matters, he also repudiates the civil authority, which ought to devise remedial measures. He holds that physical impotence not only dissolves matrimony where it previously existed, but also when subsequently contracted, even in the case of marriages blessed with offspring.

There are two other grounds for divorce which he admits. In the case of obstinate refusal to render the *debitum*, the injured party may enter upon a new marriage. "If you are unwilling," to quote the easily misconstruable and insidious assertion of Luther, "then another shall; if the wife is unwilling, then the maid shall come." At all events, Luther holds that, in case of refusal, the secular authorities ought to intervene. Finally, he also regarded serious illness, especially leprosy, as an adequate ground for divorce, at least in the internal forum of conscience, thereby proposing a principle which, according to a recent Protestant critic, "is apt by its consequences to shake the institution of matrimony to its very foundations."<sup>17</sup> If this be true of this one ground, what must be said of the collective effect of all the grounds that have been mentioned?

In the practical application of these ideas Luther mingled the strangest contradictions. He requires the verdict of the civil authorities for the validation of divorce, yet regards marriage as already dissolved and to be treated as dissolved in secret. He grants the right of remarriage to one party and at the same time denies it to the other. In the forum of conscience he concedes grounds for divorce which he refuses to defend in public, and so forth.<sup>18</sup>

In his narrow purview he discovers ecclesiastical domination and pretensions, if not avarice, in the traditional diriment impediments

<sup>17</sup> *Theol. Studien und Kritiken*, 1881, p. 445.

<sup>18</sup> Baranowski, *op. cit.*, p. 131.

upheld by the Church. He particularly rejects the dilatory impediments.<sup>19</sup> "Freedom," he says, "may not be abolished by the superstition and stupidity of others."<sup>20</sup> Suffice it to mention that, on the basis of the Old Testament, he regards only the second degree of consanguinity and the first degree of affinity as impediments arising from relationship, and that on other occasions he indirectly exempts even the first degree of affinity. The precedent of an Old Testament patriarch counts for more with him than "100,000 popes."<sup>21</sup>

The precedent of the patriarchs also confused his views of the unity of marriage. While he would not tolerate the introduction of bigamy, he nevertheless, as indicated elsewhere, allowed a certain scope to it.<sup>22</sup> As early as 1520 he gave expression to this sentimental inclination of his, preferring bigamy to divorce in case of necessity.<sup>23</sup> In 1524 he expressed himself more decisively toward Chancellor Brück: "I admit that I am unable to prohibit a man from marrying several wives; it does not contradict Holy Writ." But scandal and sound ethics, he adds, establish objections to the practice.<sup>24</sup> He repeats these statements frequently. In the subsequent account of the bigamous marriage of Landgrave Philip of Hesse, the consequences of Luther's and Melanchthon's attitude will be seen. This one case clearly reveals the fact that the so-called reformers "lacked a comprehensive insight into the true ethical nature of matrimony."<sup>25</sup>

How different in this respect are the Middle Ages, particularly the time which preceded Luther, with its numerous popular treatises on matrimony as a sacrament—writings which abounded in attractive profundity and solid theological content. In the tender delineations of domestic life found in these "marriage booklets" justice is accorded the human side of the marital relationship and protection is afforded the sublimity and purity of this institution by the faithful reproduction of the precepts of the Church.<sup>26</sup>

The Protestant claim that the esteem of womanhood originated with Luther is entirely unfounded. The dignity of woman, her social

<sup>19</sup> Weimar ed., Vol. X, ii, p. 287.

<sup>20</sup> *Ibid.*, VI, p. 558.

<sup>21</sup> *Ibid.*, XVI, p. 405.

<sup>22</sup> Grisar, *Luther*, Vol. IV, pp. 13 sqq.; Baranowski, *op. cit.*, p. 162 sqq.; Rockwell, *Die Doppelheir Philips von Hessen* (1904), pp. 247 sqq.

<sup>23</sup> Weimar ed., Vol. VI, p. 559.

<sup>24</sup> *Briefwechsel*, IV, pp. 282 sq.; January 27, 1524.

<sup>25</sup> This pertinent observation is by Baranowski, *op. cit.*, p. 168.

