



Social Reform and the Reformation
by
Jacob Salwyn Schapiro.

A 20

Introduction p. 15

The fundamental event in the history of Europe during the sixteenth century was the partial collapse of the Mediaeval Church. The Church was the only feudalized institution which emerged triumphant from the general breakdown of feudalism in the fourteenth and fifteenth centuries. In spite of the Great Schism resulting in a loss of papal prestige in temporal matters, the vitality of the Church remained unimpaired. At the beginning of the sixteenth century it still exercised almost as much secular power as it did in the thirteenth. The priest continued to direct, judge, legislate, collect taxes, and at times, to lead in battle. The Curia Romana was still the supreme court of Europe, whose decisions few dared dispute. The pope was still recognized as the supreme head of Christendom, and his decrees both secular and religious were everywhere implicitly obeyed.

p. 20

The economic revolution of the sixteenth century was not industrial but commercial. The rapid expansion of trade from the petty inter-town business of the Middle Ages to the world commerce of the sixteenth century, resulting in the creation of a world market, was caused mainly by a change of trade routes due to the voyages and discoveries of the Portugese navigators like Bartholomew Diaz and Vasco da Gama. The result of finding an all-water route to India was the shifting of trade from the Mediterranean to the Atlantic. The geographic position



of Germany in the middle of Europe had proved exceedingly advantageous as it made her the center of a great international commerce with Italy on one side and with the Hanseatic towns on the other. But the new world-commerce was inevitably bound to cause great changes in German trade and markets.

P. 31/32

The end of the fifteenth century witnessed Germany's high-noon of prosperity. Old and insignificant towns like Augsburg, Nuremberg and Ulm blossomed forth into wealthy and populous cities. The great merchants vied with princes and kings in magnificence and luxury. Their gardens, palaces and entertainments were the envy of the poorer nobility. Aeneas Sylvius, writing in 1458 says: "We proclaim it aloud, Germany has never been richer or more prosperous than today. She takes the lead of all other nations in wealth and power. One can say truly that God has favored this land above all others. On all sides are seen cultivated farms, cornfields and vineyards and gardens. Everywhere are great buildings, walled cities and well-to-do farmers."¹ Jacob Wimpheling, the famous humanist, declared fifty years later that "Germany was never more prosperous than today, and she owes it chiefly to the untiring industry and energy of her people, artisans as well as merchants. The peasants too are rich and prosperous."² The desire for wealth became the all-absorbing passion, and we find the popular preacher Martin Butzer denouncing the materialistic spirit of the time. "All the world," he says, "is running after those trades and occupations that will bring the most gain. The study of the arts and sciences is set aside for the basest kind of manual work. All the clever heads, which have been endowed by God with capacity for the nobler studies are engrossed by commerce, which

~~nowadays~~ ¹ Janssen, 1, p. 436 ² Ibid., 1, p. 436



-3-

nowadays is so saturated with dishonesty that it is the last sort¹ of business an honorable man ought to engage in."

p. 25

Luther complains in his pamphlet "On Trade and Usury", printed in 1524:

The monopolists succeed in driving out the small merchants by buying up large quantities of goods, and then suddenly raise the prices when they are left masters of the field. So, these monopolists, have everything in their hands and do whatever they wish, raise and lower prices at will and oppress and ruin small dealers, just as a great pike swallows up a lot of little fishes. They have become lords over God's creatures and free from all bonds of religion and humanity..
...If monopolies are permitted to exist, then justice and righteous-²ness must vanish.

¹ Janssen, II, p. 456

² Luther, Werke (Weimar) pp. 312-313



p. 27

The Eastern trade gave the first impulse to monopoly because of the comparative ease in controlling the ~~market~~ supply. But soon domestic goods, too, fell under the control of the companies. The companies were able to force down the buying price by being in a position to purchase vast quantities of commodities at one time. Taking advantage of having ready money, they would buy up fields of crops in the stalk at low prices by advancing money to the peasants. Through their completely developed and widespread organization, the companies were always well-informed on the state of the market. Through their agents they were informed when and where there was a bad crop and took advantage of this information to advance prices.

p. 28

The report of the "Committee on Monopolies" appointed by the Diet of Nuremberg in 1523 accuses the companies of making a secret agreement with the king of Portugal to give them rebates in order to enable them to control the market and raise prices; No matter how high the prices are which the king of Portugal asks of the companies, it pays both them and him, for it is agreed that the king shall sell to no other merchant except for a still higher price. For example, he gets from 18 to 20 ducats for a cwt. of pepper on condition that he charge others 24 ducats a cwt. Such methods cause a general rise of prices of all spices. The companies do not raise prices on all things at one time, but one year one article, next year another article, etc.; now it is the price of saffron that goes up, now of cloves, then of pepper, etc. By such methods they avoid arousing suspicion.



