

# Liturgical Uniformity and Church Polity in the *Augsburg Confession* and the *Formula of Concord*: the *Church Orders* as Hermeneutical Key

*Lutheran Theological Journal* 36/2 (2002): 71-83

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## The problem

The Augsburg Confession states that

*bishops or pastors may make regulations so that everything in the churches is done in good order, but not as a means of obtaining God's grace or making satisfaction for sins, nor in order to bind men's consciences ... It is proper for the Christian assembly to keep such ordinances for the sake of love and peace, to be obedient to the bishops and parish ministers in such matters, and to observe the regulations in such a way that one does not give offence to another and so that there may be no disorder or unbecoming conduct in the church. (AC 28, 53-55)*

Similarly, the *Formula of Concord* declares:

*We further believe, teach and confess that the community of God in every place and at every time has the right, authority, and power to change, to reduce, or to increase ceremonies according to its circumstances, as long as it does so without frivolity and offence but in an orderly and appropriate way, as at any time may seem to be most profitable, beneficial, and salutary for good order, Christian discipline, evangelical decorum, and the edification of the church. Paul instructs us how we can with a good conscience give in and yield to the weak in faith in such external matters of indifference ... (SD 10, 9)*

The *Wittenberg Church Order* of 1533 contains lengthy proposals regarding the liturgical life of the church. It lays down what the pastor shall preach on at the normal early Sunday service, on festivals and when the sacrament is celebrated. There are detailed regulations for other services and elaborate instructions on what is to be chanted and sung.<sup>1</sup> Initially intended for Wittenberg/Kemberg and the environs and then for all of Electoral Saxony, this order is considerably shorter than Bugenhagen's *Braunschweig Order* of 1528,<sup>2</sup> and is only a small fraction of the length of the *Electoral Saxon Order* of 1580<sup>3</sup> or the *Braunschweig- Wolfenbüttel Order* of 1569.<sup>4</sup>

Today it is simply inconceivable that any synod would even attempt to mandate such lengthy liturgical directives. In America such forums have at times had difficulty

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<sup>1</sup> For the full text see AL Richter ed, *Die evangelischen Kirchenordnungen des sechszehnten Jahrhunderts. Urkunden und Regesten zur Geschichte des Rechts and der Verfassung der evangelischen Kirche in Deutschland*, Leipzig, 1871, vol 1, 220-25; also Emil Sehling ed, *Die evangelischen Kirchenordnungen des XVI Jahrhunderts*, Leipzig, 1902, vol 1, 70ff.

<sup>2</sup> Richter I, 106-20.

<sup>3</sup> Richter II, 401-51.

<sup>4</sup> Sehling VI, 22-479.

approving even the mildest liturgical directives, including the use of Lutheran hymnals. And even that has been viewed by many as hopeless legalism.

The answer to our liturgical struggles today is not the imposition of sixteenth-century liturgical directives upon our modern church. That is not the point of this paper. It merely seeks to understand the meaning of the confessional texts by coming to grips with the way in which they were understood by the confessors themselves. The very people who authored the Confessions had no problem with mandating a host of liturgical directives, with careful provisos. They were convinced that they were acting in absolute accord with the Confessions. We must come to grips with this historical reality *before* we try to figure out what these texts might mean for a church that would confess them today.

There was room for pastoral discretion in the *Wittenberg Order* of 1533. Liturgical matters are the pastor's responsibility and 'may be increased or reduced according to the circumstances of the day. For such ceremonies should not be necessary laws, but stand under the authority of the pastor, to deal therein as it serves best.'<sup>5</sup> Yet the limits of pastoral discretion are clearly defined in the order itself. Pastors, preachers and chaplains 'shall also maintain the Christian ceremonies in unity and uniformity [*eintrectiglich und gleichformig*]'.<sup>6</sup>

Why the mandate regarding 'ceremonies in unity and uniformity'? The *Augustana* clearly states in Article 7 that

*it is sufficient for the true unity of the preached in conformity with a pure understanding of it, and that the sacraments be administered in accordance with the divine Word. It is not necessary for the true unity of the Christian church that ceremonies, instituted by human beings, should be observed uniformly in all places.*

We appear to have a direct contradiction between the demands of church polity and the church's public confession regarding the nature of the unity of the church. The church order mandates 'unity and uniformity' in ceremonies, while the *Augustana* states that there must be uniformity only in the case of the gospel and sacraments. We will see the same apparent contradiction in the case of the *Formula of Concord* and the church orders produced in that period. But the two confessional texts under consideration already point to the way out of this conundrum. They clearly summarise the teaching of the Confessions regarding polity and uniformity.