<sup>26</sup> Grisar, *Luther*, Vol. IV, pp. 135 sqq.

mission, the esteem and veneration which her position demands, could not be more thoroughly effective than in a society firmly founded on a religion which appreciated and extolled virginity equally with motherhood, and honored the supreme type of motherhood in Mary, Virgin and Mother, the protectress of Christendom.<sup>27</sup>

It is impossible to follow the utterances of Luther on marriage and sexual matters without ever and anon being repelled by the vulgarity of his language and his sensuality.<sup>28</sup>

For example, here is a sentence which surely does not honor womanhood: "The word and work of God is quite clear, *viz.*, that women were made to be either wives or prostitutes."<sup>29</sup> We add a few others: "Had we opportunity, time, and occasion," he says in his bombastic manner, "we should all commit adultery"; he thus intends to indicate the power of concupiscence, and then continues: "We are so mad, when once our passions are aroused, that we forget everything."<sup>30</sup> Marriage ought to be contracted by "a boy not later than the age of twenty, and a girl when she is from fifteen to eighteen years of age. Then they are still healthy and sound, and they can leave it to God to see that their children are provided for."<sup>31</sup> "Even though one may have the gift to be able to live chastely without a wife, yet he ought to marry in defiance of the pope, who insists so much on celibacy."<sup>32</sup>—"Were all those living under the papacy kneaded together, not one would be found who had remained chaste up to his fortieth year."<sup>33</sup>—"I am satisfied that the saints stick in the mud just like we do."<sup>34</sup>

Certain indecorous German utterances of Luther are reproduced in Latin in the present writer's more exhaustive work.<sup>35</sup> In a letter of December 6, 1525, Luther speaks of his marriage and that of Spalatin in a manner that is not fit for reproduction. The older editors (Aurifaber, De Wette, Walch) omitted the passage in question.<sup>36</sup>

It is a notorious fact that the undignified vulgarity of Luther's language, spiced with sexual allusions, attains its height in the objurgations which he metes out to the papacy and the Roman Church.<sup>37</sup> Thus the pope is com-

<sup>27</sup> *Ibid.*, pp. 131 sqq.

<sup>28</sup> *Op. cit.*, Vol. III, pp. 264 sqq.

<sup>29</sup> *Ibid.*, p. 243.

<sup>30</sup> *Ibid.*, p. 245.

<sup>31</sup> *Ibid.*, p. 246.

<sup>32</sup> *Tischreden*, Weimar ed., II, n. 2129b; cf. a; see also Grisar, *Luther*, Vol. III, p. 246.

<sup>33</sup> *Ibid.*, p. 251.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Luther*, Vol. III, pp. 251 sq., n. 3.

<sup>36</sup> *Ibid.*, p. 269, n. 2.

<sup>37</sup> *Ibid.*, pp. 265 sqq.

pared with the detestable pagan god, Priapus. In giving vent to such utterances, Luther, as his excuses demonstrate, was quite conscious that he had transcended even the freedom which his coarse age was wont to grant. In 1541 he writes against the loyal Catholics: <sup>38</sup> "You are the runaway apostate, strumpet Church as the prophets term it"; "you whoremongers preach in your own brothels and devil's churches"; "your conduct is such as if the bride of a beloved bridegroom were to allow every man to abuse her at his will." Unable to satiate himself with this image, he continues: "This whore, once a pure virgin and beloved bride, is now an apostate, a vagrant, a whore, a house-whore," etc. "You old whores bear in your turn young whores, and so increase and multiply the pope's Church, which is the devil's own." "You reduce many true virgins of Christ, who have been regenerated by baptism, to arch-harlots." <sup>39</sup>

### 3. THE BIGAMY OF PHILIP OF HESSE

On December 9, 1539, Martin Bucer visited Luther in Wittenberg and presented him with a request by the Landgrave Philip of Hesse for an opinion sanctioning his intended bigamous marriage with Margaret von der Sale.<sup>40</sup>

Luther and Melanchthon were alarmed at the disclosure made by Bucer in accordance with his written directions. The argument which the Landgrave advanced in his petition was that, in consequence of the immoral life he had hitherto led, he was constrained by his conscience to take unto himself another wife, in addition to the one he already had, as a substitute for the "debauched women" with whom he had hitherto consorted. It was his desire that the new marriage, as well as the formal opinion of Luther and Melanchthon permitting the same, be "publicly proclaimed to the world" by gradual stages, so that his second wife "be not regarded as a dishonorable person." What alarmed the two leaders of Protestantism most was Philip's threat that, in the event of their non-acquiescence, he would appeal to the Emperor; in other words, that he, in complete contradiction to the attitude which he had hitherto observed, would endeavor by means of concessions to obtain the favor of the most hated and most powerful opponent of Lutheranism, in order to procure from him toleration of his step, notwithstanding the severe imperial laws which pro-

<sup>38</sup> Grisar, *Luther*, Vol. VI, p. 331.

<sup>39</sup> *Ibid.*, p. 332; cfr. III, pp. 270 sqq.