-4-

p. 29-30

The existence of monopolies was not the only cause for the phenomenal rise of prices during the years 1500-1525. Other causes operated as well, such as the increase in demand due to the growth of prosperity, the decrease for a time in the supply from Venice owing to the war in which the latter was engaged with the League of Cambray, and more particularly to the increased supply of precious metals which swelled the volume of currency in circulation. The yearly output of the silver and copper mines of Germany and Hungary increased enormously. Moreover a new source of supply was opened in America which was later to become the main reliance of the Old World. The silver mines of Mexico were beginning to be worked by the Spaniards and the ore shipped to Europe.

Nevertheless there was a general belief that monopoly was solely responsible for the prevailing high prices. This was voiced by Luther in his treatise, On Trade and Usury, issued in 1524. Here we read; The merchants complain of robber-nobles, who attack, rob and imprison them. If these merchants suffer because of their righteousness they are indeed saints....yet great evil and unchristian robbery results throughout the world because of the activity of the merchants. It is no wonder then that God punishes them; as what they gain by robbery they lose through robbery.

p. 32

Luther's general conception of business smacked of the »
His suspicious attitude toward capital led him to regard interest
in the light of usury, particularly when he saw fortunes made *quod*



-5-

without any visible labor at the plow or loom. "How can it be possible", he exclaims, "that anyone can through righteous methods in a short time become richer than kings and emperors! Is it any wonder that the monopolists are becoming kings and we beggars!"

p. 38

The report goes on to prove that very often the companies help out the small merchants, through credit and loans and so enable them to rise in business and become rich. "How then can one say that the rich trample down the poor when they actually save them from their own incompetence or misfortunes?" In answer to the charge of corruption the report declares that there are a few bad companies who adulterate their wares and monopolize certain articles; but why, because of these exceptions, should the business interests of Germany be attacked? It closes with a threat that if action is taken against them the trading companies will leave Germany.

p. 39

The agitation against monopoly, ostensibly in the interest of the "common man," was really in the interest of the small dealer who had just enough influence to make his complaint heard but not enough to compel effective action. Shut out from the Portuguese market, he was forced to buy his wares from the very companies who were driving him out of business.



p. 41/42

The essential political phenomenon of Germany in the fifteenth and sixteenth centuries was a tendency towards princely centralisation, at the expense of the empire on the one hand and of the lower nobility on the other. Great princes, like the elector of Saxony, the margrave of Brandenburg, the dukes of Bavaria and Württemberg and the archbishop of Cologne, had risen to a height of power that made them practically the heads of independent states. The development of the absolutism of the princes, vassals of the emperor, was along the line of least resistance, as the princely states were vital political organisms, whereas the empire was but a shadow. The knights, impoverished by high prices and the fall of land values, their fighting status made lower by gunpowder, rose in rebellion under the gallant Franz von Sickingen. But all in vain. The revolt was sternly suppressed by the archbishop of Treves, and the importance of the knights, the most romantic figures of the Middle Ages, was gone never to return.

The princes counted on the assistance of the Roman jurists to legitimize what they had accomplished by force. The Roman lawyers freely applied the familiar dictum of Roman law, "quod principi placuit, legis habet vigorem," in upholding their patrons in legal contentions. Jacob Wimpfeling complains that "according to the abominable axioms of the jurists the princes must be everything in the land and the people nothing. The people are of use only to obey, to serve and to pay taxes." Moreover the spirit of German law differed widely from that of the Roman. German law took into consideration the class, calling and condition of the litigants, and contained special provisions to suit each. The Roman legal system, on the contrary, recognized but one master, the prince; one servant



-7-

the subjects; and one law for all, high or low, rich or poor.

p. 43

The new study received hearty encouragement at the hands of the emperors, particularly Frederick I and II, because it favored their claims as against those of the popes with whom they were then struggling; but it was not till the middle of the fifteenth century that it was introduced into German universities. Here it made rapid progress, doubling and tripling each year the number of its students and professors.

p.45

The introduction into the town courts of this commanding code was even more quickly accomplished. The method generally followed was to appoint a jurist called a Stadtschreiber whose function it was to sit and advise with the judges. By the end of the fifteenth century nearly every city in Germany had such an officer. These men, merely advisors at first, because of their superior abilities powerfully influenced the procedure of the courts in the direction of Roman principles. Finally the Stadtschreiber absorbed the powers of the court and became the sole judge.

