

Kneeling before God – Kneeling before the Emperor:

The Transformation of a Ritual during the Confessional Conflict in Germany

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Genuflection or kneeling is a symbolic gesture of self-abasement, generally with the intention of obtaining mercy – in the act of penance before God, in the act of submission, *deditio*, before a temporal ruler. It is clear that a close structural affinity exists between the political ritual of apology upon one's bended knee and the Christian ritual of remorse, repentance, and absolution, even that both rituals occasionally formed an inseparable unity.² This has meanwhile been very precisely described and

¹ This paper is an English version of my article "Knien vor Gott – Knien vor dem Kaiser. Zum Ritualwandel im Konfessionskonflikt," in *Zeichen – Rituale – Werte*, ed. Gerd Althoff (Münster, 2005).

² Gerd Althoff, "Das Privileg der *deditio*. Formen gütlicher Konfliktbeendigung in der mittelalterlichen Adelsgesellschaft," in *Spielregeln der Politik im Mittelalter. Kommunikation in Frieden und Fehde* (Darmstadt, 1997), 99-125; idem, "Huld. Überlegungen zu einem Zentralbegriff der mittelalterlichen Herrschaftsordnung," in *ibid.*, 199-228; idem, "Demonstration und Inszenierung," in *ibid.*, 229-257; idem, "Compositio," in *Verletzte Ehre. Ehrkonflikte in Gesellschaften des Mittelalters und der Frühen Neuzeit*, ed. Klaus Schreiner and Gerd Schwerhoff (Weimar/Vienna 1995), 63-76; and finally idem, "Fußfälle: Realität und Fiktionalität einer rituellen Kommunikationsform," in *Eine Epoche im Umbruch. Volkssprachliche Literalität 1200-1300*, ed. Christopher Young and Christa Bertelsmeier-Kierst (Cambridge, 2002) 1-12; Klaus Schreiner, "'Nudis pedibus'. Barfüßigkeit als religiöses und politisches Ritual," in *Formen und Funktionen öffentlicher Kommunikation im Mittelalter*, ed. Gerd Althoff (Stuttgart, 2001) 53-123, especially 74-79, 99-102, 111-117; idem, "Verletzte Ehre. Ritualisierte Formen sozialer, politischer und rechtlicher Entehrung im späteren Mittelalter und in der beginnenden Neuzeit," in *Die Entstehung des öffentlichen Strafrechts. Bestandsaufnahme eines europäischen Forschungsproblems*, ed. Dietmar Willoweit (Cologne/Weimar/Vienna, 1999), 263-320, especially 281-294; Geoffrey Koziol, *Begging Pardon and Favor. Ritual and Political Order in Early Medieval France* (Ithaca/London, 1991); Timothy Reuter, "Unruhestiftung, Fehde, Rebellion, Widerstand: Gewalt und Frieden in der Politik der Salierzeit," in *Die Salier und das Reich*, vol. 3, ed. Stefan Weinfurter (Sigmaringen, 1992), 297-325. On the significance of kneeling, compare Rudolf Suntrup, *Die Bedeutung der liturgischen Gebärden und Bewegungen in lateinischen und deutschen Auslegungen des 9. bis 13. Jahrhunderts* (Münster, 1978), 153-166. According to Suntrup, from the third century A.D., genuflection was appropriated into the Christian liturgy from the ceremonial of Roman rulership. On the sacrament of penance in general see Arnold Angenendt, *Geschichte der Religiosität im Mittelalter* (Darmstadt, 2000), 626-658; on public ecclesiastic penance see Mary C. Mansfield, *The Humiliation of Sinners. Public Penance in Thirteenth Century France* (New York, 1995), especially 248ff. on the political instrumentalization of the ritual of penance; Jean-Marie Moeglin, "Pénitence publique et amende honorable en Moyen Age," *Revue Historique* 298, 1997: 225-269; Friederike Neumann, "Die 'introductio poenitentium' als rituelle Ausdrucksform bischöflicher Absolutions- und Jurisdiktionsgewalt im 15. Jahrhundert," in *Bilder, Texte, Rituale*, Zeitschrift für Historische Forschung, suppl. 24, ed. Klaus Schreiner and Gabriela Signori (Berlin, 2000), 69-86. On apology upon one's knees (increasingly officially stipulated) to render satisfaction in conflicts of honor among nobles, see Claudia Garnier, "Injurien und Satisfaktion. Zum Stellenwert rituellen Handelns in Ehrkonflikten des spätmittelalterlichen und frühneuzeitlichen Adels," *Zeitschrift für Historische Forschung* 29, 2002: 525-559. Among medievalists, in the meantime, the understandable wish has been expressed in reviews not to enumerate further individual genuflections. On this phenomenon in the Early Modern Period, however, much remains to be explained.

interpreted for the Middle Ages; and I can limit myself to a brief summary of the results before I'm going over to my own point.

The ritual of *deditio* concluded a conflict with the demonstrative “unconditional” submission of one party (“auf Gnade und Ungnade”), which, however, had to be answered by the mercy of the other. The ritual complied with a specific formal language, which could be applied in a variety of ways, but not arbitrarily or simply at will. Various degrees of symbolic self-abasement were allowed as well as a certain range of demonstrations of mercy.

The ritual of apology upon one's knees was not just *one* symbolic gesture, but rather a complex symbolic event that followed a specific communicative logic. Examined more closely, it appears that it was a matter of a gestural dialogue in accordance with fixed social rules: Kneeling demanded a specific reaction. By unconditionally submitting to the ruler's omnipotence, the subordinate placed him under pressure in turn to adhere to the ruler's virtues of mercy, clemency and magnanimity.³ The social logic of these procedures followed not least from the analogy of penance before God and absolution from sins.⁴ Here as there the amount of self-debasement on the one side increased the amount of mercy on the other; the amount of mercy, in turn, demonstrated the omnipotence of the benefactor.⁵

What has been particularly emphasized is the fact that, as a rule, such submission rituals followed a plan that had been previously arranged by negotiators and were consciously *staged*. This means that the voluntary, spontaneous and

³ On the apparently universal symbolic language of self abasement, compare William Ian Miller, *Humiliation and Other Essays on Honour, Social Discomfort and Violence* (Ithaca/London, 1993), 162ff. with examples from other cultural groups: “This ritual functions, in effect, by threatening to shame,” namely for those at whom the apology is directed. The necessary effect of the ritual is also emphasized, for example, in Althoff, “Huld” (see note 1), 214; Schreiner, “Nudis pedibus” (see note 1), 112; Mansfield (see note 1), 263f.; Garnier (see note 1).

⁴ The close relationship between the political and religious content of the ritual is emphasized, for example, by Schreiner, “Nudis pedibus” (see note 1), 77, 99f., 102; Althoff, “Compositio,” (see note 1), 74f.; compare the newer research summarized (see note 1), 69: “Die Kirchenbuße stand Modell für die Gestaltung von Unterwerfungen und von Gnade” (Ecclesiastical penance stood as a model for designing submissions and mercy).

⁵ According to Reuter (see note 1), page 320, “der Preis, den der Herrscher für die öffentliche Anerkennung seiner Autorität und die öffentliche Demütigung seines Gegners zu zahlen hatte,” was “ein weitgehender Verzicht auf Strafen” (the price that the ruler had to pay for the public recognition of his authority and the public humiliation of his opponent was a general renunciation of punishment). The pardon and the renunciation of punitive measures, however, do not seem to have placed the sacred authority of the ruler in question but rather to have strengthened it. This is also suggested by the newer research; compare, for example, Peter Schuster, *Eine Stadt vor Gericht. Recht und Alltag im spätmittelalterlichen Konstanz* (Paderborn, 1999).

unconditional nature of the submission and the openness of its conclusion were in fact a *fiction*. Nonetheless, for the participants this did not reduce the ritual's entire significance to "mere play-acting". From a modern perspective, this seems strange and hard to comprehend. But in the pre-modern relations, based essentially on face-to-face communication, publicly visible performances such as these were of greater significance than they are today. For as performative acts these rituals specifically had the power to bring about what they symbolically represented: they bound all of the participants to the reciprocal relations that were symbolically staged before the entire public. It seems to me especially significant that the staged character of the entire procedure did not at all call into question the sincerity of one's repentance. As long as the ritual was executed perfectly and correctly – including the expression of appropriate emotions, signs of despondency and repentance⁶ – the problem of inner sincerity did not even arise for contemporaries. Rather, the ritual's effect of creating obligation was achieved without reference to the inner conviction of the one who performed it. What mattered were the outer signs of remorse. This can also be demonstrated *ex negativo*: in cases when the obligations taken up in the ritual were later violated. In these cases, the chroniclers know to write retrospectively that already during the execution of the ritual, signs of scorn and mockery had supposedly been expressed instead of signs of repentance, that means, that the outer performance had not been correct.⁷

The question I would now like to pose is: What was the fate of this ritual of apology upon one's knees in the early modern period, especially in the German reformation history?⁸ How did the confessional conflict affect this particular ritual and, above all, the discourse on ritual in general?