<sup>40</sup> For proofs pertaining to this section let it suffice to refer in general to my lengthy exposition in *Luther*, Vol. IV, pp. 13-79. In a few cases only are references given here.

hibited it. Plainly, Philip contemplated a fatal betrayal of the Protestant cause.

Luther and Melanchthon had previously expressed themselves in favor of the permissibility of bigamy in particular cases.<sup>41</sup> They believed that there was justification for it in the Old Testament, citing the cases in which polygamy was permitted by God in exceptional instances. In certain cases, Luther, too, as he himself says, had counseled the contraction of bigamous marriage, when, for instance, husbands complained of severe and incurable disease of their wives or of their refusal to render the *debitum*. Philip of Hesse was acquainted with these public pronouncements as well as with Luther's proffer of bigamy to Henry VIII of England. Martin Bucer cited all these facts with persuasive eloquence.

On the other hand the Wittenberg theologians were well aware that polygamy had been abolished by the divine Founder of the Church in the New Testament. Even though they were prepared to tolerate exceptions in extraordinary cases, they yet held that polygamy ought not to be reintroduced generally. Thus Melanchthon asserted that the words of Christ, "they two shall be one flesh" should be observed as a "universal Christian law."<sup>42</sup>

Philip's demand for permission to contract a bigamous marriage appeared to open the gates to polygamy. Hence, the embarrassment which seized both Wittenberg reformers at the unheard-of proposition of the Landgrave.

Philip, who had just partly recovered from a severe venereal attack, had cast his eyes upon Margaret, the seventeen-year-old daughter of the lady in waiting of his sister, the Duchess Elizabeth of Sachsen-Rochlitz. He obtained a promise from Margaret's ambitious mother that his desire would be gratified, but only on condition that Margaret would become his wife and true landgravine, not merely a despised concubine. This unsavory plan, coupled with the aforesaid condition, was furthered by the Protestant pastor of Melnsungen, John Lening, an apostatized Carthusian monk, who was reputed to be leading an immoral life himself. The afore-mentioned sister of the landgrave, however, violently opposed the bigamous marriage as soon as she became aware of it, not indeed for any ethical

<sup>41</sup> Grisar, *Luther*, Vol. III, pp. 259 sqq.

<sup>42</sup> Cf. Rockwell, *Die Doppelheir Philips von Hessen*, p. 194; Camerarius in *Corp. Ref.*, III, pp. 1077 sq.; Grisar, *Luther*, Vol. IV, pp. 62 sq.

motive (her own moral conduct as a widow was blameworthy), but because she regarded her brother's marriage to the daughter of her governess as a disgrace to the reigning family. Philip's declaration that, after a dissolute life, he was constrained to ease his conscience by means of a new, duly contracted marriage, was but a pretext which served as a cloak to cover his unrestrained sensuality. He despatched the complaisant physician Sailer, also a Protestant, to win over for his plan the theologian Bucer, whom he had selected to conduct the negotiations at Wittenberg. Sailer writes that Bucer was "highly amazed" when he communicated to him the invitation to visit Philip regarding this affair, but that he finally consented to come and act as mediator, to avert the defection of the Landgrave from the Protestant cause. Bucer undertook the mission and received written instructions from the prince, of which the text is still extant. The authentic text of the reply made by Luther and Melanchthon is preserved in the government archives at Marburg.<sup>43</sup>

On December 10, the day after the arrival of Bucer, they delivered to him the fatal document which had been composed with remarkable haste by the skilled pen of Melanchthon. It styles itself a "testimonial," and states that the contemplated marriage is not contrary to the law of God and may be entered upon by the Landgrave because of a "necessity of conscience."<sup>44</sup> The deponents demand that the new marriage, as well as the "testimonial," should remain secret, in order to avoid scandal and to prevent polygamy from becoming general. They might have foreseen that this desire was destined to remain unfulfilled in view of the declared intention of the autocratic Landgrave to divulge the entire matter.

The document is not devoid of sound, moral exhortations, but, on the other hand, the alleged divine "dispensation" to contract a bigamous marriage is treated as a sort of initiation of the petitioner into a "retired state" with the intimation that the marriage with Margaret would entail "no particular scandal," since the people would regard her as a concubine, and concubines were not uncommon in many courts. At the very beginning of the document, the Landgrave is invited to continue to act as loyal protector of the new religion and to hold himself aloof from the imperial party. The conclusion contains an angry remark of Luther charging the Emperor with

<sup>43</sup> Printed in Luther's *Briefwechsel*, Vol. XII, pp. 326 sqq. An excerpt in Grisar, *Luther*, Vol. IV, pp. 19 sq.