p47-48

Roman law was appropriate to an economic system based on a few great land-owners and a horde of slaves and dependents. Its ideal was that every individual was to seek his own advantage protected by the power of the state. The German law on the contrary was tinctured with the communal ethics and emphasized the welfare of the group as against that of the individual. The holding of common



-8-

lands, so fully recognized by German customs, was an example of their spirit of neighborliness. The new jurisprudence had the effect of undermining the personal status of the German peasant. Roman law did not recognize the various gradations of personally free peasants varying from those with very few dues and services to others with very many, the amount, however, in most cases being definite and limited. It included only gradations of the personally unfree, - the colonus or serf and the servus or slave. The tendency, already strong, to reduce a comparatively free and prosperous peasantry to a state of hopeless serfdom by increasing dues and services, confiscating common lands and enforcing severe game laws, received a fresh impetus through the introduction of this ancient ideal. The jurists were of great service to the lords in getting up legal quibbles to despoil the peasant of his rights.

p. 52/53

In spite of denunciation, protests of diets, promises by princes, the jurists continued to find lucrative employment. Their services were too valuable to those in power to cause a really serious effort to be made to oust them. Roman law continued to develop in Germany undisturbed, and by the end of the sixteenth century the old German law had practically disappeared. It had been either discarded or absorbed by the foreign code.



p.54-55

Notwithstanding these evidences of prosperity, the condition of the peasantry was rapidly deteriorating. At the beginning of the sixteenth century very few indeed were independent proprietors of the land they cultivated, with representation in the local diets, which in the Middle Ages was a sign of class independence and equality. These conditions existed only in the Tyrol and Friesland. The vast majority were Hörige, a class personally free but whose land was subject to dues, the individuals being liable to services according to agreement, Pachtzins. This agreement might be perpetual, Erbpacht, or for a definite period of time, Zeitpacht. Their lord might be a prince, count knight, bishop, abbot or city. Within this class of Hörige there was great variation; from the type that merely paid yearly ground rent to those who were so overloaded with dues and services that their condition bordered on serfdom. The lowest class of peasants were the unfree, the serfs or Leibeigene, whose condition differed from the Hörige, not necessarily in the amount of dues and services, but in the fact that these were unlimited and indefinite. The lord could demand from the Leibeigener all his labor and everything he produced, though in many places local customs imposed certain limitations. Compared to the number of Hörige, the unfree peasants were very few and they lived mainly in Pomerania.

It was the Hörige who were the backbone of all the agrarian uprisings. This middle-class peasant, living in a semi-independent community near the estate of the lord, became aware that the increase of dues and services was transforming him into a state



-10-

of practical serfdom, and the village common into a part of the lord's manor.

p.59

The lower aristocracy had also been profoundly affected by the political and economic changes in the sixteenth century. The growing importance of trade caused a shifting of values from land to commerce. The knight found himself growing impoverished and isolated. The continuous division of estates through the sharing of inheritance by all the children, had reduced the size of his holdings. Gunpowder had deprived him of military importance and the rapid growth of the power of the great princes was undermining his independent political position. The magnificence and luxury of the great merchants of the cities excited his envy and his emulation. The demands of his position could be satisfied only in one way; namely by getting more and more out of the peasants. The latter everywhere bitterly complained of continual increases in dues and services.

p.60

There was thus a well defined tendency for the free peasant to fall into a condition of helplessness, subject to arbitrary and indefinite demands. He was becoming merely the occupier of a transferable and alienable piece of land, in short, a kind of colonus, like that of ancient Rome, or even a servus. It was a common saying that the Freier was becoming a Höriger and the Höriger a Leibeigener. Perhaps the most insidious attack upon peasant independence was the overreaching desire on the part of the lords to seize the common



-11-

lands. Each village community had a common district or mark, called *allgemeine*, *allmeine* or *almende*, which consisted of forest, meadow and heath. Every permanent free inhabitant of the village had the right to pasture his animals there and gather wood from the forest. In the middle of the fifteenth century the lords began persistently to encroach upon the common lands by setting up regulations limiting their use by the peasants, by reviving old feudal rights or by simply using force. In 1503.....

p. 61

When a dispute over the use of forest, meadow or stream between the peasants and their lord came before the Roman jurist, the decision was invariably given in favor of the lord, as Roman law recognized the principle of private property exclusively. The idea of communal holding, so ingrained in the life of the German peasantry during the Middle Ages, was entirely foreign, both in spirit and in letter, to the Roman law.