### **From Luther to public doctrine**

Concerns for both freedom and unity echo the theology of Luther, expressed prior to 1530. Luther's views regarding liturgical matters remain consistent from his first major foray into the topic in the *Formula Missae* of 1523. As radical as Luther's innovations were, he remained a liturgical conservative with a concern for catholicity. He held that there had been a church long before his day, and much of what that church had done in its wisdom was good and by no means to be dispensed with. 'It is

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<sup>5</sup> Richter I, 224.

<sup>6</sup> Richter I, 227.

not now nor ever has been our intention to abolish the liturgical service of God completely, but rather to purify the one that is now in use ...<sup>7</sup>

One notes two foci in the three major liturgical writings of Luther: justification and freedom tempered by love. The former is more strongly emphasised in the *Formula Missae*. The latter is most evident in *the Letter to the Livonians*. Both are evident in the preface to the *Deutsche Messe*. All three tracts, however, clearly demonstrate both concerns. In the revision of the Latin mass, Luther excised everything that smacked of human merit or the sacrifice of the mass. It was purified on the basis of the chief article. Also in this tract Luther made stunning and bold comments regarding liturgical freedom. ‘These rites are supposed to be for Christians, ie, children of the “free woman” [Gal 4:31], who observe them voluntarily and from the heart, but are free to change them how and whenever they may wish.’<sup>8</sup>

The need for agreement in the church regarding liturgical matters was also evident in Luther’s thought. ‘Let us approve each other’s rites lest schisms and sects should result from this diversity of rites — as has happened in the Roman church.’<sup>9</sup> Luther wanted his revisions used or set aside in the future by common consent. He sought a middle road between the ‘frivolous faddism’ of some people which provides for nobody and a submissive fear which ‘endorses universally held abominations’<sup>10</sup> and binds consciences, commanding what God himself has not mandated. It was only the persistent requests of Nicholas Hausmann, who was concerned with the ‘multiplicity of German masses’, which finally moved Luther to render the mass in the vernacular.<sup>11</sup> Yet evident also throughout the *Formula Missae* is the assertion that the bishop or pastor has the discretion for change within the parameters set.<sup>12</sup>

In *A Christian Exhortation to the Livonians concerning Public Worship and Concord* (June 17 1525), the texts, themes and very language which were taken into the Confessions, and then into the church orders, are clearly evident. More evident, too, is the theme of love that surrenders freedom for the sake of the common good and unity. Writing in the context of the persistent agitation of fanatics, Luther continued to steer a middle path between freedom and order:

*Those who devise and ordain universal customs and orders get so wrapped up in them that they make them into dictatorial laws opposed to the freedom of faith. But those who ordain and establish nothing succeed only in creating as many factions as there are heads, to the detriment of that Christian harmony and unity of which St Paul and St Peter so frequently write...*<sup>13</sup>

The following paragraph is programmatic for what actually transpired in the practice of the church and in the language of the Confessions.

*Now even though external rites and orders ... add nothing to salvation, yet it is un-Christian to quarrel over such things and thereby to confuse the common*

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<sup>7</sup> *Formula Missae*, LW 53, 20.

<sup>8</sup> LW 53, 31.

<sup>9</sup> Ibid.

<sup>10</sup> LW 53, 19-20.

<sup>11</sup> LW 53, 53.

<sup>12</sup> For examples of the bishop’s freedom to vary the liturgy, see LW 53, 24, 30.

<sup>13</sup> LW 53, 46.