⁶ Gerd Althoff, "Empörung, Tränen, Zerknirschung. 'Emotionen' in der öffentlichen Kommunikation des Mittelalters," in *Spielregeln* (see note 1), 258-281. On the binding force of the demonstrative expression, compare also Klaus van Eickels, "Kuß und Kinngriff, Umarmung und verschränkte Hände. Zeichen personaler Bindung und ihre Funktion in der symbolischen Kommunikation des Mittelalters" (paper presented in Munster, 4 February, 2002).

⁷ For example in the case of Archbishop Hunfried of Ravenna in 1049, who, after kneeling before Pope Leo IX, stood up with a mocking expression on his face, compare Ernst Steindorff, *Jahrbücher des deutschen Reiches unter Heinrich III.*, vol. 2 (Leipzig, 1881), 138; more recently Gerd Althoff, *Die Macht der Rituale* (Darmstadt, 2003). This was similar also in the case of Philipp of Hessen, who will be discussed below (see below, note 32). A New Testament model for the demonstratively mocking *falsa genuflexio* was the mocking of Christ in the Passion According to Matthew (Mt. 27:29).

⁸ As far as I know there has not been a systematic investigation of this. Compare Schreiner's assumption (see note 1), 114 f.: As a means of conflict resolution between king and nobles, the *deditio* is supposed to have fallen into disuse already in the late twelfth century and to have survived primarily

Conversely, what is revealed by the change in the ritual across the periods? For ultimately, the division into different confessions changed many of the preconditions that seem necessary for the ritual to function:

- The relationship between the emperor and the princes of the Holy Roman Empire was redefined over the course of the Reformation;
- the Reformation transformed the language of religious gesture (not least the ritual of penitence);⁹ and above all
- on the level of the Empire, spiritual and temporal order became irreversibly distinct.

The ritual of apology on bended knee before the ruler, I would like to show, is a subject that allows all of these processes to be observed bundled together as in a focus.

I will focus on a key historical moment: the end of the Schmalkaldic war between Emperor Charles V and the Schmalkaldic League of Protestant princes and cities in 1546-47 and the imperial diet of Augsburg in 1548 – a dramatic culmination and turning point in Reformation history as well as in the political history of the empire, and simultaneously, as I would like to show, a culmination and turning point in the history of the ritual of genuflection: It is not by chance that this historical moment was characterized by a virtual torrent of kneeling before the emperor, and it is not by chance either that something like this never took place again subsequently.

In what follows I will, first, give a draft of this series of genuflections on the Augsburg diet.

Secondly, I will single out one particular case to show in how far the ritual had changed and how it was valued by the submitted.

Thirdly, I will put this particular case into a wider context referring to the changing relationship between outer gesture and inner faith.

in dealings between the ruler and the cities. The *deditio* by the cities, above all the Flemish cities in relation to the Hapsburgs, is scarcely documented beyond the fifteenth century. Compare, for example, Mansfield (see note 1), 265ff.; Moeglin (see note 1), 246ff.; Schreiner, *Verletzte Ehre* (see note 1), 291ff.; on the case of Ghent, see below, note 42. A phenomenon that must be differentiated from the political act of *deditio*, and which is not considered here, is the individual and public act of religious penitence, which, in the Early Modern Period, developed into an instrument of social discipline and which assumed more the character of a punishment by public humiliation than that of a reconciliation; compare Michael Muster, *Das Ende der Kirchenbuße. Dargestellt an der Verordnung über die Aufhebung der Kirchenbuße in den Braunschweig-Wolfenbüttelschen Landen vom 6. März 1775* (dissertation, Kiel, Hannover, 1983).

⁹ Philippe Buc, *The Dangers of Ritual. Between Early Modern Medieval Texts and Social Scientific Theory* (Princeton, NJ, 2001), 165ff.

Finally, I will have a short look at the subsequent development of the ritual in the Holy Roman Empire and the reasons for its decline.

I.

The military conflict referred to as the Schmalkaldic War was waged over competing interpretations of imperial law and religious freedom. Charles V palmed off the war as the execution of the imperial ban against the violators of the peace Philip of Hesse and John Frederick of Saxony.¹⁰ From the perspective of the Schmalkaldic League, on the other hand, it was a matter of legitimate resistance against unjust sovereign power, a resistance that was given the unprecedented new dimension of serving as the “assertion of the true word of God in the world.”¹¹

After Charles’s swift military successes, several of the southern German cities entered into surrender negotiations as early as November of 1546. The surrender of the rich and powerful city of Ulm played a key role in this, and I will refer to it here as a paradigmatic case. The city council of Ulm was nevertheless determined to make its submission conditional upon guaranteeing its citizens the free practice of their religion. But as far as the emperor was concerned, it was precisely this that could by no means be included in the surrender, but, if at all, only be set down in a secret “extra letter”. “for,” in the words of Chancellor Granvella, “your majesty does not want it to

¹⁰ It was important to the emperor to underplay the religious-political dimension of his campaign, since he was dependent on the support of the Protestant princes. Generally and recently, compare Albrecht P. Lutzenberger, “Die Religionspolitik Karls V. im Reich,” in *Karl V. 1500-1558. Neue Perspektiven seiner Herrschaft in Europa und Übersee*, ed. Alfred Kohler et. al., (Vienna, 2002), 293-344; Heinz Schilling, “Charles V and Religion. The Struggle for the Integrity and Unity of Christendom,” in *Charles V 1500-1558 and his Time*, ed. Hugo Soly (Antwerp, 1999) 285-363, here 355ff.

¹¹ The two warring parties’ competing approaches to legitimation have traditionally been extensively explained in the historiography; compare, for example, Leopold von Ranke, *Deutsche Geschichte im Zeitalter der Reformation*, vol. 2, ed. Willy Andreas (Wiesbaden, n.d.), 349 ff. The Schmalkadians’ understanding of their part as resistance has been convincingly and precisely interpreted by Gabriele Haug-Moritz, *Widerstand als “Gegenwehr,”* as being pre-confessional, late-medieval, and juristic in its justification (without, however, taking into account the discussion immediately preceding the war of 1546-47). The Schmalkaldic conception of “resistance” and of the “war of resistance” of 1542 can be found in *Widerstandsrecht in der frühen Neuzeit. Erträge und Perspektiven der Forschung im deutsch-britischen Vergleich*, Zeitschrift für historische Forschung, suppl. 26, ed. Robert von Friedeburg (Berlin, 2001) 141-161, as well as idem., *Der Schmalkaldische Bund 1530-1541/42* (Leinfelden-Echterdingen, 2002), 87ff. and more recently, idem., “Zur Konstruktion von Kriegsniederlagen in frühneuzeitlichen Massenmedien – das Beispiel des Schmalkaldischen Krieges (1547-1552)” (paper presented at the conference *Kriegsniederlagen. Erfahrung – Erinnerung*, Regensburg, 7-8 October, 2002); compare furthermore Diethelm Böttcher, *Ungehorsam oder Widerstand? Zum Fortleben des mittelalterlichen Widerstandsrechts in der Reformationszeit* (Berlin, 1991); and briefly Robert von Friedeburg, *Widerstandsrecht und Konfessionskonflikt. Notwehr und Gemeiner Mann im deutsch-britischen Vergleich 1530-1669* (Berlin 1999), 62f.

be said that they started the war for this reason [... because of religion].”¹² Outwardly Charles insisted upon unconditional surrender (which it actually was not). The Ulm envoys reported home that they had been told in a confidential manner by the Emperor’s chancellor that if they submitted without conditions and terms, absolutely and freely, and trusted his imperial majesty in this, then the city would obtain greater mercy.¹³ The agreed-upon instrument of surrender stipulated not only the payment of 100,000 gulden, the handing over of thirteen cannons and the acceptance of imperial occupation, but also – and this in the very first article – the performance of the apology on bended knee. Of the Emperor’s concessions concerning religion there was no mention at all. The surrender had to appear unconditional.

