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# From the Interim of Augsburg until the Treaty of Augsburg (1548–1555)

Although the time span in this chapter only consists of a brief eight-year period between 1548 and 1555, this represented an important historical moment in which Europe underwent a significant transformation. In 1548, Emperor Charles V felt confident enough to force an *Interim* upon the Diet of the Holy Roman Empire, the traditional assembly of estates then gathered in Augsburg. With this temporary arrangement, as its name implied, the Emperor made provisions for the full Catholic reconversion of the Empire and the reform of the Church, while he also tried to satisfy the Lutheran party in an effort to restore peace and order after the religious turmoil of the preceding years. As such, the *Interim* was only to last "until the Church would be united again." During this Augsburg Diet of 1548, Charles V certainly acted proactively, encouraged by his victory in Mühlberg over the Protestant Schmalkaldic League on April 24, 1547, a moment famously captured in Titian's equestrian portrait of the Emperor. Some biographers have therefore seen in the *Interim* a very personal and zealous document, a testimony to the *Religionspolitik* of the triumphant Emperor, while others have claimed that it was nothing more than a Pyrrhic victory.[1]

When the same Diet met in the same city of Augsburg eight years later in 1555, a depressed Charles V remained in Brussels, where he decided that he would rather abdicate than sign off on the further concessions that his brother was then negotiating with the Protestant party. Unfortunately for the Emperor, though, the messenger announcing this decision arrived at the Diet too late; this made the arrangement agreed upon at Augsburg the last government act issued under Charles' name.[2] Much to his disgust, the Religious Peace of Augsburg – as the Diet's final settlement came to be called – attributed the *jus reformandi* to territorial and municipal authorities in the Empire, sanctioning the legal coexistence of Catholicism and Lutheranism without imposing a clear temporal limitation. According to the standard historiographical narrative, imposed by Karl Brandi, Charles' most influential biographer, the ceremonial abdication of the disheartened Emperor in Brussels in October 1555 – and his subsequent monastic-like seclusion in Yuste – served as a dramatic climax

**1** Heinz Schilling, "The Struggle for the Integrity and Unity of Christendom," in *Charles V and His Time: 1500–1558,* ed. Hugo Soly (Antwerp: Mercatorfonds, 1999), 285–365; Wolfgang Reinhard, "Die kirchenpolitischen Vorstellungen Kaiser Karls V. Ihre Grundlagen und ihr Wandel," in *Confessio Augustana und Confutatio. Der Augsburger Reichtstag von 1530 und die Einheit der Kirche*, ed. Erwin Iserloh, Reformationsgeschichtliche Studien und Texte 118 (Münster: Aschendorff, 1980), 62–100.
**2** Violet Soen, "Charles V," in *Luther in Context,* ed. David Whitford (Cambridge: Cambridge University Press, 2018, forthcoming).

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to his lifelong rivalry with Luther and his supporters.[3] Rather than adding this drama to the events, this chapter aims to illustrate how the short-term changes in imperial politics between 1548 and 1555 induced long-term consequences for the reconfiguration of the religious and political map of both Europe and the New World during the early modern era. Even if the legal permission to practice Protestantism came in 1555 with a variety of restrictive conditions and contradictory clauses, it was the first time that the unity of faith no longer figured as a requirement for peace and order.[4]

## 1 Heresy Edicts or Interim?

In sixteenth-century Germany, rather than the Pope, the Holy Roman Emperor Charles V was the ruler endowed with the responsibility of *causa fidei*, with his brother Ferdinand serving as deputy for German affairs and, from 1531 onward, as king of the Romans (a title that signified an elected heir-apparent to the imperial crown). More crucially, though, due to the Holy Roman Empire's government structure, the Diet, the assembly of estates that included its electors (*Kurfürsten*), princes (*Reichsfürsten*), and imperial cities (*Reichsstädte*), had an integral voice in religious affairs, as well. The highly complex machinery of government, which both the Diet and the Emperor had long hoped to reform as part of a general *Reichsreform*, turned Germany into a fertile ground for ever-changing coalitions, especially in the religious sphere.[5] While the Reformation added another rift in the old, disjointed political system, it also depended on it for its success: starting in 1521, the unusually frequent Diets debated henceforth on how to best deal with the growing religious division within the Empire between the defenders of the Catholic "Old" Church and those supporting the new Protestant teachings, equating the *causa fidei* with the *causa Lutheri* until 1555.[6]

The stage for this conflict had been set at the ominous Diet at Worms from January to May 1521, when the newly elected Emperor condemned Luther and his followers by endorsing Pope Leo X's official verdict that his teachings represented heresy in the bull *Exsurge Domine* (June 1520) and supporting his excommunication, as issued

**3** This narrative is still influenced by the most classic biographer of the Emperor, Karl Brandi, *Kaiser Karl V. Werden und Schicksal einer Persönlichkeit und eines Weltreiches*, vol. 1 (München: Societaets Verlag, 1937); Brandi, *Quellen und Erörterungen*, vol. 2 (München: Societaets Verlag, 1941). In this respect, see also his pivotal article: Brandi, "Passauer Vertrag und Augsburger Religionsfriede," *Historische Zeitschrift* 95 (1905): 206–64.

**4** Thomas Brady, "Settlements: The Holy Roman Empire," in *Handbook of European History, 1400–1600. Late Middle Ages, Renaissance, and Reformation,* eds. Thomas Brady, Heiko Oberman, and James Tracy (Leiden: Brill, 1995), 2:349–83; C. Scott Dixon, "Charles V and the Historians: Some Recent German Works on the Emperor and his Reign," *German History* 21 (2003): 104–24.

**5** Heinrich Lutz, *Das Ringen um Deutsche Einheit und kirchliche Erneuerung. Von Maximilan I. bis zum Westfälischen Frieden 1490 bis 1648* (Frankfurt: Ullstein, 1987).