*people. We should consider the edification of the lay folk more important than our own ideas and opinions ... Let each one surrender his own opinions and get together in a friendly way and come to a common decision about these external matters, so that there will be one uniform practice throughout your district instead of disorder ... For even though from the viewpoint of faith, the external orders are free and can without scruples be changed by anyone at anytime, yet from the viewpoint of love you are not free to use this liberty but bound to consider the edification of the common people...*<sup>14</sup>

Luther appeals for unity and uniform practice so that people are edified and not confused. 'When you hold mass, sing and read uniformly according to a common order — the same in one place as in another.'<sup>15</sup> This is accompanied by the ethic of love clearly outlined by Luther in 1520 in *The Freedom of the Christian*. 'By faith be free in your conscience toward God, but by love be bound to serve your neighbour's edification, as also St. Paul says, Romans 15:2.'<sup>16</sup>

The preface to the *Deutsche Messe* expressed the same themes. At the urging of Nicholas Hausmann and others,<sup>17</sup> Luther finally wrote a German Mass because of the 'general dissatisfaction and offence that has been caused by the great variety of new masses, for everyone makes his own order of service. Some have the best intentions, but others have no more than an itch to produce something novel.' Freedom, however, must be 'a servant of love and of our fellowman ... As far as possible we should observe the same rites and ceremonies, just as all Christians have the same baptism and the same sacrament...'<sup>18</sup> Luther proceeds with a statement which guided the Lutheran Church thereafter:

*Even heretofore the chapters, monasteries, and parishes were not alike in every rite. But it would be well if the service in every principality would be held in the same manner and if the order observed in a given city would also be followed by the surrounding towns and villages; whether those in other principalities hold the same order or add to it ought to be a matter of free choice and not of constraint.*<sup>19</sup>

In summary, Luther's liturgical program was bold and liberal. In the *Formula Missae* he excised those elements contrary to the gospel; in the *Deutsche Messe* he rendered a completely new setting in the vernacular. Yet he was decidedly catholic and conservative in maintaining the liturgical structure of the ancient liturgy. In fully recognising the inherent freedom in most matters liturgical ('Everything in the mass up to the Creed is ours, free and not prescribed by God'),<sup>20</sup> he advocated a freedom limited by love which serves the neighbour. The result is unity and uniformity, provided no universal demands are made as though matters not mandated by God's word are true divine service. Within prescribed bounds of uniformity, the bishop or pastor has the right of liturgical discretion. It was in the course of the events and

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<sup>14</sup> LW 53, 47.

<sup>15</sup> LW 53, 48.

<sup>16</sup> Ibid.

<sup>17</sup> LW 53, 53; WA, Br 3, n. 793, 373, 374.

<sup>18</sup> LW 53, 61.

<sup>19</sup> LW 53, 62.

<sup>20</sup> LW 53, 25.

negotiations at Augsburg that the confessional contours were defined and Luther's liturgical convictions became the public doctrine of the church, also in regard to ecclesiastical polity.

### **The Augsburg Confession on liturgical uniformity**

When the emperor finally arrived at Augsburg, preliminary negotiations were very strained. On 18 June the imperial herald demanded 'that no preacher here in Augsburg, be he who he will, shall henceforth preach any more, aside from those prescribed by His Majesty, on pain of His Imperial Majesty's highest punishment and displeasure'.<sup>21</sup> The Lutheran princes objected to this edict and to the emperor's insistence that they participate in the Corpus Christi procession. Margrave George was selected to respond to the emperor: 'Before I would deny my God and his gospel, I would kneel down here before your Imperial Majesty and have my head chopped off'. To which the emperor responded in broken German: 'Not head off! Not head off!' [*Nicht Koepf ab!*].<sup>22</sup> The emperor himself had piously joined the procession bearing a candle, head uncovered.<sup>23</sup>

Having begun on such a contentious point, the discussions at Augsburg soon turned to the issue of traditions as things 'indifferent' but under the jurisdiction of the bishops. Melanchthon delivered to the imperial secretary, Baldesius, a preliminary declaration of faith consisting of seventeen articles. The longest, article IX 'On the Commandments of Men', follows the article 'On the Power of the Keys' which asserts that

*to us, through the keys, the power is given to preach the gospel, dispense the sacraments, and to preach repentance and punish those who are stuck in public, gross sins ... The Gospel also teaches this, that the power of the keys does not give us license to establish something new in the church, coerce many nations, and to turn the ban into a secular governance.*<sup>24</sup>

Article IX declares that the gospel forbids the introduction of worship services in the church in which new orders and rules are imposed, for example, the prohibition of marriage, the adoration of images, the invocation of saints, and fast days.<sup>25</sup> This was exactly the advice Luther was giving Melanchthon from Coburg.