The Ulm envoys thus on 23 December 1546 *were the first to begin* a long series of identically produced submissions. In black “garb of lamentation” they knelt before the emperor “a half hour long without looking up” and finally, in tears, pled for forgiveness of their great sins, for which they were “deeply sorry.”¹⁴ In the prepared written apology, they appealed to the mercy of the emperor as the “image of the almighty,” for whom no sin was so great that it could not obtain mercy and forgiveness. Vice chancellor Seld responded in the name of the emperor that “because they willingly and of their own accord have acknowledged and judged that they have acted evilly,” the emperor is moved to grant them mercy.¹⁵

After Ulm – the center of the reformation movement in southern Germany – had surrendered in this manner, the other southwestern German cities followed more

¹² Quoted in Franz Rommel, *Die Reichsstadt Ulm in der Katastrophe des Schmalkaldischen Bundes* (Stuttgart, 1922), 74. According to Rommel, however, the “extra letter” was never written.

¹³ The report of the Ulm envoys can be found in Gottlob Egelhaaf, “Archivalische Beiträge zur Geschichte des schmalkaldischen Kriegs,” in *Programm des Karls-Gymnasiums Stuttgart zum Schlusse des Schuljahrs 1895-96*, nr. 40 (Stuttgart, 1896), 42-44; in slightly varied wording in *Des Viglius van Zwichem Tagebuch des Schmalkaldischen Donaukriegs*, ed. August von Druffel (Munich, 1877), commentary, 226 f., who had the same envoys’ letter about the reconciliation of Ulm in an exemplar from the Fugger estate.

¹⁴ This is according to the surveys of sources by Druffel (see note 13), 212 ff. and above all by Luis Avila y Zuniga, *Commentariorum de bello Germanico a Carolo V. [...] libri duo*, German translation: *Wahrhaftige beschreibung des Teutschen Kriegs [...] wider die Schmalkaldische Bundesverwandten [...]*, (Wolfenbüttel, 1552), reprinted as *Der Römischen Keyser- und Königlichen Majestete Auch deß heiligen Röm. Reichs [...] Handlungen und Ausschreiben [...]*, ed. Friedrich Hortleder (Frankfurt/Main, 1618), book 3, chapter 81, 469-523, here page 501. Compare Rommel (see note.12), 78f.; Ranke (see note 11), vol. 2, 364f.

¹⁵ The wording of the ritual speeches and responses according to Avila y Zuniga (see note 14), 501.

or less reluctantly in swift succession.¹⁶ And not only the cities: despite a serious illness, even Duke Ulrich of Württemberg, who found himself at the time under imperial ban for the third time, had to prepare to personally kneel before Charles in apology.¹⁷ The most sensational and probably most familiar case in the long series of submissions before Charles is the kneeling of the second Schmalkaldic League leader Philip of Hesse after the defeat of the other leader, John Frederick of Saxony. After Philip's surrender and genuflection in June of 1547, resistance to the emperor gradually collapsed. This resulted in an entire series of ritual genuflections all following the same pattern, by the Bohemian cities, by the northern German cities and by individual nobles.¹⁸

These genuflections subsequently became the object of diverse multimedia publication: broadsheets reported on them in detail. The series of engravings by Dirk Volkertszoon Coornhert (based on drawings by Maarten van Heemskerck) are only the most famous of the published images.¹⁹ Genuflection served essentially as a cipher of

¹⁶ Compare, for example, already Ranke (see note 11), 371: "Von allen Seiten kamen Fürsten und Herren und die Gesandten so vieler Städte, um sich vor ihm zu demütigen. Man sah sie knien, die ehrenfesten, hochgelahrten, fürsichtigen und weisen, wie die Urkunden sie nennen, die ihm so oft Widerpart gehalten, in der Mitte des versammelten Hofes, einen hinter dem anderen in langer Reihe, mit niedergeschlagenen Augen, bis dann einer von ihnen das Wort nahm und seine Kaiserliche Majestät um Gottes des Allmächtigen und seiner Barmherzigkeit willen anflehte, die gegen sie gefaßte, allerdings wohlverdiente Ungnade fallen zu lassen." (From all sides princes and lords and the envoys of so many cities came in order to humiliate themselves before him. One saw them kneel, 'the honorable, extremely learned, circumspect, and wise,' as they are called in the sources, who had so often opposed him, in the middle of the assembled court, one behind the other in a long row, with downcast eyes, until then one of them began to speak and implored his imperial majesty for the sake of almighty God and the sake of mercy, to drop the penalty decided against them, which had been nevertheless well deserved.)

¹⁷ Avila y Zuniga (see note 14), 506; also reprinted in Alfred Kohler, *Quellen zur Geschichte Karls V.*, FSGA, vol.15 (Darmstadt, 1990), nr. 92, 357 f. The wording of the apology is published in the pamphlet "Römischer Keyserlicher Maiestat aufforderungs brieffe, an Hertzog Ulrichen von Wirtemberg, unnd gemeyne Landschafft lautend. Item, gedachts Hertzog Ulrichs an die Kayserliche Maistat beschehen gnedigst ansuchung und verzeihung, sampt darauff erfolgten begnadigung etc.", (n.p., 1547) (Pamphlet collection of Gustav Freytag, nr. 2054). Compare Hortleder (see note 14), book 3, chapter 56, 391ff. (on the capitulation in January, 1547) and chapter 61, 407ff. (on the kneeling apology of the councilors). Compare also *Venetianische Depeschen vom Kaiserhofe*, ed. Gustav Turba, 2 vols. (Vienna, 1889-92), here vol. 2, nr. 80, 186f.

¹⁸ Haug-Moritz, *Kriegsniederlagen* (see note 11).

¹⁹ Compare Abb. 1-4. The entire series of engravings is reproduced in *Katalog Kaiser Karl V. (1500-1558). Macht und Ohnmacht Europas* (Bonn, 2000), 354ff., nr. 423-434; compare Bart Rosier, "The Victories of Charles V.: A Series of Prints by Maarten van Heemskerck, 1555-1556," *Simiolus* 20, 1990-91: 24-38; Lisa M. van Hijum, "Charles V and his Ideal: One Emperor, One Empire," in Gosman et. al. (see note 42), 129-142. The series, first published by Hieronymus Cock in 1556, comprises 12 engravings in total, which represent Charles's victories over the pope, the French king, the Turkish sultan, the Indians, the princes of Saxon, Hesse, and Cleves, as well as the Protestant German cities. It was dedicated to Philip II as Charles's successor in the Netherlands and appeared in no fewer than

victory and retrospectively drew Charles's various triumphs together into a compelling series. For not only the genuflections of the Schmalkaldic cities and Philip of Hesse, but also that of the Duke of Cleve following upon Guelders' war of succession four years earlier (1543) are included in the series. In fact even the representation of Charles's meeting with the captured elector of Saxony after the Battle of Mühlberg suggests a genuflection, although it was not actually one. (*illustration*) For the elector had in fact *not* surrendered, he was defeated and had neither requested nor obtained mercy. And the city of Bremen as well (*illustration*), whose coat of arms designates one of the councilors (not legible here),²⁰ had by no means surrendered on bended knee, as will be seen.

At first glance all of these genuflections stand firmly in the medieval ritual tradition. All the rules of the *deditio*, which for the Middle Ages have to be laboriously reconstructed from slim and fragmentary remains, can be found described in the sources here in the most desirable clarity:

The genuflection always had to be performed personally by the princes, or by the cities through their highest officer. The event was marked out by means of a lavishly prepared stage and elevated above the everyday life of the court as an act of rulership through the bare unsheathed sword of the Reichserbmarschall (imperial hereditary marshal). The degree to which the ceremony was public, increased or decreased the extent of the humiliation.²¹ The beginning and end of the ritual were

seven editions between 1555 and 1640. In the opinion of Rosier, the series does not follow a Netherlandish iconographic tradition.