**6** Peter Fabisch and Erwin Iserloh, eds., *Dokumente zur Causa Lutheri (1517–1521)*, 2 vols. (Münster: Aschendorff, 1991).

in the bull *Decet Romanum Pontificem* (January 1521).[7] As a result, the Edict of Worms inaugurated a series of formal anti-heresy edicts within the Empire, which Charles would implement even more strictly in "his" Low Countries under direct Habsburg rule.[8] Even so, the Diet of Speyer in 1526 passed provisions that relaxed the repressive measures of confiscation and capital punishment, as proscribed in the Wormser Edict, and that tended to no longer consider Lutherans as "heretics." Importantly, this was not only a temporary measure inspired by the violent unrest that occurred during the *Bauernkrieg* (the Peasants' Revolt), but it also represented a significant acknowledgement of the difficulties in enforcing the strict anti-heresy edicts.[9] At the Diet of Augsburg in 1530, which occurred after the first episodes of open warfare, the Lutheran party – consisting of imperial princes and some "free cities," even if they were still disparate and disunited at that time – felt strong enough to advance their own, distinct creed, the pivotal *Confessio Augustana*, while officially identifying those who defended it as Protestants protesting against their persecution.[10] For years, ensuing Diets would vascilate between endorsing heresy edicts and providing temporary measures of coexistence. In both cases, however, the eventual hope consisted in a reconciliation and settlement within the Latin Church.

As Heinrich Lutz has convincingly argued, the long-term aim of the Habsburg dynasty did not center on its religious policy, but on reforming the political, military, and financial system of the Empire in order to restore "German Unity" and install a permanent Imperial Peace (*Reichsfried*).[11] Both the Emperor and his brother considered imperial reform necessary in order to establish a better defense against the Ottoman threat, especially after the defeat of the Habsburgs at Mohacs in 1526 had turned the eastern flank of the Empire into a very weak and costly frontier. In fact, the enduring *Türkengefahr* (Turkish threat) constituted the main item of discussion at most

**7** Heinrich Lutz, "Das Reich, Karl V, und der Beginn der Reformation. Bemerkungen zu Luther in Worms 1521," in *Beiträge zu neueren Geschichte Österreichs*, eds. Heinrich Fichtenau and Erich Zöllner (Vienna: Böhlau, 1974), 47 – 70. Soen, "Arise, O Lord (Exsurge Domine)," in *Encyclopedia of Martin Luther and the Reformation*, ed. Mark Lamport (Lanham: Rowman & Littlefield Publishers, 2017), 38 – 39.
**8** Gert Gielis and Violet Soen, "The Inquisitorial Office in the Sixteenth-century Low Countries: A Dynamic Perspective," *Journal of Ecclesiastical History* 66 (2015): 47 – 66; Aline Goosens, *Les Inquisitions dans les Pays-Bas méridionaux à la Renaissance (1519 – 1633)*, Spiritualités Libres 7, 2 vols. (Brussels: University of Brussels, 1997 – 1998); Jochen A. Fühner, *Die Kirchen- und die antireformatorische Religionspolitik Kaiser Karls V. in den siebzehn Provinzen der Niederlande 1515 – 1555*, Brill's Series in Church History 23 (Leiden/Boston: Brill, 2004). On the particular policies toward the Netherlands, see also Daniel R. Doyle, "The Sinews of Habsburg Governance in the Sixteenth Century: Mary of Hungary and Political Patronage," *Sixteenth Century Journal* 31 (2000): 349 – 60.
**9** Walter Friedensburg, *Der Reichstag zu Speier 1526 im Zusammenhang der politischen und kirchlichen Entwicklung Deutschlands im Reformationszeitalter*, Historische Untersuchungen 5 (Berlin, 1887).
**10** Horst Rabe, "Befunde und Überlegungen zur Religionspolitik Karls V. am Vorabend des Augsburger Reichstags 1530," in *Confessio Augustana und Confutatio. Der Augsburger Reichstag 1530 und die Einheit der Kirche*, ed. Erwin Iserloh (Münster: Aschendorff, 1980), 101 – 12.
**11** Heinrich Lutz, *Christianis Afflicta. Das Ringen um Deutsche Einheit und kirchliche Erneuerung. Von Maximilan I. bis zum Westfälischen Frieden 1490 bis 1648* (Frankfurt: Ullstein, 1987).

Imperial Diets both before and after 1555, a point that the contemporary historiographical fascination with the Luther Affair sometimes tends to underestimate.[12] In order to find political and financial support for their battles against the Ottomans, the Habsburg dynasty would occasionally bypass or side-step the first sanctioned "heresy edicts" by making alliances with Protestant princes.[13] To make matters even more complex, the Emperor could not prioritize the situation within the Holy Roman Empire before 1542, as he only resided there for brief periods in 1521, 1530, 1532, and 1541. This was a result of the many logistical challenges inherent in ruling the largest Empire of the age, a vast amalgamation of territory that stretched from the Holy Roman Empire and the Iberian Peninsula to the distant reaches of the New World in the Americas and in Asia. As such, his Mediterranean holdings requested as much money and attention for their defense against the Ottomans as did those in the Holy Roman Empire.[14]

Even if both international and domestic actions made the religious policy of the Habsburg dynasty look highly ambiguous within the context of the Empire, Charles V, as Heinz Schilling has pointed out, embarked upon a lifelong quest to restore the "integrity and unity of Christendom." The Emperor projected this endeavor to stretch beyond the borders of Germany and Austria and include his whole global Empire, "in which the sun never set."[15] In order to do this, Charles first aimed to establish a coalition with the Papacy through a coronation (which eventually happened in Bologna in 1530) and then to convoke a new ecumenical council to follow up on the reform measures previously passed at the Council of Lateran V (1512–1517) and to meet Luther's demand for a free Christian council in German territory.[16] While definitively trying to stop the spread of the Reformation, both Charles V and Ferdinand still supported *Religionsgespräche* between theologians and princes of both the Catholic and Protestant confessions after 1530 and engaged in "confessionally neutral" politics in order to court allies for their battles against the Ottomans and France, their other perennial archenemy.[17]