p. 64

The harder became his lot the more was the peasant idealized. He was often extolled in the popular literature of the day as the honest toiler, on whose labor all the other classes depended; as the exemplar of homely, honest, simple Christian virtues, God's truest nobleman. The halo of "honest toil" that never fails to encircle the head of the down-trodden was already his. The collection of the dues and services by the lord was exploitation pure and simple, as he contributed nothing towards its production,



-12-

either as manager or capitalist. He simply took what the peasant produced, in order to be able to fight, feast and play. The protection that the lord formerly gave him in return for all this was no longer needed in the sixteenth century when strong governments had been established throughout the empire. The German peasant of 1525, like the French peasant of 1789, "no longer looked up to his lord as his ruler and protector, but viewed him as a sort of legalized robber who demanded a share of his precious harvest, whose officers awaited the farmer at the crossing of the river to claim a toll, who would not let him sell his produce when he wished, or permit him to protect his fields from the ravages of the pigeons which it pleased the lord to keep."

P.70

In the cities, meanwhile, an internal struggle was going on. Encouraged by the success of the common man in the country, the town proletariat began to rise and demand a share in the government. Often there was cooperation between the peasants outside and the lower classes inside the cities. In Rothenburg-on-the-Tauber, the populace rose under the leadership of a blind monk named Hans Schmidt. The houses of the Teutonic knights were attacked and plundered. The ruling patriciate was ousted from power and the city government re-organized on a communistic basis. "There is great division in the towns," wrote the Bavarian Chancellor Eck, "those among the Lutherans that are poor take the side of the peasants; the non-Catholics and the wealthy Lutherans are opposed to the peasants."



-13-

p. 74

In a widely circulated pamphlet entitled *On Secular Authority and How Far it Should be Obeyed*, issued in 1523, Luther indulged in severe denunciation of princes in general. "One should know," he declares, that from the beginning of the world a clever prince has been a *rara avis*, and that a pious one has been still rarer. Princes are usually either the greatest fools or the greatest scoundrels in the world; hence little good may be expected of them particularly in ^{religious} matters Name a prince who is clever, pious and godly and what a marvel of God's kindness he appears to the people of the land! It had come to such a pass that there are few princes who are not considered fools or knaves. . . . We may not, we will not, we cannot any longer tolerate their tyranny and wickedness. . . . It is no longer to be borne, as formerly, when they drove the people about like wild beasts. Princes! Cease your wickedness; consider what is right and allow God's Word to have its way for it will have it despite yourselves. . . . A prince should not say to himself "the land and its people are mine, therefore will I do what I wish with them." He should say "I will do what is right and useful." When a prince is a fool or a knave the whole country suffers.

The insincerity and selfishness of princes aroused Luther's biting satire. "If these princes," he exclaimed, "had a city or a castle taken away from them by the emperor how quickly they would rise in revolt! Yet they consider it perfectly proper to oppress the poor and put down rebellions and then say that it is by the command of the emperor. Formerly such men were called rogues, now we call them God-fearing princes."



-14-

What had inspired this attack was evidently a hostile attitude on the part of some of the princes toward Luther's preaching.

p. 78

Melanchthon, the bosom friend of Luther, in a letter to the Elector Palatine Ludwig, expresses the attitude of the Protestant reformers toward government even more forcibly:

For the sake of peace a Christian should be law-abiding, whatever the law may be; indeed, discontent hurts the soul's welfare. If serfdom exists, it should be left alone for the sake of peace. The Gospel does not require a change in the serf's condition, but it does require obedience to the government....Whatever good is done to the government is done to God, and he who cheerfully bears burdens and taxes most truly serves God.

He goes on to say that to rebel against princes is to rebel against God; and even if a prince is a tyrant it is wrong to revolt against him as God does not desire revolution. A Christian should bear injustice patiently.

p. 80

"Changing or bettering conditions," he declared, "are as far apart as Heaven and Earth. A change is easy enough to bring about, but to reform is dubious and dangerous, as it is not in our power but in God's to cause improvement." He had a hearty contempt for the mass of people whom he called Herr Omnes. Nothing was as repugnant to him as the idea that the lower classes should have something to say in the direction of human affairs. "God would prefer," he declared in a sermon of 1528 "to suffer the government to exist no matter how evil rather than allow the rabble