²⁰ On a version of this representation as a wood relief, one of the city representatives is identified as the representative of Bremen by his coat of arms. On the eight wood reliefs of around 1570-80, probably executed in Nuremberg, compare *Katalog Kaiser Karl V.* (see note 40), 355ff., nr. 435-442. Whereas the identities of the various city representatives cannot be assigned in the engravings, on the corresponding reliefs they have coats of arms on their shields, namely from Augsburg, Ulm, Strasbourg, Minden, and Bremen, despite the fact that Bremen had not performed a genuflection and was reconciled with the emperor only in 1554; on this see below, note 102.

²¹ Although this never reached the degree of symbolic humiliation against the repeatedly rebellious Ghent in 1443 and 1540, in which hundreds of lay judges and leading citizens were forced to beg for forgiveness, dressed in black, with bare heads and barefoot, and with the hangman's noose around their necks. Contemporaries in 1547-48 must still have remembered above all the sensational act of humiliation in Ghent in 1540. Compare Peter Arnade, "Crowds, Banners, and the Marketplace. Symbols of Defiance and Defeat During the Ghent War of 1452-1453," *Journal of Medieval and Renaissance Studies* 24 (1994): 471-497; Marc Boone, "Destroying and Reconstructing the City. The Inculcation and Arrogation of Princely Power in the Burgundian-Habsburg Netherlands, 14.-16. Centuries," in *The Propagation of Power in the Medieval West*, ed. Martin Gosman, et. al. (Groningen, 1997), 1-34; Wim Blockmans and Esther Donckers, "Self-Representation of Court and City in Flanders and Brabant in the Fifteenth and Sixteenth Centuries," in *Showing Status. Representation of Social Positions in the Middle Ages*, ed. Wim Blockmans and Atheun Janse (Turnhout, 1999), 81-111.

marked out by the emperor's gestures: The taking of his seat on the throne chair, his look,²² the sign he made with his hand, and the extension of his hand to be kissed, even possibly by means of a few non-formalized words of condescension at the end that documented the regaining of his favor. The supplicants would be expressly instructed in all the ritual details: they had to appear dressed in mourning,²³ lay down their weapons, bow their uncovered heads with downcast gaze. The content of their reciprocal performative speeches, which were both read aloud by a councilor, was formalized and stereotyped. All of this had been pre-arranged,²⁴ and the terms set in writing in the instrument of surrender.²⁵ Charles V was always the uncontested lord of the ritual procedure.²⁶

II.

In all of this, the ritual does not seem to have differed significantly from the medieval tradition. So once again the question arises: Has nothing changed?

From the emperor's perspective, hardly. For him it was a matter of the complete restoration of imperial authority, particularly in its *spiritual* dimension – even if he had not wanted to openly define the conflict as a religious one. For him it was about the absolute obedience of the imperial estates “pour le saint service de Dieu” as he wrote

²² The emperor's looks played an important role. It was specifically noted, for example, that the emperor at first did not condescend to look at the kneeling Duke of Württemberg (compare the sources cited above in note 20) or that through his look he did not encourage Philip of Hesse to stand up (compare the sources above in note 27).

²³ Compare the report by the Braunschweig envoy Pauli (see note 38), fol.165 v.: „und haben darzu all vier schwartz roecke, einerlei gestalt anzuziehen geheißen [...]“ (and they all four had on black clothing, ordered to all appear as one... “).

²⁴ Ibid, fol. 166 r: „auch geschah die abbit auf die maß und form, wie uns ubergeben ...“. (and the apology took place in the way and manner that had been handed to us).

²⁵ As a rule, the contractual conditions were also: favor or mercy, reconciliation and the reinstatement of privileges for payment of a specific penalty, relinquishment of a specific number of pieces of artillery, and the opening of the city to imperial troops.

²⁶ Only those who had already fully accepted the terms of the instrument of surrender could count on imperial mercy, but then all the more certainly. Charles saw this as a precept of his imperial honor: After their genuflection, Charles is supposed to have said to the envoys from Göttingen: “Da ihr von Göttingen euch recht und wohl halten und gehorsam sein wollt, so will ich euer gnädiger Kaiser sein oder die Krone nicht mit Ehren tragen” (Since you of Göttingen conduct yourselves correctly and properly and wish to be obedient, so will I be your merciful emperor or not wear the crown with honor). Compare Schmidt (see note 37), 562.

to his brother.²⁷ For at stake was nothing less than the unity of the temporal and spiritual order; the unity of the religious and political language of forms in the ritual of genuflection corresponds to this. And precisely this made the act into a question of conscience for the Protestant estates. Exactly this marks the point in which these genuflections differed in principle from the medieval tradition: Conscience now entered the game. For this reason the meaning of the ritual now fundamentally diverged for the participants.²⁸ In what follows I would like to show how to understand this.

The changed view of things is revealed in a source, which, exceptionally, not only gives an account of the external course of events of such a genuflection, but also describes the inner viewpoint of the genuflecting actor himself. This is the extensive diary – interspersed with spiritual reflections – of the pious and highly *érudite* Count Wolrad of Waldeck on his visit to the Augsburg imperial diet in 1548.²⁹

Wolrad and his two brothers had not taken part in the Schmalkaldic War personally, but had supported their feudal lord Philip of Hesse with troops. Charles V

²⁷ Lanz (see note 27), vol. 2, nr. 566, 525: “Or puisquil a pleu a dieu me donner ceste prosperite, dont je lui rend graces, et desirant user dicelle mesmes pour son saint service, signamment en ce que concerne le remede de la religion en ceste Germanie, rememorant les causes et fondemens pour lesquels, comme bien scauez, je suis este constraint entrer en ceste guerre [...].” On the evaluation in general compare Kohler, *Karl V.* (see note 22), 23ff.; Luttenberger (see note 9), 293ff.; Horst Rabe, *Reichsbund und Interim. Die Verfassungs- und Religionspolitik Karls V. und der Reichstag von Augsburg 1547/1548* (Cologne, Vienna, 1971), 456, speaks of a “bis zur Wirklichkeitsfremdheit gehenden Hochschätzung der Autorität seines kaiserlichen Amtes” (high estimation of the authority of his imperial office that went so far as to be completely out of touch with reality).

²⁸ According to a remark by Klaus Schreiner, “Gesten” have “Bestand, wenn derjenige, der sie vollzieht, und derjenige, der sie wahrnimmt und dem sie gelten, dieselben Bedeutungszuschreibungen vornehmen“ (Gestures are universally binding when he who carries them out and he who perceives them and to whom they are aimed, ascribe the same meaning to them). Schreiner, *Nudis pedibus* (see note 1), 123. But this is only true within limits: In other contexts what a ritual achieves may be precisely the production of a fiction of consent and the temporary concealment of the different meanings assigned to it by the actors. It is thus necessary to look carefully and to differentiate whether, before the background of a general need for consent, the ritual obscures real dissent in individual cases or whether the dissent is so fundamental that the ritual no longer functions for any length of time.

²⁹ *Tagebuch des Grafen Wolrad von Waldeck. Reise zum Augsburger Reichstag 1548*, trans. Gerhard Kappe, historical treatment by Ursula Machoczek, intr. Gerhard Müller (Kassel, 1998); compare Victor Schultze, *Waldeckische Reformationsgeschichte* (Leipzig, 1903). Wolrad II, Count of Waldeck (1509-1578) was originally intended for the clergy and thus had enjoyed a thorough education, so that he was able to compose his diary, which he dedicated to the reformer Johann Brenz, in fluent Latin. In 1539 he assumed rule over a part of the Waldeck count’s territory, which he had to share with his two step-brothers Philipp and Johann. In 1545, upon the wish of Philipp of Hesse he took part as an Auditor in the Regensburg religious colloquy. As regent, he was very and lastingly committed to the Reformation, took his role as ruler of the church in his territory very seriously and introduced a Lutheran church order in 1556.

ordered them to Augsburg at the beginning of March in order to call them to account personally for their rebellion.³⁰ Once there, they were left in excruciating uncertainty as to their fate for two months. They spent half of their precious time in futilely seeking an audience with the courtly “demi-gods” in order to present his petition before the emperor, the other half in Protestant preaching and spiritual discussion. During this entire time Wolrad agonized about whether his efforts to obtain mercy “from the leaders of this world” did not “do dishonor to the name of God” and were thus detrimental to his own blessedness.³¹

His moral dilemma increased when on May 15, in a great ceremony, the emperor announced the so-called Augsburg Interim, a regulation which, to a large extent, imposed upon the Protestants a return to the old divine service.³² At the same time Wolrad heard it preached almost daily in the Augsburg main church that the Christian’s obligation to obey did not extend to idolatry and the misuse of the sacraments.³³

Finally in June Wolrad was forced to have the terms of surrender dictated by the very same emperor whom he had referred to in his diary as “the Egyptian,” “Jupiter,” and even “the beast.”³⁴ To the very last he nurtured the hope that it would be

³⁰ The dukes’ defense strategy – that as his vassals, they were included in Philip of Hesse’s surrender – was an ambivalent one even for them, for the imperial councilors countered this with their status as imperial dukes and held out to them the prospect that their personal submission would cement their imperial freedom and place it beyond doubt; compare Waldeck (see note 50), 50f., 59f., 156, 166f. On the long and unsuccessful seeking of an audience, see, for example, *ibid.*, 94, 110, 129, 138, etc. This concerned not only responsibility because of the rebellion, but also a conflict between Waldeck and Kurköln, the negotiation of which should have taken place in Augsburg, but which was repeatedly delayed.

