

CHAPTER VIII

THE DIET OF WORMS (1521)

I. LUTHER ON TRIAL BEFORE THE EMPIRE

After Luther had been put under the ban, Pope Leo X addressed an earnest letter to Charles V, in which he demanded that those vested with the proper authority should execute its secular effects.

The diet of Worms had been convoked for January 6, 1521. Elector Frederick of Saxony, ever intent upon delaying the trial of Luther, proposed that Luther be permitted to come to Worms for a hearing before the diet. In a letter to Spalatin the rebellious monk expressed his willingness to make the journey.¹ But the opposition of the party loyal to the Church, especially that of Cardinals Aleander and Caraccioli, the papal nuncios attending the diet, the Elector, and subsequently also the Emperor, temporarily abandoned this plan. When Luther was apprised of this decision, he expressed his displeasure (*cum dolore legi*); for he sedulously strove to create the impression that he had not been accorded an adequate hearing. His fancy was charmed by the prospect of appearing on the world stage at Worms. How much could he not expect in furtherance of his cause from a courageous testimony given there in the presence of the empire! What had he to fear, protected as he was by an imperial safe-conduct and the support of his friends among the knights? Courage and presumption he possessed in a plentiful measure.²

Luther's opponents at the diet did not tarry in beginning opera-

¹ *Briefwechsel*, III, p. 24. Luther here solemnly advises Spalatin (and through him the Elector) of the dedication of his life to the cause he had espoused.

² On the preliminaries and Luther's appearance at the diet of Worms see Kalkoff, *Luther und die Entscheidungsjahre*, 1917, pp. 187 sqq., and the same author's *Der Wormser Reichstag*, 1922. Many of Kalkoff's assertions, however, are questionable. Cf. in addition H. v. Schubert, *Quellen und Forschungen über Luther auf dem Reichstag zu Worms*, 1899. A shorter but more reliable description in Janssen-Pastor, *Geschichte des deutschen Volkes*, Vol. II, 20th ed., pp. 173 sqq. See also Grisar, *Lutherstudien*, No. I: *Luther zu Worms*, etc. pp. 111 sqq.

tions against him. On Ash-Wednesday, February 13, Aleander delivered an oration, which lasted three hours and was received with applause. He recommended that the papal Bull of excommunication be promptly enforced. Among other things he pointed out that the Saxon innovator had rebelled also against imperial statutes, and that his agitation enkindled insurrection and civil war. At the conclusion of the address, Charles V declared his intention to proceed at once, and added that it was neither necessary nor expedient to grant Luther a hearing. This was the correct point of view; for after the definitive judgment of the Holy See, the diet was incompetent to reopen the case, especially before the secular authority. If there was merely a question whether Luther recanted or not, this could be decided in the diet without summoning him. Luther himself stated that it was not necessary for him to leave Wittenberg solely for this purpose.

Notwithstanding the activity of Cardinal Aleander to keep the excommunicated monk away from Worms, some members of the diet were in favor of giving him a hearing. This sentiment was nourished by the approval which Luther's pronouncements against the oppressive papal taxation and the Roman procedure in the bestowal of benefices met with in the assembly. The upshot of this dissatisfaction appears in the "grievances" (*gravamina*) voiced by the diet.

On February 19, the estates requested the Emperor to permit Luther to appear at Worms, not, indeed, for the purpose of disputing with him about religion, but that his recantation might be demanded by experts appointed for this purpose. In the event of his recantation, it was intended to interrogate him "about other points and matters." If, however, he refused to recant, the Emperor was to issue a suitable mandate³ declaring the concurrence of the empire in the papal ban with its penalties.

In consequence of this request of the estates, the Emperor cited Luther to appear in Worms, March 6, 1521.⁴ The citation was handed to him at Wittenberg, on March 26, by Caspar Sturm, the imperial herald, who had orders to escort Luther to the diet. An imperial letter of safe-conduct for the journey to and from the diet was issued,⁵ for

³ Deutsche Reichstagsakten unter Karl V., edited by A. Wrede, Vol. II, Gotha, 1869, pp. 316 sqq. Cf. Janssen-Pastor, *op. cit.*, p. 197.

⁴ Briefwechsel, III, pp. 101 sq.

⁵ Ibid., pp. 103 sq.

which reason the summons stated that he had to fear no violence or injustice.