*A bishop, as bishop, has no power over his church for imposing any traditions or ceremonies, but by the consensus of the church either expressly, or understood. Because the church is free and **domina** (mistress), and bishops ought not to lord it over the faith of the churches, nor burden or smother the church with matters contrary to her will. For they are ministers and stewards only, not lords of the church. But if the church shall have consented, or as one*

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<sup>21</sup> See the St Louis Edition of Luther's Works, Walch XVI, 749, for numerous documents on this incident.

<sup>22</sup> Walch XVI, 736.1.

<sup>23</sup> Walch XVI, 736.2.

<sup>24</sup> Walch XVI, 761-2; English from a German translation of the original Latin.

<sup>25</sup> Walch XVI, 762.

*body with the bishop, they may impose upon themselves, whatever they desire, for the sake of piety, or again omit it at will.*<sup>26</sup>

Seeking to avoid an inevitable split, the Evangelicals investigated the possibility of accepting the sacrament under one kind, private masses and the canon of the mass with explanatory glosses as matters indifferent. The Elector John requested an opinion from Luther, who replied that it was a matter of indifference and free choice whether to offer both elements in the sacrament. Only what is clearly taught in God's word should be taught and practised. The problem was that the papal party did not believe that giving only the 'one kind' (bread) was a matter of indifference, 'because on account of it they have burned, exiled, and persecuted many people ...'<sup>27</sup>

Nor was Luther willing to grant that the private mass or the canon of the mass were in any way matters of indifference.<sup>28</sup> What Melancthon had confessed at Augsburg pleased Luther.

*I agree with you that it is not to be a matter of indifference but a precept that we consume both kinds if we wish to partake of the sacrament. For it is not within the bounds of our will to establish or tolerate in the church of God and the **cultus** (service) of God that which can not be defended by the word of God, and I am very much disturbed by this sacrilegious word **indifferens** (indifferent). For by this same word I would easily make all the laws and ordinances of God indifferent matters. For once you admit that something of the Word of God is indifferent, by what rationale will you keep all things from becoming indifferent?*<sup>29</sup>

It was completely in accord with Luther that the Augsburg Confession confessed that the power of bishops is the power of the church. This is the power of the keys to preach the gospel and administer the sacraments, as given in John 20 (AC 28, 5). In fact, AC 28 uses all these terms interchangeably.<sup>30</sup> It is the genius of the *Augsburg Confession* that it refuses to play one estate in the church off against the other. 'The power of the church or bishops gives eternal gifts and is used and exercised only through the office of preaching' (28, 10). While pastors and churches owe the bishops obedience according to the clear words of Christ in Luke 10:16, 'He who hears you, hears me' (28, 22), bishops do not have the authority to establish 'new ceremonies' as though they merit grace (28, 38). They have no authority to mandate in matters of festivals, food, clothing or fasting as though it were sin not to follow their mandate. But bishops or pastors may establish ceremonies or orders for the sake of good order in the church, 'for the sake of love and peace' (28, 55). This was exactly the position of Luther.

### **The Augsburg Confession and the polity of the church**

<sup>26</sup> De Wette IV, 106; letter to Melancthon, 21 July 1530.

<sup>27</sup> De Wette IV, 141; LW 49, 4087; letter to Elector Johann, 26 August 1530.

<sup>28</sup> De Wette IV, 142-43; LW 49, 408-410.

<sup>29</sup> De Wette IV, 146; letter to Melancthon, 26 August 1530.

<sup>30</sup> AC 28, 1, 8, 20.

In the *Augsburg Confession* the confessors clearly expressed their ‘deep desire’ to retain the canonical episcopal polity and traditions of the church catholic.<sup>31</sup> That did not and could not happen — for the most part — in Germany (unlike some Scandinavian and Baltic States). Few bishops joined the Reformation. The last of the German Lutheran bishops served in Prussia up to 1587, when the consistorial order was introduced.<sup>32</sup> This conservatism regarding polity is perhaps most evident in the fact that ordinations (canonically the task of the bishop) were postponed in Wittenberg until 1535. All ordinations for Electoral Saxony and beyond occurred there well into the future.