<sup>44</sup> The document declares that, in a very special case, "a husband" might "take another wife with the advice of his pastor."

being utterly devoid of faith and aiming only at mutiny in Germany; pious Christians, Luther contended, are forbidden to associate with him.

It is evident that the acquiescence of the two Wittenberg reformers was dictated by their desire to retain Philip in his rôle of protector of their party.

The other protector of the Protestant cause was the Elector John Frederick of Saxony. Bucer, gratified with his success, at once repaired to his court in order to communicate Philip's plan and the Wittenberg "testimonial" to John Frederick and to put him in a favorable mood by various political promises. Due to his powers of persuasion, Bucer succeeded in obtaining the promise of the Elector "to give his fraternal aid at all times" to Philip in this matter.<sup>45</sup>

On December 23, Philip was in possession of the "testimony" of the two theologians and the favorable reply of the Elector. He caused the theological opinion to be subscribed by his own Hessian theologians, in order that it might carry greater weight. It was signed by Lening, Melander, Corvinus, and three other Protestant ministers. The solemn nuptials were celebrated on March 4 in the chapel of the castle of Rotenburg on the Fulda, in the presence of Bucer, Eberhard von der Thann, who represented the Elector of Saxony, and various other witnesses. Melanchthon also, after a heated argument with the participants, graced the occasion with his presence. Thus, with the aid of the theologians, Philip had taken a step which was fraught with serious consequences.

The new princess was sent to the castle of Wilhelmshöhe, because the Landgrave was still intent upon secrecy. But the impossibility of concealing the marriage soon became manifest. Too many knew the secret. Thus, when Philip sent a barrel of wine to Luther, as a mark of his gratitude, and also remembered Catherine with a gift, the mayor of Lohra openly discussed the destination of the wine in the presence of all the peasants and declared he "knew for certain the prince had taken a second wife." The courts and the aristocracy were informed of the marriage principally through the sister of the Landgrave, Elizabeth von Rochlitz, who was greatly agitated over and vehemently protested against it. Amid tears she proclaimed that Luther and Bucer were consummate villains. The ducal court of Saxony also was apprehensive and indignant. The Elector now began to fear that the Emperor would interfere, on account of the general scan-

<sup>45</sup> Grisar, *op. cit.*, IV, pp. 23 sq.

dal, especially since the news had reached King Ferdinand and Rome. It was recalled that, as recently as 1532, the code of laws known as "Carolina" had prescribed "capital punishment" for bigamists.

Due to the universal indignation, the Landgrave, awaking from his dream, began to speak of a reconciliation with the Emperor, nay, even with the Pope. Bucer and his apprehensive Hessian theologians, who were joined by Schnepf, Osiander, and Brenz, urged Philip to extricate himself from his embarrassing situation by publicly passing off Margaret von der Sale as his concubine, and not as his wife, and to have a new and suitable contract drawn up instead of the matrimonial certificate inscribed at Rotenburg; thus, they thought, he might be able to silence the hostile court of Dresden and other opponents. The Landgrave declined, saying that God never permitted lying and that he expected a change of public opinion from the publication of the "testimony" of the Wittenbergers.

This dreadful threat and the whole embarrassing situation promptly became known at Wittenberg, and on June 10, 1540, Jonas wrote to George von Anhalt that Melanchthon was "very much perplexed and Doctor Martin full of thought."<sup>46</sup> Luther's predicament increased when his own elector became very apprehensive and indicated to him through Chancellor Brück that he had gone too far, as universal bigamy might result from his conduct. Luther hit upon a way of extricating himself from this dilemma by suggesting that his "testimony" to Philip of Hesse be represented as a secret advice given in the confessional and consequently subject to the seal of confession. He wrote to his ruler that, even if the Landgrave would publish the document, he would not be ashamed of his Biblical standpoint nor of his advice in an extreme case of conscience, "even should it come before the world."<sup>47</sup> Nevertheless, the danger of publication continued to be a source of terror to him. It does not redound to his credit that he assured the elector that he was not aware at the time he drafted his "testimony" for Philip of Hesse that the noble lady of Eschwege was also at the disposal of the petitioner as a concubine and that he did not expect a new princess, but had hoped that the Landgrave would only "keep an honorable maiden secretly in clandestine marriage to satisfy the great necessity of his conscience, even though it had an illegitimate appearance before the eyes of the world," since

<sup>46</sup> *Ibid.*, p. 36.

<sup>47</sup> *Ibid.*, p. 37.

he (Luther) had given the same advice to various pastors and bishops relative to their housekeepers.