Before he started on his journey, Luther forwarded the printed commencement of his explanation of the Magnificat to the future Elector, Duke John Frederick, who was very favorably inclined towards him, and to whom he had dedicated this work. He also wrote an exhortation to Wenceslaus Link on the completion of the latter's violent diatribe against the Italian Dominican, Ambrosius Catharinus, who had vigorously attacked him. Then, clad in the habit of his Order, and firmly resolved not to recant, Luther confidently set out, on April 2, on his famous visit to the city of Worms.

His adherents saw to it that a welcome was extended to him everywhere. His journey almost assumed the proportions of a triumphal procession. At Erfurt he preached to a great concourse of people on his newly discovered way of salvation. "What matters it," he exclaimed, "if we commit a fresh sin, so long as we do not despair, but remember that Thou, O God, still livest. Christ, my Lord, has destroyed sin; then at once the sin is gone."⁶ When, owing to the over-crowded condition of the church, the galleries cracked and a panic ensued, he forthwith adjured Satan and blamed his spite for the disturbance. A chronicler ascribes the restoration of quiet to Luther's powerful command to the devil and says it was the "first miracle" performed by the man of God. During his sermon at Gotha, the devil cast stones from the gable of the church. According to a letter to Spalatin, written in Frankfort, Luther likewise attributed to the devil a severe illness from which he suffered and which seemed to threaten the continuation of his journey. What was more serious, however, was the news which reached him on the way of an edict which the Emperor had issued concerning his books, that they were to be delivered up to the authorities everywhere. This made Luther realize that the Emperor was resolved on intervention. He said later that this realization caused him to tremble with fear. From Oppenheim he addressed a letter to Spalatin, who had cautioned him; he said he would go to Worms, even if the devils were as numerous in that town as the tiles on the roofs.⁷ At that time he also wrote: "We shall enter

⁶ Grisar, *Luther*, Vol. II, p. 339; Vol. III, p. 180. Cf. the section on Luther's journey to Worms and his appearance at the imperial diet, *ibid.*, I, pp. 379 sqq., and Köstlin-Kawerau, I, p. 407.

⁷ *Briefwechsel*, III, p. 120.

Worms in spite of all the gates of hell and all the powers of the air."⁸ In a tavern at Frankfort he was in such high spirits that he played the lute in the presence of many guests. His opponent Cochlaeus afterwards ridiculed this incident and said that here one had an occasion to see Orpheus perform in cowl and tonsure.

At Worms there was a party, centered around the Emperor's confessor, a Franciscan friar by name of John Glapion, who veered to and fro between the papal nuncio and the declared friends of Luther relative to the latter's trial. Glapion wanted Luther to appear before him at the castle of Ebernburg, instead of the diet in Worms. Luther's friend Bucer was instructed to try to induce him at Oppenheim to acquiesce in this proposal. Luther, however, refused to abandon his journey to Worms, particularly since he had been apprised of the plot which the revolutionary knights had formed against Worms and the diet in the extreme case that violence should be offered to his person.

In the forenoon of April 16, the flourish of the watchman's trumpet on the spire of the cathedral announced to the inhabitants of Worms that Luther was entering the city. He was accompanied by an honorary escort of about one hundred knights. A large multitude soon gathered about him. He rode to the residence of the Knights of St. John, where he took up his abode. After he had alighted, he "gazed about with the eyes of a demon," as Aleander says (who, however, never saw him and declined to attend the sessions).⁹ "God will be with me," he said. Clad in a cowl, with a leather girdle, and a scanty tonsure about his brow, he exhibited a wretched figure, emaciated as he was by fatiguing labors and the stress of uninterrupted excitement. But his eyes beamed with a brilliant, deeply glowing, and defiant lustre. A faithful representation of his appearance in 1521 is supplied by Lucas Cranach's etching which forms the frontispiece of the German edition of his works. The lower jaw, the nape of the neck, the mouth and the eyes conspire to give an impression of defiant self-reliance. It is the best portrait of Luther which we have, all the others being considerably "toned down."

On the following day Luther was escorted by the marshal of the

⁸ Cf. *Briefwechsel*, III, p. 122, annotation, 5, where Spalatin's (German) *Annals* (ed. by Cyprian, 1718, p. 38) are quoted and reference is made to Luther's address to Sturm recorded in the Table Talks, No. 2609 (Weimar ed., III, No. 3357b, p. 285).