Knee-jerk opposition to such episcopal polity is as unconfessional as is a romantic desire to re-establish the episcopacy as an allegedly divinely mandated cure for modern church problems. As a confessional Lutheran one may argue for or against this or that type of polity (episcopal or synodical) on the basis of churchly wisdom and on practical grounds. But one may not state with Calvin, Rome, Presbyterianism, Methodism, Eastern Orthodoxy, Congregationalism, and others that there is an ‘order by which the Lord wished to govern the church’ [*ordo quo Dominus voluit gubernare ecclesiam*]. The attempt to find in the New Testament one mandated polity for governance ends in failure.

Lutheran church polity developed as follows. First ‘visitors’ were chosen, often by the default bishop (*Notbischof*), the prince of the duchy or, in the case of free cities, by the town council to conduct a visitation of the parish(es) in the jurisdiction.<sup>33</sup> Thus there were the Ernestine Saxon visitations of 1528, 1529, 1533, 1554.<sup>34</sup> The visitors, who initially turned to their superintendent or to Luther in doubtful cases, were soon brought together into ‘synods’ for conducting ecclesiastical affairs. By the mid 1530s so many issues related to marriage and the state were arising that the first ‘consistories’ were founded. In some cases they consisted of more than a half a dozen individuals, a few pastors and a lawyer or politician.<sup>35</sup> The consistories dealt with the day-to-day administration and oversight of the church, and periodic synods gathered to make decisions regarding doctrinal and practical matters.

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<sup>31</sup> AC 28, 12; Ap 15, 20, 21; 15, 38, 39; see especially Ap 14, 1-5.

<sup>32</sup> Sehling IV, 107ff. Nicholas von Amsdorf was chosen bishop of Naumburg but could not find broader acceptance for episcopal polity. E Sehling, *Geschichte der protestantischen Kirchenverfassung*, G Teubner, Berlin, 1913, 15. See also Sehling II, 57, 58. When Wigand died in 1587, the last of those who served as Lutheran bishops in Prussia, the episcopate was done away with and a consistory established. For a brief summary see William J Tighe, ‘German Reformation Bishops’, *Lutheran Forum* 33/4, 1999, 45-49.

<sup>33</sup> The idea of a visitation did not come from Luther, who was reluctant to have the secular authority involved in such a matter. See Sehling, *Geschichte der Protestantischen Kirchenfassung*, 9.

<sup>34</sup> These visitation orders are all available, in addition to dozens more from all areas which became Lutheran. See Sehling I, 32ff.

<sup>35</sup> See ‘Church Administration and Church Order’ in Martin Brecht, *Martin Luther: The Preservation of the Church 1532-1546*, Fortress Press, Minneapolis, 1993, 279-85.

The early Lutheran princes were in many cases markedly helpful in the cause of the Reformation, having come to be regarded as *summi episcopi* in their lands. Yet this polity, originally by ‘emergency’, was injurious to Lutheranism, as dogma became subservient to political goals. The mixing of the kingdoms in the person of the prince, one of the realities about which the Lutherans complained loudly at Augsburg,<sup>36</sup> was an emergency from which German Lutheranism was not extricated until the Weimar Republic did away with the entire old political system (1918). To be fair, this system was not merely a Lutheran phenomenon; it was positively medieval. Thus the guest list for the Diet of Augsburg began, ‘Carolus, Roman Emperor. Ferdinand, King of Hungary and Bohemia. Albertus, Archbishop of Mainz and Elector’.<sup>37</sup>

The sixteenth-century church orders that were the points of contact between confessed dogma and church life were the product of princes who handpicked theologians for the task (eg Chemnitz and Andrea by Julius in Braunschweig Wolfenbüttel, 1569). We also have orders which are the product of cities which invited one or more theologians for the task (eg Bugenhagen for the free city of Braunschweig, 1528), and a range of other variations. We have orders produced by the significant confessors of 1530 and 1580. Even more significantly, in the church orders these men *all* mandate liturgical uniformity in the churches in question! They do so believing that they are acting in complete conformity with the faith confessed at Augsburg 1530, and in 1580.