There could be no question here of the seal of confession, though Luther cites the words "confession" and "advice given in confession" as often as three times in this letter. In matter of fact neither the Landgrave nor anyone at Wittenberg thought of confession. What Philip desired was not absolution, but something quite different. And where was there an auricular confession in the ecclesiastical sense which would have entailed the seal? Where was the Landgrave's willingness to perform any action demanded by the secrecy of the confessional, in lieu of the publicity desired by him? Only a natural obligation of secrecy might arise, just as in the case of any delicate and confidential transaction; but this obligation was annulled by the conduct of Philip, who did not care that the sordid reasons for his "necessity of conscience" became even more widely known than they already were.

In this dilemma Luther, on June 27, recommended to the Hessian courtier Eberhard von der Thann that, if hard pressed, the Landgrave should deny the whole affair and declare to the Emperor that he had merely taken a concubine.<sup>48</sup> About the middle of July Luther wrote in a similar vein to another Hessian councillor, who has been identified as the Chancellor John Feige, asking him to state that the Landgrave had contracted no secret union and assuring him that he had answered inquirers by stating that "the Landgrave's other marriage is all nonsense." This, continues Luther, he was justified in doing, on the theory of the secrecy of confession. At the same time he warned the Chancellor that he would strongly resent it if Philip would undertake to make public his (Luther's) "testimonial," and that he (Luther) would know how to "extricate" himself from the quandary. He admitted the impossibility of defending the bigamous marriage "before the world *iure nunc regente.*"<sup>49</sup>

Luther's agitation at this time is reflected in his familiar discourses, especially the Table Talks.<sup>50</sup> "I am not pleased with what has happened," he laments; "would that I could alter it!" "Would that it might not become more aggravated!" Since this trial has been imposed upon us by God, "we must put up with the devil and his filth." etc. "The papists may deride us;

<sup>48</sup> *Ibid.*, p. 40.

<sup>49</sup> *Ibid.*, p. 41 sq.

<sup>50</sup> *Ibid.*, p. 43 sqq.

they, however, merit still less pardon on account of their infidelity." In his perplexity he consoles himself with the impending decline of popery. In his habitual manner, he devises acrimonious witticisms: "What do the papists intend to make of this incident? They kill men, whereas we labor in behalf of life, and take several wives."

Luther's chief source of worry is the fear that the Landgrave might come to an understanding with the Emperor and desert the party of the reformers. In mentioning this danger, he exclaims: "He is a strange man"; "he was born under a star; he is bent upon having his own way." It is noteworthy that both Luther and Melanchthon repeatedly suggest the prevalence of hereditary madness in the family of the Hessian ruler. On one occasion Luther said: "This is a fatal curse in his family." Melanchthon said that "this [the bigamous marriage] is the beginning of his [Philip's] insanity."

The haughty Landgrave had undoubtedly at first believed that he would have the whole Protestant world behind him in his bigamous adventure, and that, protected by public opinion, he could afford to ignore the supreme court and the Emperor. The disappointment which he experienced and his subsequent clashes with Luther were all the more apt to impel him to seek a reconciliation with the Emperor.

The fear lest Philip should desert their party and the disgrace resulting from the Landgrave's bigamous marriage affected Melanchthon to such an extent that he became seriously ill in Weimar on his journey to the religious conference to be held at Hagenau. Luther hastened to his bedside, and as a result of his strong exhortations, Melanchthon speedily recovered. In Luther's eyes this was a benevolent dispensation of Providence, which he describes in his correspondence as a "manifest miracle of God." The fanciful embellishment which he gave to the incident when narrating it, has left its traces in his friend Ratzeberger's account.<sup>51</sup> Melanchthon now advanced the excuse that he and Luther had been "deceived" by Philip when they formulated their "advice." That it was a disgraceful matter he concedes. In publishing Melanchthon's letters, Camerarius printed that of September 1, 1540, addressed to him by Melanchthon, only with omissions and additions. The genuine text was not made public until 1904.<sup>52</sup>

Philip of Hesse's bigamy led to an official conference of theo-

<sup>51</sup> *Ibid.*, p. 48.

<sup>52</sup> Melanchthon says therein among other matters: "Either love gained the upper hand [in the case of the Landgrave] or [it was] a beginning and prelude to the insanity, which exists in the family."

logians and councillors from Hesse and the electorate of Saxony, which commenced on July 15, 1540, at Eisenach. Luther, too, put in an appearance. He vigorously opposed the intention of the Landgrave not to permit the new marriage to be represented as a form of concubinage and consequently to publish the "testimony" of the Wittenbergers and the fact of his marriage at Rotenburg. In the event that his opinion were to see the light, he (Luther) was prepared to admit that he had "played the part of a fool," to confess his disgrace and beseech God to restore his good name. His idea was either to retract, or to publish the lie that Philip's second wife was a mere concubine. According to the minutes, he declared on the first day of the Eisenach conference: "What harm could it do if a man told a good, lusty lie in a worthy cause and for the sake of the Christian Church?"<sup>53</sup> On July 17 he said: "To lie in case of necessity, or for convenience, or in excuse, would not offend God, who was ready to take such lies on Himself."