⁹ Grisar, *Luther*, Vol. IV, p. 355.

diet and the imperial herald to an assembly of certain members of the diet who had been summoned to meet the Emperor in the bishop's court. The edifice no longer exists. The Wittenberg jurist Schurf accompanied him as his counsel, and, together with the counselors of the Elector of Saxony, assisted him in the preparation of his address. He entered the hall with a forced smile on his countenance, and critically scanned the audience. He was unable, however, to conceal a feeling of depression. He delivered the few brief words that he was allowed to utter, according to a Spanish report, "with great trepidation and little serenity in countenance or gestures." It was not surprising that the gravity of the moment affected even his habitually defiant disposition. The speaker of the assembly, and official of the Archbishop of Treves, the adroit John von Eck (not to be confused with Dr. Eck of Ingolstadt), addressed two questions to him: first, whether he admitted the authorship of the books that had been placed before him; secondly, whether he was prepared to recant. He acknowledged the authorship of the books, after their titles had been read to him. As to the question of recantation, he begged for time to reflect on account of the importance of the matter for his spiritual welfare. He intended to delay matters, but his expectations were disappointed when, after a brief consultation, the Emperor granted him but one day.

After Luther had left, his appearance was being discussed, and the Emperor said: "This fellow will not make a heretic of me." The most diverse opinions were relayed to Aleander in his retirement. He wrote to Rome that some regarded Luther as deluded, others as possessed, and others again as a man filled with a holy spirit.¹⁰

In the evening Luther, assisted by his counsel, carefully prepared a statement which he intended to make the following day. He was "in good spirits" during his intercourse with others.

The decisive session was held in the same court, but in a more spacious hall and in the presence of a larger audience. Luther appeared with an escort of friends who showed a bold front. He himself was noticeably less timid than on the previous day, and exhibited a more deliberate reverence toward the high assembly. The official of the archbishop of Treves addressed words of admonition to him and inquired whether he was prepared to recant. Thereupon Luther,

¹⁰ Brieger, *Aleander und Luther*, pp. 143, 147; Kalkoff, *Die Depeschen Aleanders vom Wormser Reichstag*, 2nd ed., 1897, pp. 167, 171.

in a firm tone, began the oration which has since became so famous. He contended that his writings were partly of a religious character, partly directed against the pope and his adherents, and partly replies to individual opponents which had been forced from him. They contained nothing that was censurable. He entered upon a detailed explanation of his writings against the pope, designedly availing himself of this occasion to complain bitterly against the Roman tyranny "in my Germany," as he put it, "to which I owe my services." He was relying on the temper of the princely audience who, as he well knew, were ill-disposed toward the abuses prevalent at the papal court. He also spoke of the judgments of God which overtook the rulers of the Old Testament who resisted the Word of God. He was not interrupted. After he had ended, Eck called his attention to the fact that his doctrines had long ago been condemned by the Church, that their condemnation had been reaffirmed by the recent proclamation of the pope, and that it was unthinkable that all Christendom had been groping about in darkness up to then. The official concluded his remarks with the demand that Luther should state clearly and unambiguously whether or not he was ready to retract. Luther replied: "If I am not convinced by proofs from Scripture or clear theological reasons, I remain convinced by the passages which I have quoted [in my book] from Scripture, and my conscience is held captive by the Word of God. I cannot and will not retract, for it is neither prudent nor right to go against one's conscience. So help me God, Amen!" These last words did not resound through the hall with tragic solemnity, as Protestant biographers are wont to put it. On the contrary, they were scarcely audible, according to the oldest sources, because of the great uproar and indignation which ensued, and also because of the fact that the audience began to crowd out of the stifling hall, which was illuminated by torch-lights. Nor did Luther's declaration conclude with the celebrated exclamation: "Here I stand. I cannot do otherwise. God help me, Amen." Long ago even Protestant scholars have demonstrated that this sentence is unhistorical. The expression, "So help me God, Amen," was a formula with which it had been customary, since the Middle Ages, to conclude solemn speeches. It was simply a Christian paraphrase of the Latin "*dixi*," I have spoken.¹¹

After a further exchange of words with the official, Luther, ac-

¹¹ Grisar, *Luther*, Vol. II, pp. 65 sq., 75 sq.; *Lutherstudien*, Vol. I, pp. 26; 42.

accompanied by his escort, left the episcopal court. Outside, feeling that he had been victorious, he imitated the lansquenets, when they celebrated a successful surprise-attack, by swinging his arms about in the air and spreading out the fingers of his hands. "I have succeeded," he exclaimed; "I have succeeded!" In the tavern he repeated this demonstration, as he greeted those who awaited him at the bar. During the draughts of merriment, to which they abandoned themselves, no one realized the gravity and responsibility of the situation.