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**12** Eike Wolgast, "Die Religionsfrage auf den Reichstagen 1521 bis 1550/1," in *Der Passauer Vertrag von 1552. Politische Entstehung, reichsrechtliche Bedeutung und Konfessionsgeschichtlichte Bewertung,* ed. Winfried Becker, Einzelarbeiten aus der Kirchengeschichte Bayerns 80 (Neustadt: Verein für Bayerische Kirchengeschichte, 2003), 11.

**13** Albrecht Luttenberger, *Glaubenseinheit und Reichsfriede. Konzeptionen und Wege konfessionsneutraler Reichspolitik (1530–1552)*, Schriftenreihe der Historischen Kommission bei der Bayerischen Akademie der Wissenschaften 20 (Göttingen: Vandenhoeck & Ruprecht, 1982), 164–84.

**14** Ruth Mackay, "Governance and Empire during the Reign of Charles V: A Review Essay," *Sixteenth Century Journal* 40 (2009): 769–99.

**15** Schilling, "The Struggle for the Integrity and Unity of Christendom", 285–365.

**16** John O'Malley, *Trent: What Happened at the Council* (Cambridge, MA: Harvard University Press, 2013), 49–76.

**17** Horst Rabe, "Abschied vom Ketzerrecht? Zur Religionspolitik Karls V," in *Reformation und Recht, Festgabe für Gottfried Seebass,* eds. Irene Dingel, Volker Leppin, and Christoph Strohm (Gütersloh: Gütersloher Verlagshaus, 2002), 40–57.

From 1543 until 1552, the Emperor did, however, regularly reside within the Empire, as from then on, he placed a priority on imperial reform and religious concord in the hopes of sparking an Imperial Peace. His efforts, though, appear to have been somewhat naïve and show his incompetence in grasping the challenges posed by both the high-level theological debates and the grassroots mobilization that defined this era.[18] To be sure, there were in 1543 immediate and serious setbacks – such as the sudden conversion to Lutheranism of Herman von Wied, the archbishop of Cologne, and the gradual protestantization of the Duchy of Brunswick. Still, the Schmalkaldic League, an organization of Protestant allies created in 1531, encountered serious problems as well: first, divisive antagonisms existed between the rulers of the Landgraviate of Hesse and the Electorate of Saxony; secondly, the ambitions of these princes collided with the interests of the ever-growing number of Protestant cities; and third, different theological and political interpretations of how to proceed after the acceptance of the *Confessio Augustana* resulted in general inaction. Thus, as a result of the Protestant party's many weaknesses, the Emperor felt sure of embarking upon war. In 1543, he subdued and incorporated the Duchy of Gelre, the last remaining area he needed in order to unite and regroup his dominions into the Seventeen Provinces, making his holdings along the North Sea and within the Burgundian Imperial Circle "one and indivisible."[19] Above all, he convincingly defeated Francis I and the French in 1544. The Peace Treaty of Crépy called for the establishment of a general Council of Western Christianity, supported by the Pope, and specified that it was to meet somewhere within the Empire, and the compromise eventually settled upon the little German-Italian-speaking city of Trent. Even if Luther had, to a large extent, galvanized the agenda of this council, it was organized in such a way that only Catholic bishops and theologians could gather in Trent from 1545, as Protestant observers were excluded during this first period.[20]

## 2 Interim of Augsburg

Historiography shows that the years 1547–1548 brought some interesting changes to the fore.[21] After Pope Paul III forced the council to move to Bologna in the spring of 1547, most contemporary observers concluded that reconciliation between Catholics and Protestants had become impossible, especially since the Pope now seemed in

**18** Wim Blockmans, *Emperor Charles V: 1500 – 1558* (London: Bloomsbury Academic, 2002); see also Wim Blockmans and Nicolette Mout, eds., *The World of Charles V: Proceedings of the Colloquium, 4 – 6 October 2000* (Amsterdam: Koninklijke Nederlandse Akademie van Wetenschappen, 2004).
**19** Alastair Duke, "The Elusive Netherlands: The Question of National Identity in the Early Modern Low Countries on the Eve of the Revolt," *The Low Countries Historical Review* 119 (2004): 10 – 38.
**20** O'Malley, *Trent: What Happened*, 49 – 76.
**21** Heinz Schilling, "Veni, vidi, Deus vixit – Karl V. zwischen Religionskrieg und Religionsfrieden," *Archiv für Reformationsgeschichte* 89 (1998): 144 – 66.

charge of determining doctrinal and disciplinary issues.[22] Not coincidently, Emperor Charles V simultaneously declared war on the Schmalkaldic League of Protestant princes, forcing it to disband after his victory at Mühlberg, while vengefully imprisoning its leaders, John Frederick of Saxony and Philip of Hesse.[23] The following Diet was forced to inaugurate Maurice of Saxony, a relative of John Frederick who had supported the Emperor despite being Protestant, as the new Elector of Saxony, making him one of the key figures for years to come. This Diet in Augsburg, held in 1547–1548, eventually became known as the *geharnischter Reichstag* and has already been the subject of many historical studies. Augsburg's opening stage, for example, has been the particular focus of the doctoral dissertation of Horst Rabe, while a special issue of the *Historische Zeitschrift*, a symposium sponsored by Louise Schorn-Schütte, and recent publications by Irene Dingel *cum suis* have also produced valuable insight into the Diet.[24]