³¹ For example, Waldeck (see note 50), 91, 180f.; compare also the questions of conscience aroused by participation in a ceremony of the old (Catholic) service, or the condemnation of those Protestants who “zurückkehren nach Ägypten und die Gunst der Mächtigen anbeten” (return to Egypt and worship the favor of the mighty), *ibid.*, 101, 104, 113, 136, 139, 146, 172 f., 177, etc.

³² Rabe (see note 48), 441ff. In the presence of the emperor himself, King Ferdinand, and Archduke Maximilian, the Interim was presented to the assembled estates in a solemn proposition and, after a brief consultation, accepted by the archchancellor of Mainz.

³³ Waldeck (see note 50), 144ff. 152f., 156, 157ff.; compare the sermon on Rom. 14 and I Cor. 8-10, *ibid.*, 213 f.; on the theological debate over the duty of obedience compare Eike Wolgast, *Die Religionsfrage als Problem des Widerstandsrechts im 16. Jahrhundert* (Heidelberg, 1980); Hans-Joachim Gänßler, *Evangelium und weltliches Schwert. Hintergrund, Entstehungsgeschichte und Anlass von Luthers Scheidung zweier Reiche oder Regimenter* (Wiesbaden, 1983); and further the literature on the understanding of resistance in the Schmalkaldic League cited above in note 11.

³⁴ “Jupiter”: Waldeck (see note 50), 177; “Ägypter”: *ibid.*, 181; “römische Bestie C. und F.”: *ibid.*, 286. Negotiations: *ibid.*, 177, 187, 197, 227 (18 June: “Über den Fußfall vor dem Kaiser besteht noch Zweifel.” There is still doubt concerning the genuflection before the emperor). On the type of the “Egyptian” for the tyrannical ruler already in the Middle Ages, compare Thomas Scharff, “Die Rückkehr nach Ägypten. Prolegomena zu einer Geschichte des Ägyptenbildes im westlichen Mittelalter,” *Frühmittelalterliche Studien* 31, 2002, ##-##. In the Middle Ages the Egyptian of the Book of Exodus was

possible to avoid a genuflection. But this was a mistake. On June 19th 1548, Wolrad signed and sealed the instrument of surrender and had it brought by his councilor Liborius to the imperial councilors. “But now Liborius attempted,” Wolrad wrote, “to eliminate the genuflection before the emperor if possible. But the bishop [of Arras] laughed and he said that *exactly this* must take place.”³⁵ Wolrad commented upon this in his journal with the fervent prayer, “Lord Jesus, to whom upon the order of your everlasting father all knees – in heaven, on the earth, and beneath the earth – are deservedly and justly bent, grant that in obeying the highest power on earth I might not offend against your honor.”³⁶ And as Liborius returned from the imperial councilors, informed him of the procedure for the genuflection and promised him “that very few would be present” when he made the genuflection before the emperor, Wolrad wrote in his journal: “Grant, Lord God, that I might humble myself before your omnipotence, and might regard men as nothing other than mortals. It has returned – oh, what sorrow! – it has returned, the worship of the Egyptians.”³⁷

Three days later, Wolrad was suddenly and unexpectedly called before the emperor to finally perform the genuflection and receive absolution. In the hall before the imperial chamber he was once again made to wait and he became a witness to the general bustling activity that prevailed in the preparations for the ritual. Wolrad was forced to bury his hope that the ritual would take place in a small, intimate winter chamber before the eyes of only a few spectators. Courtiers lurked around Wolrad and his councilors and cast at him sidelong and gloating looks - or so it seemed to him. The Imperial hereditary marshal Pappenheim ordered him to lay down his sword and explained to him and his councilors with which ceremonial they had to carry out the genuflection: “He instructed me to hold my face looking downward until the emperor himself should instruct me to approach his majesty.”³⁸ The entire ceremony then

considered in Christian exegesis a cipher for pagan oppression, darkness, and remoteness from God. In the conflict with the pope, Frederick II was referred to as pharaoh and as *homo Aegyptius*, for example, although this did not yet include the accusation of the ruler’s pagan self-deification.

³⁵ Waldeck (see note 50), 231; the imperial council Viglius van Zwicchem vaguely held out the prospect that possibly not all three Waldeck counts had to kneel personally. And in fact Wolrad’s nephew Samuel had the apology performed before Charles V by a representative in 1549 in Brussels; compare Schultze (see note 50), 183.

³⁶ Waldeck (see note 50), 231.

³⁷ Ibid, 232.

³⁸ Ibid, 240.

proceeded just as has come down to us in countless other reports, and Wolrad was able to leave Augsburg soon thereafter.

The journal clearly indicates that something essential had changed, even if the ritual forms had remained unchanged. Out of the medieval ritual between two adversaries, in which sacral and political authority coincided indistinguishably,³⁹ there was now a suspenseful *ménage à trois* – literally: an adultery, *adulterium*⁴⁰ – between the one who knelt, the temporal ruler, and God. The supplicant himself was now torn: He paid outward obeisance to the emperor but at the same time he violated his obligation of obedience to God. In contrast to what the formula of the apology suggested, honor to God and honor to the temporal ruler no longer coincided. The genuflection now appeared to the kneeling supplicant like the Egyptian deification of rulers, like idolatry. He thus had to distance himself inwardly from his outward gesture, by means of a *reservatio mentalis*, in the hope that God “looked into the heart.”⁴¹ Penitence before the ruler was no longer the same as penitence before God, but stood in direct opposition to it. This meant that external gesture and the inner conviction of the one upon his knees were also necessarily opposed to one another.

III.

Wolrad of Waldeck’s story is situated within a broader horizon that I would like to sketch out in what follows in order to make clear what connotations were connected to the ritual of genuflection and how these connotations changed in the run of the sixteenth century.

³⁹ Compare Schreiner, *Nudis pedibus* (see note 1), 102. In rituals that had a binding force, God was always implicitly taken into consideration as well, as an addressee or as a third party in the alliance, and guaranteed that the agreement would be kept. Compare André Holenstein, “Seelenheil und Untertanenpflicht. Zur gesellschaftlichen Funktion und theoretischen Begründung des Eides in der ständischen Gesellschaft,” in *Der Fluch und der Eid*, ZHF, suppl. 15, ed. Peter Blickle (Berlin, 1993): 11-63. Compare also Gerd Schwerhoff, *Gott und die Welt herausfordern. Theologische Konstruktion, rechtliche Bekämpfung und soziale Praxis der Blasphemie vom 13. bis zu Beginn des 17. Jahrhunderts* (Göttingen, 2002), who shows how much God was always present for contemporaries as an “Interaktionspartner” (a partner in the interaction), even in day-to-day conflicts.

⁴⁰ John Calvin compared the fraud committed against God through worshipping idols with adultery, *adulterium*, Ehebruch; see his *Institutiones* II,8,16; the Augsburg Interim called it *Interim adultero-germanicum*. Compare Perez Zagorin, *Ways of Lying. Dissimulation, Persecution and Conformity in Early Modern Europe* (Cambridge, MA, 1990), here 80; Carlos M. Eire, *War Against the Idols. The Reformation of Worship from Erasmus to Calvin* (Cambridge, 1986), 216. For more extensive documentation of Calvin’s position, compare note 93, below.

⁴¹ Compare Waldeck (see note 50), 213f., with reflections on a sermon on Rom. 14 and I Cor. 8-10, which deals with the question of the permissible degree of dissimulation; see below, note 91.