Philip, indignant at Luther's attitude, addressed to him a letter in which Luther's threat of retracting the advice and of saying that he had "acted foolishly" was denounced as "a bit of folly." "Nothing more dreadful has ever come to my ears," he writes, "than that it should have occurred to a brave man to retract what he had granted by a written dispensation to a troubled conscience. . . . If you can answer for it to God, why do you fear and shrink from the world?"<sup>54</sup> He finally asks Luther to proceed vigorously against the vices rampant in his own circle and to invoke the ban (which he himself had caused to be introduced) "against adultery, usury, and drunkenness," which are no longer regarded as sins. Sarcastically he adds of his new wife: "I confess that I love her . . . that I should have taken her because she pleased me is only natural, for I see that you holy men also take those that please you."

Luther was unable to appease the wrath of Philip in his reply of July 24, in which he permitted himself to pen the following provocative words: "When it comes to writing, I shall be quite competent to wriggle out of it and to leave Your Grace in the lurch."<sup>55</sup> To which the prince replied that it was a matter of indifference to him whether

<sup>53</sup> Grisar, *Luther*, Vol. IV, p. 51; excerpted from Philip's *Briefwechsel*, ed. by Lenz, pp. 373, 375.

<sup>54</sup> Grisar, *op. cit.*, Vol. IV, pp. 55 sq.

<sup>55</sup> It is significant that in this same letter he threatens to take the Emperor to task because "he raves against the truth of God."

Luther extricated or implicated himself by means of his pen; let him but reflect that the marriages of the Wittenberg preachers were not recognized by the law of the empire, because they had been monks and priests; he, however, looked upon Margaret as his "wife according to God's word and your advice; such is God's will; the world may regard my wife, your wife, and the other preachers' wives as it pleases."<sup>56</sup>

In the same letter he makes grave charges against the Elector John Frederick of Saxony, in order, if possible, to bring him around. He accuses him of having committed an atrocious crime (sodomy) under his (Philip's) roof at Cassel and again at the time of the first diet of Spires. He mentions this matter also in a letter to Bucer (dated January 3, 1541),<sup>57</sup> in which he expresses the belief that he ought to speak in definite terms of this crime because at that time Justus Menius, the "superintendent" of the Elector, boasted of the virtues of his master and threatened to attack the bigamous marriage of the Landgrave in print. Many an ugly rumor was current about the immoral conduct of the Saxon Elector, who was addicted to excessive drinking. Both the Landgrave and the Elector, says the Protestant biographer of Luther, Adolf Hausrath, "did their best to make mockery of the claim of the Evangelicals that their gospel would revive the morality of the German nation."<sup>58</sup>

Bucer wrote from Marburg to Landgrave Philip, in 1539, of the effect which these and other examples of persons in high station was sure to have on the masses: "The people are lapsing into barbarism, and the lascivious state of affairs goes on increasing." And, in a letter written in the same year, Luther applies the expression "a horrible Sodom" to the conditions then existing in Wittenberg and in the Electorate of Saxony.<sup>59</sup>

This side-light on contemporary conditions is indispensable to understand the history of the bigamous marriage of the Landgrave of Hesse.

In a vigorous pamphlet against Philip of Hesse and Luther, written in November, 1540, Duke Henry of Brunswick, an active opponent of Luther and the new theology, proclaimed that the Landgrave had incurred

<sup>56</sup> *Op. cit.*, p. 59.

<sup>57</sup> *Op. cit.*, pp. 202 sqq.

<sup>58</sup> *Op. cit.*, p. 203. Hausrath, *Luthers Leben*, Vol. II, p. 391.