Unfortunately, contemporary texts from the Augsburg *Interim* remain quite rare, as the Emperor forced strict secrecy upon all those involved.[25] The idea of an "interim" had been gradually developing since at least 1530, but it was Ferdinand who pushed for it during the military preparations in February 1547. In a well-documented *Gutachten,* the king of the Romans recommended that his brother force the theologians to draft an interim, which would expire once the Council of Trent found a compromise between the rival theologies.[26] A clear divide emerged over the desirability of such an interim measure, however, as the Burgundian councilors Nicholas Perrenot de Granvelle and his son Antoine defended the *Interim*, while the Spanish theologians Pedro de Soto and Pedro de Malvenda opposed it.[27] Taking heed of the

**22** O'Malley, *Trent: What Happened*, 121–26.

**23** This happened with the Wittenberg *Kapitulation*; see James Tracy, *Emperor Charles V, Impresario of War, Campaign Strategy, International Finance and Domestic Politics* (Cambridge: Cambridge University Press, 2002); see also Jan Martin Lies, ed., *Zwischen Krieg und Frieden. Die politischen Beziehungen Landgraf Philipps des Großmütigen zum Haus Habsburg 1534–1541* (Göttingen: Vandenhoeck & Ruprecht, 2013); Lies, *Dokumentenband zu Landgraf Philipp dem Großmütigen von Hessen, zum Haus Habsburg 1528–1541* (Marburg: Historische Kommission für Hesse, 2014).

**24** Horst Rabe, "Zur Entstehung des Augsburger Interims (1547/8)," *Archiv für Reformationsgeschichte* 94 (2003): 6–104; Luise Schorn-Schütte, ed., *Das Interim 1548/50. Herrschaftskrise und Glaubenskonflict* (Gütersloh: Gütersloher Verlagsaus, 2005); Irene Dingel, ed., *Reaktionen auf das Augsburger Interim. Der Interimistische Streit (1548–1549)* (Göttingen: Vandenhoeck & Ruprecht, 2010).

**25** Georg Pfeilschifter, ed., *Acta reformationis catholicae ecclesiam Germaniae concernentia saeculi XVI. Die Reformverhandlungen des deutschen Episkopats von 1520 bis 1570* (Berlin: De Gruyter, 1971–1974), vols. 4–6. Even so, Horst Rabe has made important observations, as important texts in German have been left out of this edition; cf. Rabe, "Zur Entstehung des Augsburger Interims 1547/8", 7n4; Joachim Mehlhausen, "Interim," in *Theologische Realenzyklopädie* (TRE), ed. Gerhard Müller (Berlin: De Gruyter, 1987), 16:230–37.

**26** Letter from Ferdinand to Karl V, Dresden, March 17, 1547; in Pfeilschifter, *Acta*, 5:30, no. 13.

**27** Krista De Jonghe and Gustaaf Janssens, eds., *Les Granvelle et les anciens Pays-Bas* (Leuven: Leuven University Press, 2000); Marco Legnani, *Antonio Perrenot de Granvelle. Politica e diplomazia al servizio dell'impero spagnolo (1517–1586)* (Milan: Unicopli, 2013); Venancio Carro, *El maestro*

Diet's power, the Emperor and Ferdinand went ahead with the *Interim* but deliberately specified that it would expire once the Council of Trent had reached its conclusion, as they hoped that the Council would ideally include a reconciliation with the Protestants. The trickiest theological issues remained the question of clerical celibacy (or put otherwise, the *Priesterehe*) and the desirability of the "communion under both species (kinds)" (the question of the *Laienkelch*), while the most practical questions concerned the confiscations and secularizations of church properties and the forced conversion of believers.

Although the Diet would not open before the first of September 1547, many Catholic theologians had already arrived in Augsburg by July or August and started reflecting on a compromise that was to last until a future council could decide upon questions of doctrine and discipline. Once the Diet opened, the first imperial commission immediately got to work and, by December, was able to provide a proposition for a *Reformatio in doctrina* (which, however, remained adamant about clerical celibacy and opposed communion under both kinds) and a *Reformatio in morum* (which repeated some of the measures taken in the first session at Trent but was more specific in its guidelines).[28] The Emperor did not approve of these documents, as they heavily promoted anti-Protestant measures but did not offer much of a reconciliation. Vainly, he meanwhile tried to have the council back on imperial ground in Trent instead of in Bologna. The second commission, filled with newly appointed members, drafted their own proposition. The commissioners likely based the resulting document on the first committee's work, but they also found great inspiration in the *Vergleichsformelle*, an earlier attempt at reconciliation that provided important testimonies for the ongoing *Vermittlungstheologie* on crucial matters such as justification, soteriology, and the sacraments.[29]

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*fr. Pedro de Soto, O. P. (confessor de Carlos V) y las controversias político-teológicas en el siglo XVI* (Salamanca: Convento de San Esteben, 1931).

**28** This first commission was composed of Michael Helding, Weihbishof of Mainz; Balthasar Fannemann, Weihbishof of Hildesheim; Eberhard Billick, provincial of the Carmelites of Cologne; and the court preacher Pedro de Malvenda. Within this group, only Helding maintained a moderating voice, although he could do little to steer the committee away from the hard-line solution of rejecting marriages for priests or the communion under both creeds. Though the moderate Johann Gropper was there in Augsburg, he did not participate in the first proposal of the draft. Horst Rabe has since been able to show the importance of the proposal of December 1547 of the first commission of the *Augsburger Interim*, which remained in the legacy of Valentin von Tetsleben, bishop of Hildesheim. Another text from the circles of Michael Helding remains in Staatsarchiv Würzburg. The document has been edited by Pfeilschifter (*Acta*, 6:258 – 301, no. 17), but should be read along with the remarks made by Rabe, *Augsburger Interim*, notes 98 – 100.