Those who had made preparations for a violent *coup d'état* at Worms were also in the main satisfied. As a result of the ferment among Luther's sympathizers, a placard had been posted at the town-hall during the night, announcing that hostilities had been declared upon the "Romanists," *i. e.*, the loyal adherents of the Church, by four hundred unnamed members of the nobility, who, it was alleged, were prepared to launch an attack with a force of 6000 men. The revolutionary watch-word "Bundschuh," thrice repeated, appeared in place of the signatures. The word referred to the so-called auxiliaries supplied by the peasant estate. It was a custom of the peasants to wear strapped shoes. Referring subsequently to the protectors of Luther who were prepared to do battle in his defense, Thomas Münzer told Luther: "You would have been stabbed to death by the knights, if you had hesitated or recanted." He said this to expose the vain-glory with which Luther was accustomed to boast of his courage at Worms, in the presence of the great men of the empire. That there was danger of the safe-conduct being violated, is a fable of subsequent invention, nourished no doubt by Luther's assertions.¹² The Emperor was determined that the promise should be kept and that the return of the obstinate monk to Wittenberg should be unmolested.

Prior to Luther's departure, several days were consumed in an endeavor to bring him round. It was done at the instigation of the estates who feared unrest in the city and in the empire. Their decisive declaration, issued on the twentieth of April, was to the effect that, if Luther did not yield, they would sustain the Emperor in what-

¹² Cf. Grisar, *Lutherstudien*, I, p. 88. Annotation 63 of the Table Talks, Weimar ed., No. 5432b.

ever measures he might take against the obstinate heretic.¹³ The archbishop of Treves, Richard von Greiffenklau, with the assistance of others vainly endeavored to persuade Luther to modify his stand. Equally fruitless were the efforts of the scholarly and highly respected John Cochlaeus, dean of the chapter-foundation of Our Lady at Frankfort on the Main. He narrates that Luther listened to him with tears in his eyes (which the latter afterwards denied) and appealed to a private revelation which he claimed to have received (*est mihi revelatum*).¹⁴ An offer which Cochlaeus made to dispute with Luther in public before authorized judges, likewise proved futile. Luther's friends within the diet encouraged him. The Elector Frederick alone, true to his usually circumspect and diplomatic habit, held back. Never did he converse personally with his Wittenberg professor, but only through intermediaries. He is reported to have said: "Doctor Martinus is far too bold for me."

Before the termination of the imperial safe-conduct, Frederick excogitated a plan to safeguard his protégé against the dangers likely to result from the imminent declaration of the imperial ban. Luther was initiated in the scheme while yet at Worms. A simulated attack was to be made upon him by the soldiers of the Elector on the homeward journey, and he was to be taken into custody.

Accompanied by his escort, Luther left the city unobserved in a carriage, on April 26. He had received an order not to preach on his journey, but he disregarded it, contending that the Word of God is untrammeled. Having arrived at Friedberg in the Wetterau, he addressed two solemn letters defending himself, one to Charles V, the other to the princes and estates at Worms.¹⁵ These letters were immediately published in order to create sympathy in his behalf. In the first of them, the original of which is now on exhibition in the "Luther-Halle" at Wittenberg, he solemnly appeals to St. Paul and declares that he can no more deviate from the Gospel of Christ than the Apostle, who was ready to anathematize even an angel if he preached another Gospel. It was not the will of God that His Word should be subject to man; in matters pertaining to salvation no one

¹³ Cf. N. Paulus, "Was das Wormser Edikt ungesetzlich?" in the *Histor. Jahrbuch*, 1918-19, pp. 269 sqq.

¹⁴ Grisar, *Luther*, Vol. IV, p. 258; Vol. VI, pp. 143 sq.; *Reichstagsakten* (see note 3 above), p. 630. Luther's denial, *Opp. Lat Var.*, VII, p. 48. The offer of disputation, *Reichstagsakten*, p. 629; cf. *Table Talks*, Weimar ed., No. 5432b.