-15-

te riot no matter how justified they are in doing so..... When Herr Omnes seizes the sword under the impression that he is doing right, then evil begins. A prince should remain a prince no matter how tyrannical he may be. He beheads necessarily only a few, since he must have subjects in order to be a ruler." Yet to the common man of Germany Luther at first appeared as a champion against oppression. His attack upon the churchmen, who were regarded as exploiters by the masses, was hailed with enthusiasm everywhere. The peasants, particularly, seemed to see in the bold monk the very man who voiced their wrongs. Hence it was to him that they came for advice and sympathy. They sent him a copy of "The Twelve Articles" and asked his opinion of their demands. In reply, Luther issued a long statement in which he discussed not only "The Twelve Articles" but government and reform in general. This pamphlet, called An Exhortation to Peace, was printed in April, 1525. He begins with a warning to the princes to cease their tyranny and stop persecuting the Gospel; else they must face God's retribution, now visible in the rioting of the peasants, at present only a spark, but which might yet ignite all Germany. He then addresses himself to the peasants and declares that he considers some of their articles just and reasonable; but, quoting the Bible, "For they that take the sword shall perish by the sword," Luther asserts emphatically: No one should willfully resist authority, as St. Paul says - "Let every soul be subject unto the higher powers with fear and awe."....You say that the government is wicked and unbearable and destroys us body and soul. My answer is that even if princes are wicked and unjust it does not excuse rebellion....The



-16-

natural universal law is that no man should be his own judge.... hence rebellion is not only against the Gospel but also against natural law and justice....Can you not see that if your ideas were to prevail, every man would become the judge of his fellow? This would result in anarchy, injustice and bloodshed. If this sort of thing is not to be tolerated from one person, it certainly cannot be from many, which is riot; hence both individual and mob violence is wrong. The heathen and Turks obey this divine and natural law, and if you disobey it you are worse than they, though you call yourselves Christians. What would Christ say to your calling yourselves a Christian assembly (which you are far from being) and disobeying His commands? ...Be obedient not only to good rulers but to wicked ones. For weal or for woe, you must bear your lot in patience, for God is just and will not let you suffer long. Take care that you do not jump from the frying pan into the fire; that in trying to get bodily freedom you do not lose forever your lives, property and souls. God's anger is aroused. So Beware! ...You are proud of the name Christian, then listen to what Christ says - "Resist not evil." How do your ideas agree with this saying? ...Renounce then the name Christian and call yourselves by another, or else Christ himself will tear it from you...God said (Psalm 49) "Call upon me in thy need and I rid of misfortune and evil; namely, to suffer in patience and call upon God for help. Because you do not do this and depend upon your own strength, thence comes it that God does not help you.



-17-

p.84-85

In May, 1525, he issued a pamphlet called "Against the Thieving and Murderous Bands of Peasants, which, for violence and brutality, is unmatched even in Luther's writings. This may be partly explained by his jealousy of Carlstadt and Münzer, whom he hated as rivals and opponents, and who were now the recognized leaders of the common people. Luther had come to regard himself as a prophet of God whose advice was the command of the Almighty Himself. And who is so apt to become enraged as a prophet flouted? He begins by saying that in his answer to the Twelve Articles he had been mild towards the peasants, who were ungrateful enough to refuse his teachings and to begin robbing and rioting like mad dogs. Their professed belief in the Gospel is only a pretext for bloodshed. It then becomes his duty to write differently concerning such miserable wretches and lay their sins before them. The peasants have burdened themselves with three kinds of awful sins against both God and man, for which they deserve death of body and soul. First, they had sworn to be loyal and obedient to their most gracious rulers, according to God's commands. As they have deliberately broken their allegiance, therefore have they forfeited their bodies and souls like perjured, scoundrelly wretches....Sooner or later they will incur the anger of God, who desires that we should be loyal and dutiful. Secondly, they rob and destroy monasteries and castles for which, like other highwaymen and murderers, they deserve the two-fold death of body and soul. He who slays a rioter, condemned alike by the laws of God and the emperor, does what is right. Anybody may be both judge and executioner of a rioter, just as he who first



-18-

puts out a fire is considered the best man. Rebellion is not merely wicked murder but a sort of general conflagration, which devastates the land, brings blood-shed and creates widows and orphans. Therefore, whoever can, should smite, strangle or stab, secretly or publicly.

p. 88

Luther's rejection of social reform was in harmony with the fundamental Christian idea, Protestant as well as Catholic, that man's salvation is independent of his environment. It is not the business of a Christian to better the condition of the world or himself. God's kingdom upon earth does not mean comfort and equality but the reign of personal righteousness. In fact, disadvantageous social conditions are not conceived of in Christian philosophy as a bar but as a spur to a nobler life. It seems perfectly natural and reasonable that Luther should have eyed with suspicion any scheme of social reform that was associated with his movement.