<sup>59</sup> Grisar, *op. cit.*, IV, pp. 201, 208.

the severe penalty prescribed by the imperial laws, as a result of his bigamous marriage authorized by the biblical experts of Wittenberg. Luther replied to him acrimoniously and abusively in his pamphlet entitled "Wider Hans Worst." For this reason, a reply which the Duke of Brunswick published in May, 1541, characterized Luther as "that most insidious arch-heretic, that impious arch-miscreant and hopeless knave."<sup>60</sup>

About the same time John Lening—that physical and spiritual monster, as Luther and Melanchthon call him—who had been the first to promote the bigamous marriage of Philip, undertook a serious defense of the Landgrave's conduct which was agitating all Germany. He did this in a book entitled "Dialogue of Huldericus Neobulus," which Philip caused to be printed at Marburg. The "dialogue" but vaguely refrains from advocating the universal practice of bigamy. The Wittenbergers believed that Lening aimed at legalizing polygamy. Luther prepared a refutation, which, however, was not published because of the intervention of his elector, who did not wish to add fuel to the fire. Later on he (Luther) himself deemed it better "not to strengthen the clamor" by additional writings and "to have the filth stirred up under the noses of the whole world."<sup>61</sup>

It was not to be marveled at that the obstinate Landgrave, who had never possessed any profound Protestant convictions, having been left in the lurch by Luther, finally resolved to abandon his protectorate over the new theology, and appealed to the Emperor, to whom he made liberal offers which were unfavorable to the Protestant party, but by means of which he expected to arrive at a settlement and to escape the penalty which he had incurred.

The politicians of the imperial court found Philip's offers acceptable. He was permitted to retain Margaret von der Sale, though she was not to be regarded as his wife. All his other mistakes were pardoned. In return, he promised to support the recruiting of soldiers by the imperial forces and to remain neutral in the Emperor's impending campaign against Jülich. As a result of his change of attitude, the Schmalkaldians were forced to sever their connections with the King of France and to forego the assistance of Denmark and Sweden. As a consequence of this move and of Philip's resignation of his command, the power of the Schmalkaldic League was paralyzed.<sup>62</sup> It was the

<sup>60</sup> *Ibid.*, pp. 61, 63 sqq.

<sup>61</sup> *Ibid.*, pp. 64 sqq., 67.

<sup>62</sup> G. Kawerau, *Geschichte der Reformation und Gegenreformation*, p. 146; Grisar, *Luther*, Vol. IV, pp. 76 sq.

severest blow which could be inflicted upon the political position of the religious innovators. The way was prepared for the triumph of Charles V over the leaders of the Protestants in the Schmalkaldic War, which was waged soon after Luther's demise (1547). It is not impossible that the wily Hessian Landgrave, when he allied himself with the Emperor, perceived the confused and desperate condition of the Protestant cause and that his change of front was inspired also by a tactical reason. It was legally confirmed by the Treaty of Ratisbon, June 13, 1541.

Luther was bitterly requited for his unfortunate decision of December 10, 1539, wherein he permitted himself to be governed "by political ideas and political manipulations," instead of acting under the inspiration of "the unvarnished truth and an incorruptible conscience," as the Protestant historian Julius Böhmer expresses it. The same historian declares that in this entire affair Luther showed himself to be "weak, nay, flabby in his moral judgments."<sup>63</sup>

Another Protestant, the historian Paul Tschackert, characterizes the Hessian affair as "a dirty story," which is and must remain "a shameful blot on the German Reformation and on the life of our reformers." Theodore Kolde, in a work which is otherwise decidedly favorable to Luther, holds that "the attitude which the reformers took up [towards this affair] at a later date, is even more offensive than Luther's advice itself. He refers to the lie which Luther recommended and which he was prepared to tell, according to his own public declaration. "With devilish logic," says Adolf Hausrath, the Protestant biographer of Luther, "one false step induced them [the Protestant ecclesiastical leaders] to take another which was even worse."<sup>64</sup>

To mitigate these abundant condemnations, an attempt has been made by Protestant writers to hold the Catholic Church and the ideas of the Middle Ages at least partly responsible for Luther's attitude. These writers cite the reformer's opinion in the case of Philip of Hesse as an advice given as a secret matter of conscience, under the seal of confession. The "egg-shells of a previous period of Church history" are said to have clung to the Wittenberg doctor in his "testimonial" to the Landgrave and the ensuing negotiations. It is sufficient to note

<sup>63</sup> *Ibid.*, p. 71.

<sup>64</sup> The quoted and other passages of Protestant historians, *ibid.*, pp. 72, 78 sq.

that these ideas are an invention of Martin Luther, for the "secret of confession" which he claimed, never existed in the Catholic Middle Ages.<sup>65</sup>

Certain established facts, which are generally overlooked in the Protestant condemnation of this affair, are more important than the refutation of the "egg-shell" theory. In the first place, there is a close connection between the "testimonial" of December 10, 1539, and Luther's fundamental attitude towards the Bible. It was only because he disregarded ecclesiastical tradition in the interpretation of Holy Scripture and had accustomed himself to introduce his own ideas into the sacred text, that he was able to discover that the New Testament permitted bigamy in exceptional cases. His attitude towards the authority of the Church must also be taken into consideration. Only because he substituted the subjective opinion of an individual, *i.e.*, his own, for the teaching and governing authority of the Church, which he had repudiated, was he able to propose his own erroneous opinion as a moral guide. Finally, Luther arrived at his lamentable accommodation because Lutheranism was compelled to seek the aid of the secular rulers to insure the permanency of the new Evangel.<sup>66</sup> Hence, it is obvious that the incident casts a shadow upon the entire interior structure of Lutheranism, and that it cannot be regarded simply as an accidental disfiguration.