¹⁵ *Briefwechsel*, III, pp. 129, 135; both letters are dated April 28.

may depend upon a mere mortal. In saying this, he was oblivious of his own claim that he alone was able to interpret the Gospel properly and thus show men the way to salvation. He pretended to forget the fact that, when the Church requires men to rely on her doctrine and her interpretation of Holy Writ, this is no demand of fallible men, but of a supernatural institution established by God, invested with divine authority and protected against error—an institution in which the living Christ continues His operations until the end of time.

He who understands the true character of this divine institution will take no stock in the assertion, current among Protestants, that Luther represented liberty of conscience when he took his "heroic" stand at Worms. For freedom of conscience is not violated by the demand to submit to a divinely appointed teaching authority; on the contrary, conscience is thereby directed to the certain possession of higher truth, to contentment and true happiness. The statement that Luther at Worms struggled for complete liberty of research and autonomy of reason as the domain of future civilization, must be read in the light of his own express declaration in his concluding address that he was bound by the Word of Scripture, hence by the compelling power of revelation—understood, of course, in the sense in which he interpreted it. In brief, the diet of Worms does not mark the birth of intellectual liberty, neither for conservative Protestantism, nor for that Neo-Protestantism which is rapidly developing into infidelity, nor yet for the modern world.¹⁶

The tragic schism, caused by subjectivism in breaking away from the ancient and venerable universal Church, is all that remains of the incident at Worms. But if one were to abstract entirely from the religious aspect of the rupture, the consequences of the so-called declaration of liberty would show that no genuine benefit accrued to Germany, which has been growing weaker and more disunited ever since.

Shortly after Luther's appearance before the diet of Worms, this event was so much exaggerated by his friends, that a great many legends entwined themselves about it. As he set out for home, it was impossible for Luther to foresee the halo with which these days would be surrounded in later years. Among the legends referred to is the alleged text of a prayer which he was said to have recited at

¹⁶ For more details see Grisar, *Lutherstudien*, I, ch. v: "Luther zu Worms, ein Kämpfer für Geistefreiheit?" (pp. 28 sqq.)

Worms. A staff which he had stuck into the ground, in testimony of the truth of his doctrine, was said to have grown into a marvelous tree. George von Frundsberg, the leader of the lansquenets, was said to have declared in the presence of Luther, prior to his appearance before the princes and estates, that God would not abandon the little monk if he were in the right. The nuncio Aleander is quoted as saying: "If the Germans repudiate the rule of Rome, we shall take care that they perish in their own blood amid internecine struggles." Aleander was falsely reputed to have been a baptized Jew, or, as Luther said, an infidel who had lost faith in Christianity. The only true element in the charges made against him is that his past history was not blameless, because he had been infected by the Italian Renaissance, and that he often expressed himself imprudently in his letters and addresses. Of course, in the eyes of the Lutherans, the representatives of the "papistical" party at Worms were all venal scoundrels devoid of character, who condemned Luther contrary to their own convictions and acted only for the sake of papal favor and reward. The Archbishop of Treves is said to have made an attempt to poison Luther at a banquet, and Cochlaeus' offer of disputing with Luther was a ruse for endangering his personal safety. Luther himself contributed his share to these legends. He later on boasted of the ineffable courage with which, alone and forsaken at the diet, he jumped into the very jaws of "Behemoth." He alleged that the Emperor had outlawed him even before his (Luther's) arrival, by revoking his safe-conduct in virtue of the edict condemning his books. He also claimed that the Emperor proceeded against him after his departure by means of a surreptitious and invalid proscription without the sanction of the diet.¹⁷

Apprehensive of the future, Luther left Worms in a carriage, on May 4, accompanied by Amsdorf and a fellow-monk from Möhra; he journeyed in the direction of Gotha, when five mounted horsemen, according to a preconcerted plan, stopped the carriage near Waltershausen, dragged Luther out, placed him on a horse, and, by detours selected for the sake of secrecy, brought him to Wartburg castle, near Eisenach, where they arrived about eleven o'clock at night. Amsdorf, who had been initiated into the affair, was permitted to continue his journey, after he had roundly abused his

¹⁷ On these and other false legends cf. *ibid.* VI: "*Lutherfabeln vom Augsburger Reichstag*" (pp. 36 sqq.)

assailants for the sake of pretense. The monk from Möhra escaped.