**29** This second redaction committee, which met first in February 1548, was composed of Michael Helding; Julius von Pflug, bishop of Naumburg; and Johannes Agricola, court preacher at Brandenburg. Later, Pedro de Soto joined the commission, while Malvenda and Domingo de Soto were also likely participants, and held significant influence behind the scenes. Eventually, Heinrich Muelich, the court preacher for Ferdinand, also took part in the commission. Jacques V. Pollet, Elmar Neuss, eds., *Pflugiana. Studien über Julius Pflug (1499 – 1564)* (Münster: Aschendorff, 1990); Pollet, *Ju-*

The Diet's official deliberations on the *Interim* proposed by the second committee started on March 15, 1548. The Emperor eagerly received the endorsement of the Electors of Brandenburg and Palatine early on in the process, allowing him to present the *Interim* as an initiative of the Diet rather than of his imperial entourage. Also, the new Elector, Maurice of Saxony, was willing to approve the text in his own name but did not want to speak for his subjects, as he sought to establish some local goodwill, since his position was still precarious. Eventually, the Emperor agreed to summon Martin Bucer from Strasbourg (as opposed to having a theologian from Wittenberg), although it remains unclear as to what extent his suggestions had been followed in the final text version of the *Interim*.[30] As a concession to the Protestants, the final text included the possibility of communion under both kinds and the ability for priests to marry, but only until the council could establish a final opinion on these matters. The teachings of the sacraments, justification, and the general infrastructure of the Catholic hierarchy remained untouched, although some nuanced concessions were made on each of these points. As a result, the imperial confessor, Pedro de Soto, resigned, since the hardline option now seemed a foregone conclusion. Yet, as Irene Dingel has summarized, the 1548 *Interim's* pivotal role in provoking the quintessential theological controversies of its times – most notably the *Interimistische Streit* – has remained this document's accomplishment.[31]

Eventually, the Catholic Estates vetoed the *Interim*, considering its content as a series of exceptional concessions to Protestant territories with few recompensing benefits for those that remained Catholic. The Emperor ultimately agreed, though not wholeheartedly, and, after minor editorial changes, accepted the *Interim* only for the Protestant lands, with the addition of a *Formula Reformationis* for the Catholic territories. This document touched upon practical religious issues to a far greater extent than either the doctrines or disciplines outlined in the Tridentine decrees, as it introduced new ecclesiastical procedures and abolished certain old practices. Besides the general command for rigor and reform, the *Formula* emphasized the

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*lius Pflug (1499–1564) et la crise religieuse dans l'Allemagne du XVIe siècle* (Leiden/New York/Copenhagen/Cologne: Brill, 1999); and, based on the earlier edition of his correspondence, Pollet, ed., *Julius Pflug, Correspondance* (Leiden: Brill, 1971–1977), vols. 1–3. For the proposition of the second committee of March 1548 (in Latin), see Pfeilschifter, *Acta,* 6:308–48, no. 19; there was a corresponding text in German, though this has been heavily edited from the Latin version.

**30** An edition on the basis of the remaining manuscripts is provided by Joachim Mehlhausen, ed., *Das Augsburger Interim von 1548* (Neukirchen: Neikirchener Verlag, 1970). Several contemporary printed editions in Latin and German are extant.

**31** Irene Dingel, "The Culture of Conflict in the Controversies Leading to the Formula of Concord (1548–1580)," in *Lutheran Ecclesiastical Culture, 1550–1675,* ed. Robert Kolb (Leiden/Boston: Brill, 2008), 15–64; Dingel, "Der rechten lehr zuwider' Die Beurteilung des Interims in ausgewählten theologischen Reaktionen," in *Das Interim 1548/50. Herrschaftskrise und Glaubenskonflict*, ed. Luise Schorn-Schütte (Gütersloh: Gütersloher Verlagshaus, 2005), 292–311. For example, it worked along the lines of the Duplex Justificatio; see Joachim Mehlhausen, *Duplex justificatio. Die Rechtfertigungslehre des Augsburger Interims* (Bonn, 1970).

need for the frequent organization of (diocesan) synods, which were to be called to evaluate the religious conditions in a specific diocese. The Emperor pressed for this reform measure to go through by urging his bishops to promulgate the changes. He first directed his efforts toward the south of Germany, then moved northwest to Cologne and Reims. Moreover, he also pressed for its implementation throughout the Low Countries, which he had united into the Burgundian Imperial Circle at Augsburg, and sent invitations to the bishops of Cambrai and Tournai and the archbishop of Utrecht to implement the *Formula Reformationis*.[32]

Nevertheless, the measures met with serious opposition in both Protestant and Catholic territories. Most strikingly, Maurice of Saxony tried to launch a *Leipziger Interim* and coerced many to follow his modified text within his electorate, while other Protestant princes clearly rejected the *Interim*. Meanwhile, Charles V continued to attempt to implement his double policy of *Interim* and *Formula Reformationis* at the Diet in Augsburg in 1550, showing his steadfast commitment to making the compromise work.[33] Though the Pope eventually gave in to the ideas of the *Interim*, he felt offended that the Emperor seemed to play *cavalier seul* with these important matters of Catholic reform.[34] As such, the provisional and temporal arrangements made at the Imperial Diet of Augsburg in 1547 – 1548 were nothing more than yet another attempt to cope with the deep divisions caused by the teachings and theology of Luther, similar to the discussions that had regularly occurred at all Imperial Diets since 1521.