### **The ‘church’ in Formula of Concord Solid Declaration 10, 9**

Before citing the church orders, a few brief comments regarding Formula of Concord SD 10, 9 are needed. It has long been popular to interpret *Gemeine Gottes* as meaning each individual congregation. In fact, as I have noted elsewhere,<sup>38</sup> the *Triglotta* (1917), in updating the German of the Formula, chose *Gemeinde* for *Gemeine*, thereby leading many to assume wrongly that FC 10 means that each and every local congregation has the autonomous right to do as it pleases in matters liturgical. While *Gemeine* may mean a local congregation, the word often has both a wide and a narrow sense in the contemporary literature. To read FC 10 as though it were defending an individual congregation’s right to be liturgical or dispense with all liturgy is to ignore the fundamental assertion of the *Augsburg Confession* regarding the conservative intent of the Lutheran confessions to retain the western rites and liturgical usages. The *Apology* does not present a Lutheran church the option of being ‘non-liturgical’.<sup>39</sup> This is in accord with Luther’s directives in the 1520s which advocate liturgical unity for the sake of love in each principality or district. This (and not the local congregation) is what the Formula is talking about when it uses the term *Gemeine*, translated correctly by Piepkorn in Tappert as ‘community’. This, too, accords with

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<sup>36</sup> ‘Therefore, the two authorities, the spiritual and the temporal, are not to be mingled or confused’ (AC 28, 12). ‘The same person cannot be a bishop and a sovereign’ (LW 49, 383; Luther to Melancthon at Augsburg).

<sup>37</sup> Walch, XVI, 726.

<sup>38</sup> ‘Martin Chemnitz and FC X’, in *Mysteria Dei: Essays in Honor of Kurt Marquart*, ed Paul T McCain and John R Stephenson, Concordia Theological Seminary Press, Fort Wayne, 1999, 79-99.

<sup>39</sup> The *Apology* repeatedly asserts readiness to keep the old traditions; see especially 15, 1, 20, 21, 38, 51 and 24, 1ff.



AC 7 where ‘in all places’ [*allenthalben*] means as much as ‘in every quarter, region or district’.

### **The church orders on uniformity**

The church orders do what Luther did: they purge liturgical life of any contradiction of the article of justification. He advocated liturgical uniformity according to district, but not in such a way that people were to believe that certain liturgical matters were matters of divine mandate where they were not, or that by doing such things they were meriting grace. True Christian freedom in the gospel rendered the individual free in such matters, and true Christian love rendered the individual a servant in such matters, ready to sacrifice freedom for the sake of love, order, edification and betterment of the church as a body. We now note how the sixteenth-century confessors and reformers explicitly followed this path of Luther.

Melanchthon’s *Articles for the Visitation of Saxony, 1528* (Luther was a visitor) state that the knights and nobility ‘shall diligently maintain the ceremonies of the visitation order’.<sup>40</sup>

The ‘mandate to pastors and preachers’ in *The Electoral Saxon Visitation Articles of 1529* states that ‘they shall expressly hold to the ceremonies and festivals of the visitation instruction, and not [act] otherwise’.<sup>41</sup>

Begun by Bugenhagen, and completed by Amsdorf in 1531, *The Church Order for the City of Goslar* states that the pastor shall swear not to ‘introduce anything new in the realm of ceremonies or otherwise, which is contrary to God’s word and this order’.<sup>42</sup>

*The Brandenburg-Nürnberg Church Order in 1533* lays down that visitors shall see to it that pastors not take it upon themselves to introduce in the external orders, ceremonies and church usages, and no matter what the circumstances, any revision, change or anything unseemly, which is against God’s word or not in accord with the same, without the knowledge, approval and consent of the governing authority, or give place to other changes. They shall rather hold to his visitation order, as much as is mandated in each part, and follow it so that unity, peace and similarity may be maintained, and all unseemly offence rightly avoided.<sup>43</sup>

The *Wurtemberg Church Order of 1536* states that ‘the form and manner of ceremonies herein shall be maintained in our principality, in accord with what follows’.<sup>44</sup>

Urban Rhegius produced the *Church Order for the City of Hannover, 1536*. It states:  
*It is indeed not possible that we in the flesh and in this visible world can live without any ceremonies ... For this reason we desire also for the sake of good*

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<sup>40</sup> Sehling I, 175.