The Wartburg was the property of the Elector of Saxony; not wishing to know where Luther was, in order to escape embarrassment, he had permitted his counselors to select the place. For a considerable space of time, Luther disappeared from the scene. His patron could not have resorted to a better expedient to save him.

2. THE SENTENCE OF OUTLAWRY

The imperial councilors, even before the opening of the diet, had taken the point of view that the Emperor, by virtue of his own authority, was empowered to pronounce sentence of outlawry against Luther. The two nuncios demanded that he issue the edict as a sacred duty, since by the terms of his royal oath he was the sworn protector of the Church. The high-chancellor, Gattinara, in opposition to the Saxon Elector, announced that the edict of outlawry should be issued "with the knowledge, but not with the counsel and consent of the princes."¹⁸ On February 19, before Luther arrived in Worms, the diet had left it to the Emperor to proclaim "the proper mandate," *i. e.*, the sentence of outlawry in the event of Luther's refusal to recant. On April 20, as we saw above, the diet expressly renewed its consent to this step. When the Emperor, without necessity, but in a spirit of accommodation, inquired as to the best method of procedure, the estates desired that the mandate be submitted to them, so that "at the request of His Majesty they might indicate their opinion in this matter." But, in matter of fact, the edict was not submitted to the diet, whose members had already begun to scatter. Nor was it necessary to do so. The editor of the recently published *Reichstagsakten* writes: "There can be no doubt that the Emperor was now justified in issuing an edict in his own right, without further consultation of the estates." Moreover, the legitimacy of the imperial edict of outlawry was freely admitted by the estates assembled in 1524 for the diet of Nuremberg, which declared that the edict was issued "with mature deliberation and after the Electors, princes, and other estates had been consulted."¹⁹ Hence, the more recent objection to the legality of the edict of Worms as an imperial measure are unfounded.

¹⁸ Kalkoff, *Luther und die Entscheidungsjahre*, pp. 187 sq.

¹⁹ Cf. Paulus, *l. c.* (note 13 above), for the documentary evidence for all these assertions.

The edict was drawn up under date of May 8, after Luther, whose whereabout was kept secret from everybody, had already spent a number of days at the Wartburg, and after his safe-conduct had expired.

This document was chiefly the work of Aleander, who unfolded therein the whole penal system of the Middle Ages. Since the days when Christianity issued from the catacombs, many changes had taken place in the public relationship between Church and State and modifications had become necessary even in the interest of practicability, if for no other reasons. But the eyes of Aleander, the Italian, only saw the dangers threatened by the negligence of the bishops and the immense growth of the Lutheran movement. For this reason the nuncios, together with other religious-minded people, prevailed upon the young Emperor, who was zealous in his defense of the Church, to invoke the entire legal machinery of the Middle Ages against heresy and the imminent revolt. Nor were the traditional forceful phrases spared which denounced heresy as the greatest of all evils.²⁰

In the introductory part of the edict Charles declared that his imperial office obliged him to protect the Church and that he was in duty bound to heed the Providence which had entrusted him with many countries and with greater authority to promote the welfare of Christianity than was wielded by any of his predecessors. The protection of religion was traditional with his family, through which, on his father's side, he was related to the most Christian emperors and archdukes of Austria and the dukes of Burgundy, and also, on his mother's side, which originated in Spain and Sicily. Hence it was his duty to resist the new heresies, which had originated in hell, after the pope had solemnly condemned them and excommunicated the man who propagated them. In vain had Luther been urged to abandon them at Worms.