It is well known that the tension between “inner” and “outer” was a fundamental theme in Reformation discourse; it was central to Protestant theology and formed the core of the Lutheran doctrine of the freedom of the Christian and the basis of his doctrine of submission to temporal authority. The reformulation of the relations between the inner events of faith and outward ceremony revolutionized the understanding of the sacraments.⁴² In the case of the confession sacrament this had the consequence that it was not only through absolution by a priest – a ritual of performative verbal magic – by which a sinner was freed of sin, but rather the sinner’s sincere remorse, his *contrition*, alone suff(ai)ced. Remorse lost its ritual character, but was changed into a basic tenor of the believers.⁴³

The way the language of religious symbols was perceived and valued, changed profoundly.⁴⁴ Of kneeling, Luther said, for example, “It is not of any great importance whether one stands, kneels, or prostrates oneself, for bodily ways are neither despised nor commanded as necessary [...]”⁴⁵ Inner and outer were no longer two corresponding parts of a whole, but might potentially get in opposition to each other. “The gesture in itself has lost its effectiveness. What matters is only the intention of its use.”⁴⁶

⁴² Compare recently Susan Karant-Nunn, *The Reformation of Ritual. An Interpretation of Early Modern Germany* (London/New York, 1997), on penitence, see 92ff.; Edward Muir, *Ritual in Early Modern Europe* (Cambridge, 1997), 155ff.; Eire (see note 64).

⁴³ On the transformation of the sacrament of penitence in theology compare Gustav Adolf Benrath, “Buße V,” in *Theologische Realenzyklopädie*, vol. 1 (####), 452-473; also the *Lexikon für Theologie und Kirche*, vol. 2 (1994), col. 824-834, “Buße”; *ibid.*, 840-845, “Bußriten”; *ibid.*, 845-856, “Bußsakrament”; Angenendt (see note 1); Thomas N. Tentler, *Sin and Confession on the Eve of the Reformation* (Princeton, NJ, 1977); recently Ilse Tobias, *Die Beichte in den Flugschriften der frühen Reformationszeit* (Frankfurt/Main, 2002). Mansfield (292ff., see note 1) emphasizes the continuation of the collective character of penitence in the sense of a reconciliation with the community not only after the Fourth Lateran Council, but also after the Reformation as well; John Bossy does so as well, in “The Social History of Confession in the Age of the Reformation,” *Transactions of the Royal Historical Society* 25 (1975): 21-38. Compare also the fundamental Alois Hahn, “Schuld und Fehltritt, Geheimhaltung und Diskretion,” in *Der Fehltritt*, ed. Peter v. Moos (Kiel/Weimar/Vienna, 2001) 177-202.

⁴⁴ Martin Luther, “Sermon von dem Sakrament der Buße” (1519), in *Gesamtausgabe seiner Werke* (Weimar, 1883ff., reprint 1966ff.) (in the following abbreviated *WA*), vol. 2, 709-723; *ibid.*, “De captivitate Babylonica ecclesiae praeludium” (1520), in *WA*, vol. 6, 484-573.

⁴⁵ Luther, “Wochenpredigten über Joh. 16-20” (1528/9), in *WA*, vol. 28, 1903, 74 f.

⁴⁶ Lentjes (see note 70), 67, compare on page 62: “Die Gebärde aus sich selbst heraus hat ihre Wirkung verloren. Einzig auf die Intention ihres Gebrauchs kommt es an.” Compare also Jörg Jochen Berns, “Luthers Papstkritik als Zeremonienkritik,” in *Zeremoniell als höfische Ästhetik in Spätmittelalter und Früher Neuzeit*, ed. Jörg Jochen Berns and Thomas Rahn (Tübingen, 1995), 157-173.

But that was only one side of the issue. On the other hand, kneeling – or even more so, not kneeling – served as a symbolic demonstration already early on during the course of pre-Reformation conflicts in the empire. In refusing to kneel before the pope, one could refer to the passage in the Acts of the Apostles where Peter says to the Roman centurion Cornelius, who had fallen to his knees before him, “Stand up; I too am a man” (Acts 10:25-26). Philip of Hesse, a master of provocative symbolic gestures,⁴⁷ had already caused a sensation at the Augsburg diet in 1530 by failing to kneel during the blessing by Cardinal Legate Campeggio on the occasion of the ceremonious reception of the emperor.⁴⁸ Just how quickly kneeling or not-kneeling could become a distinguishing sign can also be seen in reports such as that of the protestant traveller Bartholomäus Sastrow, who witnessed a Corpus Christi procession in 1540 in Rome and saw “that all the people who were there, of whom there were many thousand, [fell] upon their knees [before the pope]. I remained standing, the others around me looked at me, hey! they thought I must be crazy not also to have fallen to my knees.”⁴⁹

Especially gestures such as genuflection were bound to become signals of inclusion or exclusion during the confessional conflict – even if theologians sought to classify them as insignificant formalities and warned that one should remember “the Christian’s freedom” in “ceremonies and customs in external things”, so-called *adiaphora*, “so that we are not in turn effected in our conscience by the laws of men.”⁵⁰ But nevertheless, especially because of their simple and clear visibility, gestures such as genuflection

⁴⁷ On Philip’s symbolic provocation upon entering the Augsburg Reichstag in 1530 wearing the motto “*Verbum Dei Manet In Eternum*” on his sleeve, compare *Briefe und Acten zu der Geschichte des Religionsgesprächs zu Marburg 1529 und des Reichstags zu Augsburg 1530 nach der Handschrift des Joh. Aurifaber*, ed. Friedrich Wilhelm Schirrmacher (Gotha, 1876), 74. On the demonstrative refusal to participate in the Corpus Christi procession see Valentin von Teteleben, *Protokoll des Augsburger Reichstags 1530*, ed. and intro. Herbert Grundmann (Göttingen, 1958), 65 f.

⁴⁸ The legate blessed the princes who had kneeled to receive it, but not Philip of Hesse and Johann of Saxony, upon which the margrave of Brandenburg also stood up once again; Philip „lechelt und truckt sich hinder eynen grossen leuchter“ am Altar (smiled and squeezed himself behind a large candelabrum at the altar). The anonymous source is quoted by Herbert Grundmann, “Landgraf Philipp von Hessen auf dem Augsburger Reichstag 1530,” in *Aus den Reichstagen des 15. und 16. Jahrhunderts, Festgabe dargebracht der Bayer. Histor. Kommission zur Feier ihres 100jährigen Bestehens* (Göttingen, 1958), 367, note 35.

⁴⁹ Sastrow (see note 22), vol. 1, 356.

⁵⁰ Compare Emil Sehling, ed., *Die evangelischen Kirchenordnungen des XVI. Jahrhunderts*, section 1 (Leipzig, 1902), 430 (Saxon Church Ordinance of 1580); similar, for example, already Sachsen-Coburg in 1524 (ibid, 542); Colditz 1529 (ibid, 545); Leisnig 1529 (ibid, 605). Even the Celle Church Ordinance of 1545 recommended kneeling as appropriate to silent prayer (ibid, 300).

almost necessarily suggested themselves as signs of confessional distinction. Even kneeling during Mass as a sign of personal devotion and humility was frowned upon for a long time by Protestant authorities and eventually even expressly forbidden.⁵¹ One could pointedly say: What external gestures lost in terms of their sacral power during the Reformation, they conversely won in terms of their meaning as signs of distinction.

But what is the significance of all this when faced with the question of whether or not one is permitted to betray his convictions by means of a gesture of submission to a godless ruler?⁵² Is one permitted to lie to the ruler with one's body while speaking the truth to God with one's heart? A whole series of biblical exempla existed for these questions as well as a wide-ranging patristic discussion from Augustine and Jerome to Thomas Aquinas.⁵³ During the confessional conflict, this tradition was now explicitly revisited. The theme held sway over contemporaries: The biblical exempla were not only commented upon in sermons and discussed in scholarly treatises, but also staged in plays.

⁵¹ As for example in Brandenburg: Martin Füssel, *Ceremoniae Christianae* (Frankfurt/Oder, 1616). On this, compare Bodo Nischan, *Prince, People, and Confession. The Second Reformation in Brandenburg* (Philadelphia, 1994), 137ff. And in general, compare more recently Karant-Nunn (see note 66).