#### 4. "THE BOLD, LUSTY LIE"

This subject demands a special note. It was part of Luther's theological system. Strange as this statement may sound, yet his attitude towards lying is based upon principles which he formally defended.<sup>67</sup> He taught, and endeavored to demonstrate on diverse occasions, that lying is permitted as a matter of expediency or of necessity, provided that it redounds to the advantage of the new Evangel or to the real benefit of others. He excludes only the lie that works an injury. He proposed this theology of lying as early as 1524. Points of contact with the past were not entirely wanting, notwithstanding the contrary teaching of St. Augustine on the unlawfulness of lying

<sup>65</sup> *Ibid.*, pp. 72 sq.

<sup>66</sup> Spontaneously the attention is here directed to the entirely different attitude of the Catholic Church towards Henry VIII's attacks upon the sanctity of matrimony and his introduction of the schism.

<sup>67</sup> For the following cf. Grisar, *Luther*, Vol. IV, pp. 80-178.

in every form. But never before was the lawfulness of lying brought into a system.

By degrees, Luther reduces the lie of convenience or necessity to a virtue. "Lying is a virtue," he says, "if it is indulged in for the purpose of preventing the fury of the devil, or made to serve the honor, the life, and the welfare of one's fellowmen." He likewise regarded it as permissible if intended to secure a personal advantage pleasing to God or, in general, to promote His glory.<sup>68</sup> In confirmation of his attitude he repeatedly appeals to misconstrued examples from the Old Testament.

In the long war which he waged upon the Catholic Church, and which he believed to be for the glory of God, he so habituated himself to the application of his fundamental principle, *viz.*, that everything was permissible in the warfare against Antichrist, as to feel no reluctance in resorting to notorious falsehoods. Indeed, it is probable that, owing to his peculiar practice of auto-suggestion, he finally believed his unfair and offensive inventions, in consequence of his frequent repetition of them, especially since they offered him an apparent composure in his qualms of conscience. The author has collected a veritable arsenal of untrue assertions made by Luther, especially against the "papists," in his larger work on Luther, in which he has also offered a psychological explanation of the strange phenomenon of Luther's mendacity and tried to give an insight into the infectious results of his lying.<sup>69</sup>

<sup>68</sup> *Ibid.*, pp. 108 sqq., 116 sqq., 131 sqq.

<sup>69</sup> *Ibid.*, Vol. IV, pp. 80 sqq.

## CHAPTER XIX

### THE ECCLESIASTICAL SCHISM ANTERIOR TO LUTHER'S DEATH

#### I. THE EVE OF THE RELIGIOUS WAR. THE COUNCIL

In the early forties of the sixteenth century Germany was in a strained condition, politically and religiously, and no signs of an early turn for the better were visible. The Turks, more menacing than ever before, continued their assaults upon the eastern frontiers of the Empire. In 1541 they gained a foothold in Hungary, whence they threatened destruction against Germany. In the west, the King of France was entering upon his fourth war against Charles V, which dragged on from 1542 to 1544.

To fill the measure of domestic misery caused by the religious schism, the Bundestag of Schmalkalden, in March, 1540, declared against the toleration of Catholic worship. The fruitlessness of the religious conference of Worms and of the diet of Ratisbon (up to May 22, 1541) convinced the Catholic spokesmen, John Eck, Julius von Pflug, and John Gropper, as well as all other intelligent observers, that the hope of religious reunion was vain.

The diet of Ratisbon closed with the armistice of the so-called Interim. Two later diets, that of Spires (1542), and that of Nuremberg (1543) endeavored to unite the nation against the Turkish peril. But the Protestants, because of their extravagant religious demands, obstinately refused to come to the assistance of the Emperor, as they were in duty bound to do. The victory of Charles V over the Duke of Cleve, notwithstanding the support which the latter received from France and from the Elector of Saxony, proved to be an advantage for the Catholic cause. In July, 1542, however, that cause was injured by the violent and victorious irruption of the Schmalkaldian forces into the duchy of Brunswick, which resulted in the imprisonment of Henry of Brunswick, the Catholic Duke "Heinz," whom Luther pursued with implacable hatred (October 20, 1545).