The edict goes on to enumerate the errors of the heretic and recalls his very words that, if Hus, who had been burned at the stake, was a heretic, he himself (Luther) was a ten times greater heretic than Hus. In addition, it says, Luther destroys obedience to authority and publishes writings which serve but to foment revolt, schism, and bloody dissensions. He proclaims a brand of Christian liberty destructive of all law, the liberty of irrational beasts. The document styles him a devil in human form and says, if Germany and other countries are not to perish, it is the Emperor's duty to enforce,

²⁰ Text of the Edict in the *Reichstagsakten*, ed. by Wrede, II, pp. 640 sqq.

without delay or mitigation, "the laudable constitutions of the Christian Roman emperors, which they promulgated for the punishment and extermination of heretics." Therefore, Luther is declared outlawed for the whole extent of the empire, "with the unanimous consent and will," as the document has it, of the Electors, princes, and estates of the diet of Worms. Consequently, no one was allowed henceforth to provide him with shelter, food, drink, etc.; on the contrary, he is to be apprehended wherever he may be found and surrendered to the imperial authorities. Those who disobey the edict incur the penalties of high treason and will themselves be treated as outlaws, liable to the forfeiture of all royal prerogatives, feudal tenures, favors, and liberties which they received from the emperor and the empire. The protectors and adherents of the heretic are to be apprehended, and their property is to be given to those who proceed against them, to be used for their own benefit.

All the literary productions of Luther, even if they incidentally contain some good things, are to be burnt and shunned like poison. The plague of anti-religious books, pamphlets, pictures, etc., composed by others, as well as all libels against the pope, prelates, princes, universities, etc., are to be exterminated. Books which in any manner touch on matters of faith may be printed only after they have been submitted to the censorship of a bishop or of the nearest theological faculty. All other literary productions require the episcopal approbation.

The strict ordinance concerning publications was intended to check an evil which had assumed boundless proportions. The edict was in strict accord with the severe prescriptions of Leo X and the Fifth Lateran Council (1515) regarding preventive censorship.²¹ The new invention of the "right noble art of printing," as it is styled in the Emperor's edict, had degenerated in virtue of a deluge of writings and pamphlets which disseminated errors, fostered agitation, and preached ecclesiastical and social revolution. Regardless of consequences, wood-cuts were used to heap mockery upon the hierarchy as well as the rulers who did not sufficiently comply with the desires of the nobility or the oppressed peasantry. Luther, by his polemical tracts against the Church, had, from the beginning of his career, set the example of evading the existing censorship laws. During the diet of Worms quite a number of publications appeared in favor of the new doctrines. Aleander complained that his character was subject to defamation by publications and pictures in the city of the high assembly. At the time when Luther himself was

²¹ Pastor, *History of the Popes*, tr. by R. Kerr, Vol. VIII, 2nd ed., 1923, pp. 397 sq.

condemned, and even prior to his condemnation, there were circulated at Worms and in other places in the empire, pictorial representations of him with the dove, the symbol of the Holy Ghost, hovering above his head. Other pictures represented him with a halo. A booklet on the Passion of Martinus, patterned after the Gospel narrative of the Passion of Christ, was published, in which he was glorified as a persecuted hero.

When the report of the edict of outlawry reached Luther at the Castle of Wartburg, he wrote to Amsdorf:²² "A cruel edict has gone forth against me, but God will laugh at them" (Ps. xxxvi, 13). Spalatin he informed²³ that he was aggrieved at this procedure, not for his own sake, but because his opponents thereby heaped disaster upon their heads and the time of their punishment was evidently at hand. He adds in reference to his opponent, Duke George of Saxony, a man distinguished by the traits of a noble character: "Would that this swine of Dresden were found worthy to kill me during a public sermon! If it pleased God, I should suffer for the sake of His Word. The will of the Lord be done."

In these first letters he also rejoices in the unchained power of the masses (*moles vulgi imminentis*), who were, he said, preparing terror for the authors of the edict and all his persecutors; it is evident, he adds, that the people are unwilling and unable to tolerate any longer the yoke of the pope and the papists.

Rendered confident by these phenomena, he continues to indulge his scornful denunciation of the edict: "Swine and asses are able to see how stubbornly they act. . . . What if my death should prove a disaster to you all? God is not to be trifled with." Thus he exclaims a few years later, when, to show his contempt, he incorporates the entire lengthy document in his work *Zwei kaiserliche uneinige Gebote* (Two Discordant Imperial Commandments; 1524), and accompanies them with biting comments.²⁴ In a frenzy of higher inspiration he advises that "everyone who believes in the existence of God keep away from the commandments (of the imperial proclamation)." "If they kill me, there will be such a slaughter as neither they nor their children will be able to overcome."

²² *Briefwechsel*, III, p. 151; May 12.

²³ *Ibid.*, p. 153; same day.

²⁴ *Werke*, Weimar ed., XV, pp. 254 sqq.