## 3 Peace of Passau

Three specific events led to the early demise of the Emperor's twin-track policy of *Interim* and *Formula Reformationis*. First, Charles signed the Habsburg Succession Pact in March 1551, in which he agreed that the imperial crown and the Austrian *Hausmacht* would eventually go to Ferdinand, and then to his son, Maximilian. While this forfeited the claim of Charles' own son and heir, Philip, he secured the latter's

**32** Robert de Croÿ, bishop of Cambrai, then an imperial enclave, was particularly keen on implementing the *Formula* throughout his over-stretched bishopric, which straddled the Scheldt all the way to Antwerp; see Violet Soen and Aurelie Van de Meulebroucke, "Vanguard Tridentine Reform in the Habsburg Netherlands: The Episcopacy of Robert de Croÿ, Bishop of Cambrai (151–-1556)," in *Church, Censorship and Reform in the Early Modern Habsburg Netherlands*, eds. Violet Soen, Dries Vanysacker, and Wim François (Turnhout: Bibliotheque de la Revue d'histoire ecclésiastique, 2017), 121 – 140; Antoon Jans, "De 'Formula Reformationis' van Karel V en haar toepassing in het bisdom Kamerijk. I," *Provinciale commissie voor geschiedenis en volkskunde* 11 (2001): 318.

**33** Johannes Herrmann, *Augsburg-Leipzig-Passau. Das Leipziger Interim nach Akten des Landeshauptarchivs Dresden 1547 – 1552* (ThD diss., University of Leipzig, 1962).

**34** Alexander Koller, "Der Passauer Vertrag und die Kurie," in *Der Passauer Vertrag von 1552. Politische Entstehung, reichsrechtliche Bedeutung und Konfessionsgeschichtlichte Bewertung*, ed. Winfried Becker (Neustadt: Verein für Bayerische Kirchengeschichte, 2003), 124 – 39.

succession rights to Spain and the Seventeen Provinces in the Low Countries.[35] The Habsburg Succession Pact empowered Ferdinand to act more freely, especially in relation to the concessions being offered to the Protestants, and gradually created more distance between the Emperor and his brother. The ensuing years thus brought a strange combination of hegemony and collapse within the Habsburg dynasty.[36] Secondly, the Council of Trent reopened in 1551–1552 and issued important decrees on the Eucharist and other sacraments, which made much of the ongoing *Vermittlungstheologie* redundant.[37]

The third decisive event was the *volte-face* of Maurice of Saxony, the Protestant prince who had joined the Emperor in defeating the Schmalkaldic League and had been rewarded for his service by the electorate (although he had not received all the territory of Ernestine Saxony, as he had hoped for).[38] His defection was probably inspired by both his marriage to Agnes of Hesse and the fact that his new father-in-law was still imprisoned after Mühlberg. He had also only timidly implemented the *Interim* in Saxony and made numerous exceptions to it across his lands. Furthermore, when the Emperor asked him to subdue Magdeburg, he obeyed, but used this action as an excuse for assembling his own troops in order to lead a Rebellion of the Princes (*Fürstenaufstand*). This new league united in Torgau in 1551, where it received additional support from the then-powerful *condottiere* Albrecht Alcibiades of Brandenburg and the new King of France, Henry II. Launching the invasion in Habsburg Tirol in 1552, it most famously caused the Emperor to flee – first to Innsbruck, and then across the Alps to Villach.[39]

Negotiations had already started in the *Lindner Verhandlung* on April 19, 1552,[40] where, as Volker Drecoll has shown, the meeting's five central points, which would eventually be revisited during the Passau Peace, included: (1) liberation of the prisoners, (2) religious peace along the lines imposed by the Diet of Speyer instead of the *Interim*, (3) the idea/concept of *Gravamina*, (4) the role of France and its occupation of the three bishoprics of Metz, Toul, and Verdun, and (5) reconciliation leading to the end of war.[41] Lazarus von Schwendi acted as the mediator between Ferdinand and Charles, with the latter opposing the use of the word *Nationalkonzil*. By the

**35** Lutz, *Christianitas afflicta*, 133–37.

**36** Alfred Kohler, *Karl V: 1500–1558, Eine Biographie* (München: C.H. Beck, 1999); Lutz, *Christianitas afflicta*, 133–37.

**37** O'Malley, *Trent: What Happened*, 145–58; Wim François and Violet Soen, "Het Concilie van Trente (1545–1563). Een tussentijdse balans na 450 jaar onderzoek," *Perspectief. Tijdschrift van de Katholieke Vereniging voor Oecumene* 23 (2014): 14–20.

**38** Johannes Hermann and Günther Wartenberg, eds., *Politische Korrespondenz des Herzogs und Kurfürsten Moritz von Sachsen*, vol. 3, *1. Januar 1547–25. Mai 1548* (Berlin: Akademie Verlag, 1978).

**39** Alfred Kohler, "Kaiser Karl V. und der Passauer Vertrag," in *Der Passauer Vertrag von 1552*, 139–50.

**40** Hermann, *Augsburg-Leizpig-Passau*, 194–203; Luttenberger, *Glaubenseinheit*, 574–675.

**41** Volker H. Drecoll, *Der Passauer Vertrag (1552), Einleitung und Edition* (Berlin/New York: De Gruyter, 2000); Drecoll has also edited this proposition.

end of April, the Abschied von Linz had arranged for the ensuing negotiations to begin at Passau in May and obtained the participation of all the electors. After Charles' flight to Villach, the long but wearisome final negotiations resumed on May 30 in the Lamberg Palace in Passau. Here, Maurice of Saxony and the Protestant princes, along with the neutral Imperial Estates, participated in the discussions, while Ferdinand acted as mediator, especially since the two envoys of the Emperor had not received permission to sign off on concessions.