<sup>41</sup> Sehling I, 176.

<sup>42</sup> Richter I, 154.

<sup>43</sup> Richter I, 211.

<sup>44</sup> Richter I, 266.

*order, and to serve the weak, to continue to maintain certain useful ceremonies, yet in the freedom of the Spirit, such as the common vestments at the altar, common vessels for the administration of the sacrament as hitherto have been used, candles on the altar, crucifix and reverent images through which no idolatry is produced, baptismal font, altar, Christian hymnody, German and Latin, according to the circumstances of the time.*<sup>45</sup>

Justus Jonas composed *The Order for the Principality of Anhalt, 1538*. It orders: ‘Concerning ceremonies, songs and rites in the church . . . the external divine service with the mass, communion, festivals, should everywhere be maintained in form and measure, as at Wittenberg’.<sup>46</sup>

*The Constitution and Articles of the Consistory at Wittenberg 1542* (Jonas, Cruciger, Bugenhagen, Melachthon, Luther, and others)<sup>47</sup> state:

*It is the cause of much incorrectness... when the external church ordinances, divine service and ceremonies are not held with reverence, or in orderly fashion, or in like manner. Also certain pastors purpose to act in these matters without uniformity. They shall carefully see to it that the ceremonies which have to do with hymns, clothing of the priests, administration of the sacrament ... as well as the festivals, be maintained in an orderly and uniform fashion, at one place as at another, uniform and in accord with such as occur at Wittenberg and Torgau, in accord with the Holy Scriptures...*<sup>48</sup>

Justus Jonas wrote *The Church Order of the Christian community at Halle, 1543*.

*It is godly and Christian for the advancement of divine honour that all things be set in useful, good orders, yet without detriment to Christian freedom and without unfounded binding of consciences . . . so that in these new churches in the [ noted parts there may be good Christian order in the preaching office and doctrine, seasons, persons and times, which may be used for divine service.*<sup>49</sup>

Chemnitz and Andraea in 1569 produced *The Church Order for Braunschweig Wolfenbüttel* for Duke Julius. It treated ceremonies, freedom and uniformity at length. There should be

*such ceremonies which give the external indication that in the congregation great, high, serious dealings are present, so that the ceremonies lead, stimulate, admonish and move the people to join together their thoughts, lift up their hearts in all humility. That there be in the congregation heartfelt devotion to the word, the Sacrament and prayer ... Christian freedom has its place in this matter, as the ancients said, “Disagreement in rites does not take away agreement in faith.” It still brings all sorts of benefit that in ceremonies, so much as it is possible, a uniformity be maintained, and that such uniformity serve to maintain unity in doctrine, and that common, simple, weak consciences be all the less troubled, rather strengthened. It is therefore viewed*

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<sup>45</sup> Richter I, 275.

<sup>46</sup> Sehling II, 546.

<sup>47</sup> On the origin of this document see Sehling I, 57.

<sup>48</sup> Sehling I, 202.

<sup>49</sup> Sehling II, 434.

*as good that, as much as possible, a uniformity in ceremonies with neighbouring reformed churches be affected and maintained. And for this reason, henceforth all pastors in the churches of our realm, shall emphatically follow this written church order, and not depart from the same without specific, grave cause.*<sup>50</sup>

In 1571 Chemnitz authored the *Articles to be subscribed by those received into the ministerium of this church*. They include the injunction to ‘retain the rites in use and received ceremonies of this church, and not presume to change anything by private decision without a common decree’.<sup>51</sup>

Formulators of the *Formula of Concord*, Andreas Musculus and Chistoph Corner, were both General Superintendents of Mark Brandenburg. Musculus revised the *Mark Brandenburg Church Order* of 1572 which commands that ‘no one should change anything or go beyond our order, not even in the least, so that in our land, as much as possible, it may be maintained in unity of practice, and unnecessary division and separation be avoided’.<sup>52</sup>