⁵² I have found no evidence that in the sixteenth century the subtle distinction of high medieval liturgists was still known, by which only one knee should be bent before a worldly ruler, whereas the bending of *both* knees should be reserved for God alone. Compare Suntrup (see note 1), 159f. Compare also Berthold of Regensburg, *Predigten*, ed. Franz Pfeiffer and Joseph Strobl, 2 vols. (Vienna, 1862-80), vol. 1, 348: "Dû bist gehorsame vil mere schuldic dem obern herren danne dem nidern. Dû muost mit zwein knien vor dem obern herren knien unde mit eime knie vor dem nidern," (you owe the higher lord much greater obedience than the lower lord. You have to kneel before the higher lord with two knees and with one knee before the lower) with the revealing consequence: "Daz bediutet, daz dû des obern herren bist mit libe unde mit sêle unde des niedern niwan mit dem libe" (this means that you belong to the higher lord with love and with soul and to the lower lord only with love).

⁵³ The problem of lying and dissimulation in general is discussed in patristic literature especially on the basis of Galatians 2:11-14, which deals with the dissimulating following of the Jewish food laws by the Jewish Christians. The author most frequently quoted on this question in the sixteenth century was Thomas Aquinas, who conceded that, under certain circumstances: "licet tamen occultare prudenter sub aliqua dissimulatione." A further example was provided by 2 Kings 5:17-19 in which the Syrian Naaman vows to no longer offer sacrifices to any God other than Yahweh, but reserves the right to accompany his lord to the pagan sacrifice and there to kneel down before the altar. Nicholas of Lyra discusses this story at length and teaches that not just idolatry, but the bare simulation of idolatry was a sin, but explains the possible exception arising from obligation towards a worldly lord. Compare the extensive discussion by Zagorin (see note 64), 28ff.

It is no coincidence that the Book of Esther was among the most well-loved and most frequently staged biblical material for Protestants in the sixteenth century.⁵⁴ For it is a genuflection before a temporal ruler that is at the center of what happens. The central conflict is triggered by the Jew Mordecai refusing to perform a genuflection before the king's protégé Haman, eventually resulting in the order for the extermination of the Jewish people. Mordecai justifies his disobedience by stating that he cannot put the honor of a man above the honor of God: "I will kneel down before no one but you, my Lord" (Esther 4:17E). It is no wonder that this scene was emphasized in the Protestant Esther plays – for example in the work of the Waldeck subject Andreas Pfeilschmidt of 1555, in which it encompasses around 150 verses and in which Mordecai is given extensive opportunity to justify himself: "Ich find in meinem Gesetz stahn / Knie beugen und auch beten an / Gehört allein dem höchsten Got / der Israel errettet hat" (v. 1385-1388). Refusing to genuflect before the ruling power can be seen as a virtual cipher for the doctrine of the limits of submissive obedience and the obligation to passive resistance: "Sonst will ich sein gern underthan / Mit leib und gut womit ich kann./ Wenn nicht ist wider meinen Gott/ Der mich hierher geschaffen hat." (v. 1356-1359).⁵⁵ This expresses precisely what had preoccupied Wolrad of Waldeck in his diary on the occasion of his own genuflection – and it is probably no coincidence that it was his wife, Anastasia of Schwarzburg, to whom the playwright dedicated this play in 1555.

In the Esther play it was exactly the external gesture of kneeling that constituted idolatry and thus marked the limit of the Lutheran commandment of obedience. As mentioned above, during his stay in Augsburg, Wolrad of Waldeck heard almost daily the sermons in the main church, which in May and June of 1548 revolved around exactly the theme of the limits of obedience to authority and participation in idolatry. On the one hand, it was certain that one was obliged to flee from that which was "against the honor of Christ, the holy doctrine and the use of the sacraments", he wrote

⁵⁴ I owe the knowledge of these plays to Wolfram Washof, who is working on a dissertation project on the theme of "Exempeldrama. Exempelfiguren im protestantischen Bibeldrama der Reformationszeit" in SFB 496. Compare also Rudolf Schwartz, *Esther im deutschen und neulateinischen Drama des Reformationszeitalters* (Oldenburg/Leipzig, 1894); Wolfgang F. Michael, *Das deutsche Drama der Reformationszeit* (Bern/Frankfurt/Main, 1984), 81ff. 95f., 122, 168ff.

⁵⁵ Andreas Pfeilschmidt, *Esther* (1555), ed. Barbara Könneker and Wolfgang F. Michael (Bern/Frankfurt/Main/ New York, 1986), 50ff.

in his diary.⁵⁶ On the other hand, one owed obedience to the authorities in all external matters. The question was: Where exactly did the sin of idolatry begin? And this question arose equally for genuflection as for participation in the Catholic sacraments, which was now imposed by the Emperor's command, the so-called *Interim*.

The situation forced the Protestants into an intense reflection upon the relationship between gesture and conscience, in other words: on the permissibility of *dissimulatio*,⁵⁷ of misrepresentation in outward ceremonies in order to defend true faith "in the heart."

In this situation the preachers in Augsburg cited Paul, who in Romans 14 and 1 Corinthians 8-10 teaches that for the sake of the gospel, one had to misrepresent oneself under certain circumstances and conform to the practices (in this case the dietary laws) of the pagans and Jews, the lawful as well as the unlawful: "To the Jews I became as a Jew, in order to win Jews, to those under the law I became as one under the law ... that I might win those under the law ... To the weak I became weak, that I might win the weak."⁵⁸ As Luther preached, following Paul, no place, no day, no food, no external thing whatsoever, is unclean in itself, but becomes so only through mistaken faith – and vice versa: what is done in the right faith cannot be a sin. As many preachers concluded in light of the *Interim*, no one should be judged for following outward ceremonies.⁵⁹ That should be left to God, "to whom what is hidden in our hearts stands open, [who] will easily pass sentence on everything, by revealing

⁵⁶ Waldeck (see note 50), 153.

⁵⁷ Compare the seminal Zagorin (see note 64). The problem of *dissimulatio* does not arise first in the confessional conflict, but had already been similarly raised in connection with the Waldensians, the Moriscos, and the Marranos. On the other side of religious problem it has been treated as a political problem, for example in Tacitism or as a moral problem in "Hofmannsliteratur," which shall not be discussed here.

⁵⁸ 1 Cor. 9:20. Compare Arnold Angenendt, "Die Epikie. Im Sinne des Gesetzgebers vom Gesetz abweichen," in Peter von Moos (see note 67), 363-376, on Paul's "Interesse am moralisch Indifferenten" (interest in moral indifferents), 369f.

⁵⁹ The conformist dissimulation in outward gesture for the sake of peace was already justified by the Strasburg spiritualist Otto Brunfels in a treatise of 1528 (compare Zagorin, see note 64, 69f.); incidentally also by Wolrad's friend Johannes Brenz, to whom he dedicated his diary, and by the Erasmian and neo-stoic Dirck Volkertszoon Cornhert, the very same Haarlem council secretary, scholar, and artist who had engraved in copper the series of genuflections before Charles V. Compare Olga Rinck-Wagner, *Dirck Volkertszoon Coornhert 1522-1572 mit besonderer Berücksichtigung seiner politischen Tätigkeit* (Berlin, 1919), 29ff.; Hendrik Bongers, *Leven en Werk van D. V. Coornhert* (Amsterdam, 1978); and further Eire (see note 64), 239, 243, 249.

with what faith individuals have done which particular things,” as Wolrad reflected upon the debate in his diary.⁶⁰

This position must have had unforeseeable consequences for the traditional culture of the ritual. For, and this is my crucial point: The confidence in the binding power of a ritual based on a performance that was public, visible to everyone, and outwardly formally correct, was thus fundamentally shaken.

Two opposing positions confronted one another as Charles V forced the Protestants to genuflect and to accept the Interim: Either one submitted to political necessity and performed the required ritual acts – with the *reservatio mentalis* of intending something different in one’s heart and before God. The ritual would thus have to be downgraded to a purely external, indifferent ceremonial, to an *Adiaphoron*, of no great importance, to the laws of men, which one could treat with Christian freedom. This was a position that could be taken both in the spirit of an anti-ritualistic inwardness as well as in the spirit of a politically clever and Erasmian love of peace – in any case a position concerning the ritual which was quite compatible with the spirit of the Reformation understanding of the sacraments as well as with the Lutheran doctrine of obedience; and thus an obvious one for Protestants. But it was also a position that opened up an insurmountable gulf between inner and outer and fundamentally deprived a ritual of its performative power.