For the first time, the Protestant princes could force through a treaty that would recognize a temporal *status quo* that formally sanctioned their existence within the Empire.[42] The peace further recognized the *Confessio Augustana* and included it within the Imperial Peace, meaning that the Wormser Edict and the *Interim* would be rendered obsolete. Building on earlier concessions granted in Speyer in 1544, the princes also aimed for the integration of those who adhered to the *Confessio Augustana* into the Imperial Chamber Court and for their recognition within imperial constitutions (*Reichsverfassung*). Nevertheless, the Emperor opposed these concessions and asked that the religious articles and the so-called *fridstand* (term of peace) last only until the next Diet, which was already set to take place within a one-year period. With the two sides engaged in a military stalemate, Maurice thought it worthwhile to conclude the peace and codify Protestant gains.

Ferdinand, with limited support from Charles V, signed the *Passauer Vertrag* with Maurice of Saxony on August 2, 1552. It granted formal permission for imperial princes to profess Lutheranism, but obliged them to assist the Catholic Emperor in defending the Empire against the Ottomans. Moreover, the property rights of both Catholic secular and ecclesiastical estates would be secured, so that further confiscations or secularizations after 1552 were impossible, but those that had happened before were regarded as legal.[43] Thus, the main significance of the Passau Peace was that it formally ended the *Interim*, while introducing the means for convoking another *Religionsgespräch* – an important consequence for Ferdinand. The Emperor continued to refuse to agree with the concessions made by his brother and placed a temporal limitation on the agreement until the next Diet. Maurice agreed to this restriction, but died within the year. While the Peace of Passau provided a legal answer to the growing religious polarization that had plagued the Empire since 1517, it should also be contextualized as a short-term reaction toward a renewed military conflict that had begun in the spring of 1552.

**42** Becker, *Der Passauer Vertrag von 1552*; Lutz, *Christianitas afflicta*, 88 – 106 and 494 – 96.

**43** Ernst Riegg, *Konfliktbereitschaft und Mobilität: Die protestantischen Geistlichen zwölf süddeutscher Reichsstädte zwischen Passauer Vertrag und Restitutionsedikt* (Leinfelden/Echterdingen: Jan Thorbecke Verlag, 2002).

## 4 Treaty of Augsburg

The necessary Diet outlined in the Treaty of Passau would eventually meet in Augsburg from February 5 until September 25, 1555.[44] Though difficulties had plagued each of the previous Diets, the communication problems that existed between Ferdinand and Emperor Charles V in Brussels, who both literally and metaphorically wanted to distance himself from the meetings, particularly hampered the decision-making process. Having fallen into a slight depression after his defeat in 1552, Charles decided to abdicate in order to avoid any association with the ceding of rights to Protestants, passing this power to his brother, Ferdinand. Yet, as announced in the introduction to this chapter, the messenger sent to announce his abdication did not arrive in time, making the Emperor's signature a necessity.[45] The deaths of both Popes Julius III and Marcellus II during the Diet were another unforeseen circumstance that slowed negotiations, while the new Pope, Paul IV, only partially recognized the historical significance of the meeting and preferred to send his legate on trivial business to Poland instead of Augsburg. With both the Catholic and Protestant parties still heavily divided, it was Ferdinand's ability to skillfully negotiate between the two that led – as more than one contemporary observer noticed – to a final, successful compromise. Thus, when Ferdinand became Emperor after Charles' abdication, he did so as a devout Catholic who had also managed to establish a good reputation among the Protestant party.

The final text ("Abschied") enacted by the Augsburg Diet consisted of 144 articles, though only about twenty of them (articles 7–30) concerned the religious question, as the rest consisted of necessary reforms of the Imperial Chamber Court and the Imperial Circles at the regional level, while also dealing with local police, finance, and military issues. Taken together, the articles on religion contained numerous discrepancies and showed considerable ambiguity, with much of the vagueness reflecting a deliberate attempt to reconcile theological differences that had become irreconcilable. The most important stipulation addressed the status of the adherents of the Lutheran Confession of Augsburg until the two sides could establish an appropriate settlement to the religious schism. Similarly to the Peace of Passau, the treaty transferred the *jus reformandi* ("right of reformation") to the territorial and municipal levels of government, implying that regional lords could force their subjects to practice their desired confession or to demand emigration in cases of non-compliance. As previously mentioned, the Diet of Speyer first introduced changes to the Wormser Edict, but the *jus reformandi* had been heavily contested over the course of the

**44** Heinz Schilling and Herbert Smolinsky, eds., *Der Augsburger Religionsfrieden 1555, Wissenschaftliches Symposium aus Anlass des 450. Jahrestages des Friedensschlusses* (Münster: Aschendorff, 2007).
**45** Violet Soen, "De troonsafstand van Karel V: Achter de schermen van een ceremonie," in *Keizer Karel en Eeklo. Verslag van een colloquium over Keizer Karel, Eeklo, 24 september 2005* (Eeklo, 2006), 67–76.

next thirty years and only allowed with strict temporal limitations. Although the Greifswald law professor Joachim Stephan (1544 – 1623) officially coined the famous phrase *cuius regio, illius religio* ("whose the regime, his the religion") years after the Diet at Augsburg, the expression neatly captures the significance of territorial power in settling the most important religious question of the early modern period.

Importantly, the Diet of Augsburg further detailed that territorial and municipal levels of government could only choose between either the Roman Catholic Church or the *Confessio Augustana*, the crucial confessional text within Lutheranism agreed upon in Augsburg in 1530; all other confessions or denominations (such as Calvinism) remained heretical and exposed their practitioners to the risk of persecution. Moreover, subjects who opposed the confession of their overlord or city were allowed to move and sell goods (as opposed to earlier criminalization and confiscation), but this *jus emigrandi* was not extended to the subjects living in the Burgundian *Kreits*, which the Emperor had recently united into the Seventeen Provinces in 1548, and where he continued to ask for persecution, as outlined in the Edict of Worms and the subsequently endorsed local anti-heresy legislation.