Chytraeus was responsible for *The Wismar Address of 1572*. It lays down that no one shall ‘change, improve or order a single thing in the church, no matter how necessary it may be considered, without the foreknowledge, consideration and approval of the entire ministerium’.<sup>53</sup>

Musculus produced *The Mark Brandenburg Visitation and Consistorial Order of 1573*. It proscribes proceedings ‘against those in cities or villages who do not maintain preaching, the administration of the sacraments and ceremonies in an orderly fashion and in accord with our Christian church order’.<sup>54</sup>

*The Visitation Instruction of 1577*, prepared under Duke August (second signer of the Book of Concord) for Albertine Saxony, states that visitors are to ascertain whether the pastor

*keeps in their entirety the sacraments and ceremonies for the same from the church agenda of that erstwhile highborn prince, Lord Heinrich, Duke of Saxony etc, our dear father, of highly praised and blessed memory; or whether he presumes to make changes in the same. He [the visitor] shall take careful note as to what those changes may be.*<sup>55</sup>

The final order here referred to is one of the most significant for interpreting FC SD 10, 9. Duke August of Electoral Saxony was the driving force behind the Electoral Saxon Church Order of 1580, and Andreae its author. The order came out after the adoption of the Book of Concord. In fact, it calls for ministers to subscribe to the

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<sup>50</sup> Sehling VI.1, 139, 40.

<sup>51</sup> Sehling VI.1, 471.

<sup>52</sup> Sehling III, 96.

<sup>53</sup> Sehling V, 313.

<sup>54</sup> Sehling III, 132.

<sup>55</sup> Sehling I, 349.

Book of Concord.<sup>56</sup> What FC SD 10 means when it states, ‘no church shall condemn another’, is crystal clear in ‘IX. Regarding Ceremonies in the Churches’.

*Pastors and ministers, on the basis of God’s Word, and at the instigation of the declaration published this year (1580), and incorporated in this book [FC SD X?], shall diligently instruct their flock and hearers in their sermons, as often as the opportunity avails itself, that such external ordinances and ceremonies are in and of themselves no divine service, nor a part of the same. They are rather only ordained for this reason, that the divine service, which is not within the power of human beings to change, may be held at various times and places, and without offence or terrible disorder.*

*Accordingly, they should not at all be troubled when they see dissimilar ceremonies and usages in external things among the churches. They should much rather be reminded herein of their Christian freedom, and in order to maintain this freedom, make profitable use of this dissimilarity of ceremonies...*

*Nevertheless, so unity may be maintained in the churches of our land... the following ceremonies shall be conducted according to our order or incorporated church agenda, until there is a general uniformity of all churches of the Augsburg Confession ... And it will be granted to no minister to act contrary to the same [agenda] to introduce some revision, no matter under what pretext, in order to avoid troubling the superintendents and adjuncts.<sup>57</sup>*

## Conclusion

In its Confessions and church orders of the sixteenth century the Lutheran Church followed Luther’s earlier writings on the goal of liturgical uniformity. The church orders universally maintained the catholic sweep of the western liturgy, seeking merely to purify the old on the basis of the doctrine of justification. Like Luther, they rejected any imposition of human ceremonies intended to merit divine favour, and rejected any attempt to bind consciences with matters not bound by the word of God. Yet they explicitly followed Luther’s ethic in the realm of liturgical life. While the Christian under the gospel is perfectly free and subject to none, under the ethic of love the Christian is the perfectly dutiful servant of all and subject to all. Thus the Reformers followed Luther in asserting the need for liturgical uniformity for the sake of love, to avoid offence and false doctrine.

Liturgical unity was sought in each respective district or jurisdiction, which again was completely in accord with Luther’s directive. Such jurisdictions involving few or many congregations are what was in mind when the Formula spoke of the *Gemeine Gottes* (FC SD 10, 9). Church polity is a matter of freedom. The Lutheran Church, be it synodically or episcopally organised, has the authority, for the sake of love and unity, to set definite liturgical parameters for its pastors and congregations. Within those parameters, pastors are free to exercise their discretion. This is clear from

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<sup>56</sup> Richter II, 406b.

<sup>57</sup> Richter II, 440.

Luther, the Confessions, and the practice of the confessors from the first visitations in the 1520s to 1580.