But from another position, this behavior was rejected as *Dissimulatio* and lie, and it was categorically demanded that outward gesture and inner conviction must be brought into agreement. This position, which was not coincidentally taken by none other than John Calvin in the work *De vitandis superstitionibus* of 1549, consisted – now as earlier – of the unity of temporal and spiritual power, on agreement between the *forum externum* and the *forum internum*. A dissociation of these two agencies – that is to say, also a dissociation between gesture and faith, between body and heart – was irreconcilable with the concept of a Christian community as both a spiritual and temporal order. From this perspective, the inner sincerity of the outward gesture was indispensable. And no wonder: urban church organizers such as Calvin, Bullinger or the Augsburg preacher Musculus were all too aware of the fact that a Christian

⁶⁰ Waldeck (see note 50), 213 f.

community could not dispense with public sacral rituals that helped to establish community.⁶¹ From the perspective of the authorities it was not acceptable for the outward obedience of the subjects towards the authorities to stand in opposition to their inner obedience to God. In this respect Calvin stood much closer to Charles V than he did to those who shared his Protestant faith - but who gradually began to see the *separation* of religion and political rule as the only way out of the dilemma.⁶²

IV.

Finally, I would like to return very briefly to the history of the apology on bended knee, which I have not yet told to the very end. The culmination and outright excessive use of the ritual marked at the same time a historical turning point. As is known, Charles' s triumph did not last long. Protestant princes joined forces once again, this time under the leadership of Moritz of Saxony, and compelled by force of arms the complete revision of the political situation, which led to Ferdinand's conceding in the Treaty of Passau of 1552 and to the Peace of Augsburg of 1555 and ultimately contributed to Charles's resignation. Even the Waldeck counts took part in the revolt with their troops – despite the apology that had been performed and the ritual promise never again to disobey his imperial majesty.⁶³

Two cities had at the time not yet given up their resistance: Bremen and Magdeburg. Both had successfully refused for years to accept the same terms of surrender as the other cities had done.⁶⁴ The reconciliation treaty with Bremen, which was signed finally on 15 September 1554, no longer included a genuflection. Even more spectacular was the case of Magdeburg,⁶⁵ which, since 1548, had become the center of

⁶¹ The fact that among the upper German and Swiss reformers public church penitence was revived as a means of social discipline in the ensuing time period belongs to the same context. Compare the literature cited in note 67 above.

⁶² Compare, for example, Rabe (see note 48), 420, on the consultations in the estates committee of the imperial diet in 1548, in which the separation gradually began to emerge as a possible solution.

⁶³ Waldeck (see note 50), 241; Schultze (see note 50), 193.

⁶⁴ Compare Schulte (see note 36), 282 f.; Lucke (see note 36), 104. The wood relief after Heemskerck of 1570-80 (see above, note 41), in which the genuflection scene of the imperial cities also includes the Bremen coat of arms, therefore retrospectively placing the reconciliation within the series of submissions of 1547-48, thus represents a historical falsification.

⁶⁵ Compare Hortleder (see note 14), book 4, ch. 17 and 18. F. A. Wolter, *Geschichte der Stadt Magdeburg. Von ihrem Ursprung bis auf die Gegenwart* (Magdeburg, 1907), 120ff.; Helmut

the public media battle against the Interim and was for this reason besieged for half a year. During the surrender negotiations the city council stubbornly refused to accept the condition of the apology on bended knee, and in the end prevailed. When, after years of delay, Magdeburg was finally officially granted absolution from the imperial ban in 1562, the new emperor Ferdinand significantly dropped the demand for a ritual genuflection.

The spectacular chain of public acts of submission after the end of the Schmalkaldic War was the climax but also the turning-point in the history of this ritual. While it would be too risky to claim that the ritual of *deditio* by princes before the emperor subsequently no longer took place at all, I have at least not found any more examples of it. Only kneeling by city councils is documented occasionally up to the eighteenth century;⁶⁶ more and more seen as a curiosity then. But as a central act in ending a conflict between the emperor and the imperial estates, public genuflection no longer takes place; a series like that of 1547-48 never reoccurred in the history of the Holy Roman Empire.⁶⁷

Asmus/Manfred Wille, 1200 Jahre Magdeburg. Von der Kaiserpfalz zur Landeshauptstadt (Magdeburg, 2000), vol. 1, 481-498. In the words of Wolter, Magdeburg, 128: "Von der Schleifung der Festungswerke ... sowie von der fußfälligen Abbitte wollte der Kaiser gleichfalls nicht abstehe[n], und wirklich ließ erst [...] Ferdinand I. diese beiden Punkte fallen" (The emperor wanted to forego neither the razing of the fortifications nor the apology upon bended knee, and it was really Ferdinand I who allowed these two points to fall).

⁶⁶ Hamburg is described in the *Europäische Fama* (part 248, Leipzig, 1721, 672-678) as a "peculiar" case and a curiosity. Hamburg's mayor was required to personally perform an apology on bended knee before the emperor in July 1721 for the destruction of the Catholic legation chapel by a crowd of people during a tumult, which was interpreted as "crimen laesae majestatis." The Viennese were of the opinion that the public injury to the imperial majesty had to be "auf solche empfindliche, scharfe Art vidiciret werden [...], damit dieses gleichfalls der ganzen Welt eclatire" (appeased in such a sensitive and harsh manner ... so that this would be similarly displayed for the whole world). The carrying out of the ritual was long delayed; negotiations were made, among other things, about the extent to which the ritual would be public and about the ritual details. Delays were also caused by the emperor's refusal to accept the city councilors who had been dispatched, and rather insisted upon "die Gegenwart des regierenden Bürgermeisters bey der Deprecation unumgänglich" (the absolutely necessary presence of the ruling mayor at the apology). Otherwise the ritual followed the form it had had during the time of Charles V. On the circumstances of the case, compare Rainer Ramcke, *Die Beziehungen zwischen Hamburg und Österreich im 18. Jahrhundert. Kaiserlich-reichsstädtisches Verhältnis im Zeichen von Handels- und Finanzinteressen* (Hamburg, 1969), 73ff. (I am grateful to Johannes Arndt, Munster, for this information.)

⁶⁷ On the external form with which the freeing from the imperial ban normally proceeded there is, however, no information in the literature; apparently it is assumed that it took a written form (for example the public reading of the document by an imperial herald). Compare, for example, Matthias Weber, "Zur Bedeutung der Reichsacht in der Frühen Neuzeit," *Neue Studien zur frühneuzeitlichen Reichsgeschichte* (ZHF, suppl. 19), ed. Johannes Kunisch (Berlin, 1997), 55-90; Christoph Kampmann, *Reichsrebellion und Kaiserliche Acht* (Munster, 1992).

This cannot be attributed only to the fact that increasing literacy and bureaucratization within the government relegated the meaning of public rituals to the background generally – an explanation that in any case cannot be applied universally. Rather, the end of the genuflections appears not least to be an externally visible consequence of the process of separation of faith from law taking place on the level of the empire (but, only on this level). For what made the genuflection so valuable, even indispensable, for Charles V, and simultaneously such a great burden for many Protestants, was the ritual's sacral implications, which under the existing conditions, no viewer could ignore. In genuflecting, one did not perform a purely legal-political act, but demonstratively acknowledged the emperor's universal, sacrally legitimized authority. And precisely this made genuflection for the Protestants either into an unforgivable act of idolatry - or forced them, conversely, to downgrade it to an insignificant *adiaphoron*, a bare external formality, from which one could confidently distance oneself in one's heart and before God. But where, under the pressure of authorities with a different faith, external gesture and inner conviction diverged, where one had to take refuge in outward *dissimulatio* with inner *reservatio mentalis*, sacral ritual acts were fundamentally invalidated. Mistrust of the ritual, the constantly lurking suspicion of misrepresentation, threatened its legally binding effect to its core and made it seem advisable to rely upon other, more neutral – that is to say, written – forms of guarantee between the members of different confessional parties. When Ferdinand realized that it was impossible to compel the Protestants to submit to imperial rule *and* to the Catholic truth, he thus acted resolutely, by dispensing with the genuflection. In the long run, the only solution of the problem was to sharply differentiate between ritual as religious service and ritual as political commitment, that is to say, between religion and politics.