Given the complicated nature of territorial (over)lordship in the Holy Roman Empire, which allowed many secular and ecclesiastical imperial princes and imperial cities to maintain a variety of privileges, many clarifications were needed for the general rulers. For the newly bi-confessional imperial free cities (*Reichsstädte*), the treaty imposed a *status quo* so that the urban governments could establish parity between the two religions, while allowing each inhabitant to freely practice his or her personal beliefs. One of the inevitable problems that arose from the treaty centered on the confiscation and *de facto* secularization of ecclesiastical goods by Lutheran princes. As a principle, they received the ownership and usufruct of these objects, although the treaty was unclear on whether secularization should have happened before the Peace of Passau in 1552 or before 1555.[46] The most contested clause, however, regarded the *reservatum ecclesiasticum* (ecclesiastical reservation), in which the ecclesiastical princes (including bishops, abbots, and abbesses) received permission to convert to Lutheranism, but only if they forfeited their *Ambt*, dignities, and revenues to a newly appointed Catholic official. The Protestants disliked this clause and fought hard against its inclusion in the treaty, as it ensured that Catholicism was sustained throughout a significant part of the Empire. To counter this, Ferdinand I personally issued the *Declaratio Ferdinandea (Ferdinandine Declaration)*, allowing both established Protestant knights and cities under the lordships of ecclesiastical princes to continue in their faith. Catholics, however, regularly contested the legality of this provision by claiming that it was an outright violation of the Augsburg arrangement, making the implementation of the treaty a highly contentious and perilous affair, especially during the initial decades succeeding its passage. Although the Pope was

**46** Anton Schindling, "Der Passauer Vertrag und die Kirchengüterfrage," in *Der Passauer Vertrag von 1552*, 105 – 23.

largely absent from Augsburg (due, in part, to long periods of *sede vacante* throughout the Diet), the Apostolic See also formulated a series of objections to the resulting treaty, most of which centered on the idea that the Emperor had received papal benediction in return for assuming the task of defending the (Catholic) faith.

Until the Holy Roman Empire's formal dissolution in the early nineteenth century, the Augsburg Religious Peace ranked as one of its most influential constitutional documents, putting it on a par with the famous Golden Bull of 1356 as well as a later one, the Westphalian Peace of 1648.[47] Providing a definitive answer to the most pressing religious questions of the era, the centrality of this topic would disappear from the agenda of the Diets until the eve of the Thirty Years' War. Few contemporary actors, however, could foresee the long-lasting impact of the arrangements in Augsburg in 1555. Both the third and the twelfth articles, for example, insisted that future compromise could still occur. Yet, unless future reconciliation took place, the Treaty of Augsburg had to be regarded as eternal (*für ewig*). Emperor Ferdinand, for example, believed that reconciliation was possible up until his death in 1564, and, as a result, he lobbied so that the third period of the Council of Trent briefly engaged with the desiderata of the imperial princes. Due to the Empire's fragmented nature, the implementation of the Augsburg Religious Peace depended greatly on the local confluence of events,[48] but all in all it went unchallenged until 1618, despite the Religious Wars in the Low Countries and France in the second half of the sixteenth century and the Post-Tridentine Revival in Catholic territories of the Empire after 1563. Yet, when the bishops of Cologne and Strasbourg both converted to Protestantism in 1583, the resulting Catholic violence showed that the principles of the ecclesiastical reservation and the *Ferdinandine Declaration* remained highly contested. These pressures remained until the Peace of Westphalia eventually allowed the Reformed religion to represent a third licit confession and attempted to mitigate the right of (over-)lords to force heterodox temporal subjects to emigrate. Thus, the settlement predicted in 1555 never materialized, and the schism needed to be codified once again in 1648.

## 5 Conclusion

Some historians, most notably Heinz Schilling, have convincingly argued that the 1555 Religious Peace of Augsburg was actually a truce without an end term rather than a positively inspired peace, and that as such, it probably mimicked the conversion-mindset of the *Interim* of 1548 rather than offering a radical new conception of

**47** Brady, *Settlements*, 343–83.

**48** Gerhard Graf, Günther Wartenberg, and Christian Winter, *Der Augsburger Religionsfrieden. Seine Rezeption in den Territorien des Reiches* (Leipzig: Evangelische Verlagsanstalt, 2006), discusses the implications for the Patalinate (Kohnle), Württenberg (Ehmer), Kursachsen (Wartenberg), Habsburg territories (Reingrabner), Schlesian (Schott), the enclave of Asch (Halla), and Magdeburg (Seehase).

church and state in the early modern era. Yet, since the Treaty of Augsburg has maintained the reputation of a Religious Peace into modern times, the true power of the pacifist motto certainly held greater importance than its often limiting conditions and contradictory clauses. Even if this influential treaty formally recognized Lutheranism, its most important legacy was that confessional choice became definitively tied to the question of power and lordship for the centuries to come. As a long-lasting result, the Empire – and later Europe and its colonies – became both territorially and confessionally segregated. Even so, Emperor Charles V believed that the treaty had resulted in his personal defeat, and, after his abdication, he wrote many government letters from his home palace next to the monastery in Yuste to his daughters on religious questions in an attempt to prevent the possible spread of Protestantism into the Seventeen Provinces, the Iberian Peninsula, and the New World. Hence, for historians, the period between 1548 and 1555 represents a quest "without end,"[49] as there still remains so much to discover about the course of events during the *Interim* and the overall importance and influence of its aftermath.

**49** Alfred Kohler, "Ein Blick 500 Jahre zurück. Bilanz und Defizite einer ‚endlosen' Forschungsgeschichte," in *Karl V. 1500 – 1558. Neue Perspektiven seiner Herrschaft in Europa und Übersee*, eds. Alfred Kohler, Barbara Haider, and Christine Ottner (Vienna: Verlag der österreichischen Akademie der Wissenschaften, 2002), 11 – 21.